

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

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PARLIAMENT OF INDIA

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PARLIAMENTARY DEBATES
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PARLIAMENT OF INDIA

Saturday, 26th May, 1951

*The House met at Half-past Eight of
the Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

**DEVELOPMENT OF INDUSTRIALLY
BACKWARD COUNTRIES**

*4536. **Shri A. C. Guha:** Will the Minister of Finance be pleased to state:

(a) whether under the Point Four Aid Programme the Office of International Trade of the U.S.A. has initiated any plan for encouraging American private investors to invest on schemes for the industrial development of the industrially backward countries;

(b) if so, whether the Government of India have received any communication in that respect; and

(c) whether there has been any proposal of private American investors investing money in India?

The Minister of Finance (Shri C. D. Deshmukh): (a) The Government of India are not aware of any such plan. The Office of International Trade (O.I.T.) is a branch of the Department of Commerce of the United States Government, and one of the functions of this Office is to further import export trade with all countries, including industrially backward countries, and such activities existed prior to the Point Four Aid Programme.

(b) Does not arise.

(c) Government have no precise information.

Shri A. C. Guha: Have the Government received any communication from the Employment and Economic Development Commission of the United States?

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Shri C. D. Deshmukh: No, Sir.

Shri A. C. Guha: May I know whether there are any proposals from private investors for investing money in Indian enterprises?

Shri C. D. Deshmukh: Occasional proposals come to our notice, either in connection with the remission of profits or in connection with the issue of permission under the Capital Issue Control.

Shri A. C. Guha: Have any private American investors invested money in Indian enterprises?

Shri C. D. Deshmukh: During which period?

Shri A. C. Guha: During the last three years.

Shri C. D. Deshmukh: I think a very small amount has been invested, as far as we can ascertain. But as I said, we have no precise information. All the evidence available show that any amount invested must be very small.

**SALES TAX ON COTTAGE INDUSTRY
PRODUCTS IN DELHI**

*4538. **Shri Ansari:** (a) Will the Minister of Finance be pleased to state whether the products of cottage industry are exempted from sales tax in Delhi?

(b) Is it a fact that handloom cloth is not one of the exempted goods under the Sales Tax Act?

The Minister of Finance (Shri C. D. Deshmukh): (a) Certain articles have been exempted by specific mention in the Schedule appended to the Notification of the Ministry of Home Affairs regarding sales tax in Delhi, in the Gazette of India Extraordinary dated 28th April, 1951, and I would draw the attention of the hon. Member to the same.

(b) Cloth woven on handloom exclusively out of handspun yarn, and sold by persons dealing exclusively in

such cloth, is in the exempted list, as would be seen from item 18 of the Schedule to which I have already referred.

Maulvi Wajed Ali: May I know when this sales tax is going to be brought into operation in Delhi?

Shri C. D. Deshmukh: The Notification was issued on the 28th April; but I believe the administrative arrangements have yet to be completed. I could not give the precise date.

Salkh Mohinddin: What is the special reason for its being delayed here?

Shri C. D. Deshmukh: One reason is that there was some doubt as to whether the Government has the power to extend the legislation in force in other Provinces to the Delhi State. That has been set at rest recently by the judgment of the Supreme Court. As I said administrative arrangements have also to be completed.

MEDICAL OFFICERS OF DEFENCE FORCES

*4539. **Dr. M. M. Das:** (a) Will the Minister of Defence be pleased to state the number of medical officers of the Defence Forces, who have been sent abroad for post-graduate studies since independence?

(b) How many of these officers have come back with post-graduate degrees and diplomas?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) 22, of whom 16 were on study leave, 3 on study tour and 3 on deputation.

(b) 7, out of the 13 who have returned so far.

Dr. M. M. Das: What is the total number sent out and how many of them have returned?

Major-General Himatsinhji: Out of the total of 22 officers sent, 16 were on study leave, 7 of these have returned so far with diplomas. One returned without getting a diploma because he was doing the F.R.C.S. course and the period of his study leave was not sufficient for the purpose.

Dr. M. M. Das: As far as I know, Sir, F.R.C.S. does not require a long time. The minimum is only six months. Any way, may I know whether our medical officers are sent abroad merely for medical studies or for medical-cum-military studies?

Major-General Himatsinhji: In our country we have not got any civil post-graduate courses for higher studies in medical science. Before 1946 every

Army medical officer during his term of service had to go out once, but now it is very limited on account of financial stringency. The officers go abroad to study higher medical science, generally.

Dr. M. M. Das: In view of the fact that a post-graduate medical college has been established in Poona, may I know what are the reasons why Government still think it necessary to send our medical officers to England and other countries?

Major-General Himatsinhji: The hon. Member being himself a doctor should know that higher medical studies in the U. K., the U. S. A., Vienna and other countries have been going on for several hundred years. Meanwhile this college has been started at Poona, some three years ago and it is doing well, and we are satisfied with the progress. But still neither it covers all the subjects, nor can it have the same facilities.

Dr. M. M. Das: From the reply of the hon. Minister it appears that the Poona Post-graduate Medical College has not attained the required standard. May I know when the hon. Minister expects it to

Mr. Speaker: Order, order. I think the Minister said that all subjects are not covered, he did not say that a proper standard has not been reached.

Dr. M. M. Das: What are the subjects that we are not teaching in Poona and which are being taught in other countries?

Major-General Himatsinhji: The subjects are many and varied and I gave the list of subjects that are being taught at Poona Medical College, a few days ago. I can now give the list of the courses which the seven officers passed recently, most of which are not available here.

- (i) Diploma in Clinical Pathology.
- (ii) Diploma in Medical Radio-Diagnosis.
- (iii) Diploma in Psychiatric Medicine.
- (iv) Diploma in Anaesthesia.
- (v) Licentiate of Midwifery, Diploma of Gynaecology and Obstetrics.
- (vi) Diploma in Public Health—and this we have at Poona.
- (vii) Diploma in Ophthalmology.

Shri Kamath: Sir, is there a selection board for the purpose of selecting officers for post-graduate courses abroad, and if so, what is the personnel

of that board, and the basis and method of selection?

Mr. Speaker: It is too wide a question. He may ask whether there is a board or not.

Shri Kamath: All right, Sir.

Major-General Himatsinhji: Sir, most of the officers apply for post-graduate courses overseas; and the Director General of the Armed Forces Medical Service is the authority who selects the best person for the right course, as he thinks fit, according to the officer's qualifications.

QUESTIONS REFERRED TO SUPREME COURT

*4540. **Shri S. N. Das:** Will the Minister of Home Affairs be pleased to state:

(a) the number and nature of questions referred by the President to the Supreme Court as envisaged in Clause (1) of Article 143 of the Constitution; and

(b) the nature of report submitted by the Supreme Court?

The Minister of Home Affairs (Shri Rajagopalachari): (a) Only one reference has so far been made to the Supreme Court under Clause (1) of Article 143 of the Constitution. In that reference, the Supreme Court of India was asked to report its opinion on the following questions :

(i) Was section 7 of the Delhi Laws Act, 1912, or any provisions thereof and in what particular or particulars or to what extent *ultra vires* the Legislature which passed the said Act?

(ii) Was the Ajmer-Merwara (Extension of Laws) Act, 1947, or any of the provisions thereof and in what particular or particulars or to what extent *ultra vires* the Legislature which passed the said Act?

(iii) Is section 2 of the Part C States (Laws) Act, 1950, or any of the provisions thereof and in what particular or particulars or to what extent *ultra vires* the Parliament

(b) The hon. Judges of the Supreme Court delivered their opinions on the 23rd May, 1951. These opinions have to be carefully studied in our Law Ministry, which is being done.

Shri S. N. Das: May I know the circumstances which gave rise to this law-point for which this reference was made?

Shri Rajagopalachari: The circumstances are obvious. We had an Act

under which we acted and a question was raised whether the powers of delegation were validly made and exercised, and it was necessary absolutely to get a clear decision on the subject.

Shri S. N. Das: May I know whether any of the provisions of these laws were challenged in any Court of India?

Shri Rajagopalachari: There is a difference between challenging and raising doubts. I think I could say that doubts were raised.

Mr. Speaker: Mr. Das. No. 4541.

Shri Amolakh Chand: May I suggest that question No. 4556 may also be taken together with this question as both deal with the same subject?

Shri Tyagi: It has been disallowed.

Mr. Speaker: That is in the name of Mr. Tripathi.

Shri Kishorimohan Tripathi: Yes, Sir

Mr. Speaker: Then both will be answered—4541 and 4556.

CONFERENCE OF FINANCE MINISTERS OF INDIA AND PAKISTAN

*4541. **Shri S. N. Das:** (a) Will the Minister of Finance be pleased to state whether it is a fact that a Conference between the Finance Ministers of India and Pakistan has been arranged?

(b) If so, what are the outstanding financial issues that will be considered?

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

(b) A statement showing the items proposed to be discussed is laid on the Table. [See Appendix XXVI, annexure No. 23.]

INDO-PAKISTAN CONFERENCE

*4556. **Shri Kishorimohan Tripathi:** Will the Minister of Finance be pleased to state:

(a) the issues discussed at the Indo-Pakistan Conference held at New Delhi to settle outstanding financial matters; and

(b) in which of the issues final agreements were reached at and how are our receipts and payments affected?

The Minister of Finance (Shri C. D. Deshmukh): (a) A statement showing the items proposed to be discussed has been laid on the Table in reply to Starred Question No. 4541 by Shri S. N. Das.

(b) As the conference is still going on, I am unable to answer this part of the question.

Shri S. N. Das: May I know whether the outstanding issues that have been put forward by the two Governments and which have been included in the agenda of the Conference are exhaustive so far as the issues arising out of the Partition are concerned?

Shri C. D. Deshmukh: I don't think they are exhaustive. For instance they don't include matters which are handled in the Rehabilitation Ministry.

Shri Kishorimohan Tripathi: May I know whether in the Conference held yesterday the general approach to the problems on both sides was generally satisfactory and is it hoped that the Conference will be successful?

Mr. Speaker: Order, order.

Shri A. C. Guha: May I know if any arrangement has been arrived at for the transfer of Savings Bank Accounts from East Bengal or other parts of Pakistan of those who have migrated?

Shri C. D. Deshmukh: Has it reference to the items which are being discussed at this Conference or has it reference to items that were discussed at the previous Conference? I have not got information as to the outcome of previous Conference on certain specific matters.

FINANCIAL ADMINISTRATION

*4542. **Shri S. N. Das:** (a) Will the Minister of Finance be pleased to lay on the Table a statement showing the important organisational changes effected in the general Financial Administration after the 26th January, 1950?

(b) What important changes have been made regarding combination of functions in relation to Accounts and Audit since 26th of January, 1950?

The Minister of State for Finance (Shri Tyagi): (a) There have been no important changes in the general Financial Administration after the 26th January, 1950. I may mention, however, for the information of the hon. Member that under the present system of financial administration and control a senior officer of the Finance Ministry of the status of Joint Secretary, assisted by an appropriate number of junior officers, is attached to a group of Ministries. It is their function to advise Ministries and offices at the formative stages of their schemes and projects in addition to exercising the requisite control over expenditure. They also interpret rules and regulations and consider cases of relaxations thereto in deserving cases. In recent

years the practice of having personal consultation of the officers of the Finance Ministry and associating them in all discussions of importance has been developed to a considerable extent. This practice is not only conducive to expeditious and efficient disposal of work, but also ensures that no infructuous expenditure is incurred.

It may be added that prior approval of the Standing Finance Committee is required to be obtained on the following types of proposals, viz.,—

(i) All proposals involving expenditure over five lacs non-recurring and one lac recurring per annum.

(ii) All proposals involving expenditure on a 'new service', irrespective of the extent of expenditure involved.

(iii) All proposals for additional expenditure likely to involve excesses over grants necessitating supplementary grants.

(b) There has been no change.

Shri S. N. Das: May I know which of the Departments are working at present the system of separated accounts and audit?

Shri Tyagi: Accounts and audit are both under the Auditor General.

Shri S. N. Das: May I know whether Government have considered the question of introducing the system of separated accounts and audit in the Departments in which the system is not followed?

The Minister of Finance (Shri C. D. Deshmukh): I don't know what is meant by separated audit and separated accounts. I think we have given some thought to it and I believe it is regarded as impracticable in the present circumstances.

Shri S. N. Das: May I know whether any efforts have been made to ascertain the estimate of expenditure that will be involved if this system of separated accounts and audit is followed?

Shri C. D. Deshmukh: I don't think consideration has proceeded that far.

Shri Sondhi: Is the Government aware that a Deputy Secretary of Finance attached to the Rehabilitation Ministry sanctioned an amount of over 35 lakhs in Bengal without reference to any senior officer?

Shri Tyagi: I cannot say if it is a fact without making enquiries but if the hon. Member has any objection to the procedure adopted in the matter, I will have it examined.

D.V.C. (BOARD OF CONSULTANT)

*4543. **Shri Jnani Ram:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether it has been decided in a recent meeting of the Damodar Valley Corporation to increase the number of the personnel of the Board of Consultants;

(b) if so, the steps taken for the same; and

(c) whether the additional member would be an Indian?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Yes, Sir.

(b) We are in communication with the Corporation on the subject.

(c) Yes, Sir.

Shri Jnani Ram: What will be the status and pay of this new member? Will it be the same as that of others?

Shri Sri Prakasa: I believe that question will arise when the person is actually appointed. We are in communication with the Corporation at the present moment and we have a tentative list of persons who could be appointed to this place. When the Corporation has agreed, we shall consult the Governments of Bengal and Bihar and then we shall take the final decision.

Shri Jnani Ram: May I know what procedure will be followed in appointing the other member?

Shri Sri Prakasa: The same procedure as is at present adopted viz., that the Corporation appoints the Board; but we also want to have a voice on the subject; and that convention I believe is being established.

Shri A. C. Guha: May I know if the Government have any idea to see that the Board of Consultants does not contain anybody who is interested in any contract with the D.V.C.?

Shri Sri Prakasa: That is so; and that is why we are not consulting one of these American Consultants who had something to do with the drawing up of one of the projects.

Saikh Mohiuddin: What will be the number of personnel thus increased?

Shri Sri Prakasa: When we have added on this additional member, the personnel will consist of four—two are Americans, the ones that we have already got, and two will be Indians; one Indian is already there and the present one will also be an Indian. I

might also add for the information of the House, that these American Consultants only come when wanted and the costs that we have to incur on their account are very heavy. So far they have only come once. Our idea is to have meetings of Consultants more often than before; and I do not think we shall have occasion to consult the American Consultants very often in the future.

Shri B. K. Das: I wanted to know whether the American Consultants tender their advice on reports that are sent to them from here or they have to come over to India every time that they have to give their advice?

Shri Sri Prakasa: As I said they have come only once during these two years; and as a rule, the Corporation send papers to them and they advise from that distance which is not very satisfactory.

Maulvi Wajed Ali: May I know the name of the Indian Consultant?

Shri Sri Prakasa: It has not yet been finalized.

Shri Shiva Rao: May I know whether the services of this Board of Consultants would be utilized only in the case of D.V.C. or has my hon. friend any intention of using that Board in connection with other major projects?

Shri Sri Prakasa: So far, the Board of Consultants is confined to the D.V.C. Project; but the suggestion of my friend is interesting and I will get it examined.

Shri Amolakh Chand: What is the mode of payment of fees to the American Consultants of the Corporation whenever they have to give their advice either in writing or by coming over to India?

Shri Sri Prakasa: When they visit India on Corporation work, they get fees at the rate of \$ 750 for each completed week and at the rate of \$ 100 per day for part-weeks at the beginning and end of their engagement. This is rather heavy and that is why they have been called only once to India. So far as payment to them on the spot is concerned, it is made at prescribed rates, when they are consulted.

GOVERNMENT HOUSING FACTORY

*4545. **Shri Kamath:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that a Committee has been appointed to inquire and report as to the best way

he Government Housing Factory can be utilized;

(b) if so, its personnel and terms of reference;

(c) whether the examination of the legal implications of the Moolgaokar Committee report has been completed;

(d) if so, whether the report will be laid on the Table of the House;

(e) whether the British Consulting firm—Structural and Mechanical Development Engineers Ltd., Bucks, England, will be legally proceeded against; and

(f) whether it is proposed to continue the services of the Director of Housing after the expiry of his contract?

The Minister of Communications (Shri Kidwai): (a) and (b). Attention is invited to the replies given by me to Supplementary Questions arising from Starred Question No. 4092, dated the 12th May, 1951.

(c) to (e). The question of legal action against the British Consultants is still under consideration and it will not be in the public interest to lay the report of the Moolgaokar Committee on the Table of the House until a decision is reached.

(f) No. The Director himself has requested to be relieved on July 1st, next.

Shri Kamath: Arising out of answers to parts (a) and (b), what are the reasons for not appointing a non-official technical expert as the Chairman of the Committee, as was done in the case of the earlier Moolgaokar Committee, but having the Secretary to a Department of Government as the Chairman of the Committee?

Shri Kidwai: The particular Chairman was appointed because it was thought that he was the most competent man available.

Shri Kamath: Arising out of answers to parts (c) to (e) of the question, is it not a fact that the Moolgaokar Committee has held that the British Consulting firm has been guilty of breach of agreement with the Government of India?

Shri Kidwai: The report has not yet been published: it will not be advisable to ask questions, which are likely to lead to conclusions.

Shri Kamath: Is it a fact.....

Mr. Speaker: Order, order. The Prime Minister.

The Prime Minister (Shri Jawaharlal Nehru): May I say something in regard to this matter? As this House knows sometime back a technical committee was appointed to take charge of the Housing Factory and to report to Government as to what was the best use to which the factory can be put. The National Physical Laboratory is the place where the tests are being carried out in regard to any matter concerning the housing factory and naturally therefore the persons in charge of the National Physical Laboratory played an important part in that Committee. Mr. Moolgaokar is an important member of that Committee and so are the others. I may inform the House that as a result of this Committee's working we have made good progress. I repeat what I have said before that this factory is a magnificent acquisition of Government. That is the Committee's opinion and it is going to be not only of use in regard to construction work but is also going to be a very profitable undertaking. There appears to be some impression that this factory has caused considerable loss to Government. That is not true, if I may say so. Numerous mistakes have been made in the course of the operation of this factory and they have been and are being properly corrected. The impression that there has been any considerable loss is completely wrong. We are correcting the past mistakes and with the help of our scientists and others I have no doubt that the work produced by this factory will be considerable and profitable.

As regards the Managing Director, he is no longer the Managing Director. In fact the only way in which he is connected with it is when the Technical Committee sends for him and seeks his co-operation or asks him something about it. Otherwise he is not connected with that particular matter in that capacity.

Shri Kamath: In regard to the expenditure referred to by the Prime Minister, is it not a fact that already 125 lakhs have been spent on the factory?

Shri Jawaharlal Nehru: I do not know the exact figure: I know a large sum has been spent.

Shri Kamath: Is the Moolgaokar Committee report still before the legal Advisers of Government or has it come back to the Ministry?

Shri Kidwai: It has come back to the Ministry.

Shri Kamath: Is it a fact that the Government Housing Factory is the

only factory in the whole world set up by this particular firm, and they have not set up any such factory anywhere else?

Shri Kidwai: I cannot give that information.

Shri Sondhi: Is it not a fact that for the intervening period as an interim measure Rs. 4½ lakhs have been sanctioned for this factory under the instructions of the Cabinet which has resulted in a loss of Rs. 2½ lakhs?

Shri Jawaharlal Nehru: No, Sir. That money is well invested and will yield heavy dividends.

Shri Kamath: I hope so.

REPORT OF U. P. S. C.

*4546. **Shri Kamath:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Union Public Service Commission has presented a report as required by Article 323 (1) of the Constitution; and

(b) if so, when it will be laid before Parliament?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). The first annual report on the working of the Union Public Service Commission will relate to the period after the 26th January, 1950. It is under preparation and the Commission hope to present it at an early date. It will be laid before Parliament as soon thereafter as possible.

Shri Kamath: Is it not a fact that under this particular Article of the Constitution an annual report is required to be laid before Parliament? In view of this mandatory provision of the Constitution, when can Parliament expect the report to be so laid?

Shri Rajagopalachari: The first annual report will relate to the period after the 26th January, 1950 and it is under preparation and if there were a few odd months it is due to the date of the start.

MINERAL WEALTH IN NAGA HILLS

*4547. **Shri Amolakh Chand:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether the Naga Hills are full of mineral wealth which has not yet been surveyed or tapped?

(b) If so, do Government propose to survey these hills in the financial year 1951-52?

The Minister of Natural Resources and Scientific Research (Shri Sri

Prakasa): (a) The Geological Survey of India report that Naga Hills district contains coal-seams of variable thickness, some of which, in the more accessible parts, are being worked by private mining firms. Some poor oil-shows also occur but their possibilities cannot be ascertained without drilling. No other mineral of economic importance has been reported so far.

(b) Geological survey of the administered portion of these Hills which consists of the Naga Hills District with administrative headquarters at Kohima, has been in progress for the last two years.

Shri Amolakh Chand: How many private firms are carrying on this mining work there?

Shri Sri Prakasa: I regret I have not got any detailed information on the subject in my hands here.

Shri Chaliha: Is it a fact that the Burma Oil Co. carried on geological survey during 1942-44 and oil was struck in the district of Sibsagar and in many other places also, particularly in Jorhat?

Shri Sri Prakasa: Oil seepage has been noted at several places as the hon. Member said and of these the most important ones are at Barsilla, Nichugarh and Chantongia. The Burma Oil Co. conducted test drilling at Barsilla and had drilled up to 7,000 feet. Ultimately they abandoned the work because no hopeful results were obtained. They are at present engaged in Nichugarh.

Shri Amolakh Chand: In view of the personal experience of the hon. Minister and the interest he took in going to the Naga Hills, is he satisfied that exploitation done by the private companies is sufficient or is there any need for the Government of India to exploit these mines?

Shri Sri Prakasa: The problem is not without its political side; and therefore it is not easy for the Government of India or even the Assam Government, to interfere very much in the various projects in the Naga Hills. The Government of India, however, are very anxious to develop these hills. At the present moment the Assam Government is on the lookout as to whether they can succeed in these ventures and I hope they will.

Shri Amolakh Chand: May I know if the Naga people themselves are running these private mining firms?

Shri Sri Prakasa: No foreign companies are doing this work in the

interior of the Naga Hills but, as I said, the Burma Oil Co. is interested in the survey of the Nichugarh area.

Shri Chaliha: May I know whether the work which is going on is at Bandarsalla or at Barsilla?

Shri Sri Prakasa: Barsilla. Work was done at Barsilla but it has been abandoned now.

A.I.R. STATIONS OF LUCKNOW AND ALLAHABAD

*4548. **Shri Amolakh Chand:** (a) Will the Minister of Information and Broadcasting be pleased to state the audibility limit of A.I.R. stations of Lucknow and Allahabad?

(b) Is it a fact that on account of the low capacity of these stations, the community listening scheme of U.P. is not progressing?

(c) Is it a fact that Lucknow station as well as Allahabad station are not able to cater the needs of Uttar Pradesh?

(d) When is the new 50 K.W. transmitter which is lying in stores, expected to be installed at Lucknow?

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

(a) The primary service ranges of the Lucknow and Allahabad transmitters of All India Radio (throughout day and night) are between 58 and 77 miles and 52 and 64 miles respectively; similarly their secondary service ranges during the night are about 600 and 290 miles.

(b) No.

(c) No.

(d) The question of installation and location of 50 K.W. transmitters is under examination.

Shri Amolakh Chand: May I know whether the Government is aware that Goa and Ceylon Radios are better heard in U. P. than the Lucknow and Allahabad stations?

Shri Diwakar: It might be so.

Shri Shiv Charan Lal: Is it a fact that the Allahabad Radio station as a relaying station is going to be closed down?

Shri Diwakar: I don't think so.

Shri Amolakh Chand: May I know when the Government intend to instal the 50 K.W. station in U.P.?

Shri Diwakar: The answer has already been given. I said the question of installation and location of 50 K.W. transmitters is under examination.

PURCHASE OF FILMS

*4549. **Shri Amolakh Chand:** (a) Will the Minister of Information and Broadcasting be pleased to state whether Government have purchased in 1950-51 any film (documentary or full length) from any private producer, and if so, how many and on what subjects?

(b) Is it the policy of Government to purchase films from private producers every year in spite of their own 'Films Division'?

(c) How many films and on what subjects are to be purchased in the current financial year?

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

(a) A statement giving the required information is laid on the Table of the House. [See Appendix XXVI, annexure No. 24.]

(b) Yes, Sir.

(c) Twelve films are proposed to be purchased during the current financial year. The production programme of the Films Division for 1951-52 has just been finalised and the question of allotment of subjects to private producers is under consideration.

Shri Amolakh Chand: May I know the amount spent on the purchase of these documentaries last year?

Shri Diwakar: I cannot give the figure straightway but these films were purchased and are at present under exhibition.

Shri Amolakh Chand: May I know the States where these films have been exhibited?

Shri Diwakar: Throughout India. Also, one or two were sent to foreign posts as well.

Shri B. K. Das: The hon. Minister, in reply to part (c) of the question, said that twelve films are proposed to be purchased in 1951-52. May I know on what subjects those films will be?

Shri Diwakar: My reply was that the production programme of the Films Division for 1951-52 has just been finalised and the question of allotment of subjects to private producers is under consideration.

CONSCIENCE MONEY

*4551. **Shri Sidhva:** (a) Will the Minister of Finance be pleased to state what is the total amount received from Tax evaders as conscience money?

(b) Were these amounts received in cash or by cheque?

The Minister of State for Finance (Shri Tyagi): (a) The total amount received from tax evaders as conscience money is Rs. 30,651.

(b) Rs. 550 in cash, Rs. 101 by cheque and Rs. 30,000 by bank drafts.

Shri Sidhva: May I know whether this bank draft of Rs. 30,000 was received from an assessee and, if so, when he presents his case for assessment will that amount be deducted from his assessment?

Shri Tyagi: The gentleman who sent this draft keeps himself anonymous and we don't know his name.

Shri Sidhva: But may I know whether the hon. Minister has enquired from the bank as to who has remitted that amount?

Shri Tyagi: It is very difficult to do so. If I were to force banks to give the secrets of all their clients, I am afraid banking and trade would be difficult in India.

Shri Sidhva: Will this amount be credited to the general income-tax assessment of the individual?

Mr. Speaker: Let us not go into it.

Shri Amolakh Chand: May I know if an anonymous cheque can be cashed at a bank?

Shri Tyagi: What I said was about bank drafts and not about cheques. My policy is to encourage the assesses to repose fullest confidence in the Government and to mix their eyes with mine, open their breast to me and enter my heart without fear.....

Shri Sondhi: It is never a question of heart.

Mr. Speaker: Order, order. I am going to the next question.

CRIMES IN STATES

*4552. **Shri Sidhva:** Will the Minister of Home Affairs be pleased to state what is the total amount spent on Part 'C' State Police during 1950-51 as compared with 1949-50 and 1948-49?

The Minister of Home Affairs (Shri Rajagopalachari): The total amount spent on Police in Part 'C' States under the administrative control of the Ministry of Home Affairs is as follows:

Years	Amount spent in round figures
1950-51	Rs. 122 lakhs.
1949-50	Rs. 120 lakhs.
1948-49	Rs. 96 lakhs.

Shri Sidhva: May I know whether the hon. Minister will give the break-up showing the amount spent on Rajasthan Police in 1950-51?

Shri Rajagopalachari: I could give the figures of any Part C States under the administrative control of the Ministry of Home Affairs.

Mr. Speaker: The hon. Member wants to know about Rajasthan but Rajasthan is not a Part C State.

Ch. Ranbir Singh: How does this figure compare with figures for Parts A and B States?

Mr. Speaker: Order, order.

GENERAL ELECTIONS

*4553. **Shri Sidhva:** (a) Will the Minister of Law be pleased to state whether besides the Government of Madras, it is a fact that the Orissa Government has suggested to the Union Government that the General Elections should be held in January-February, 1952?

(b) If so, what reply has been sent by the Union Government to the Orissa Government?

The Minister of Law (Dr. Ambedkar): (a) and (b). A communication was received by the Election Commission from the Orissa Government pointing out certain difficulties in fixing a common period of polling for all the districts in that State within the months of November-December, 1951 and suggesting that from this point of view January-February, might be more suitable. The State Government had however expressed their willingness to adhere to the November-December time-table, provided polling could be held in some parts of the State in the latter half of November and in the remaining parts from 10th to 22nd December, 1951. The Election Commission has replied to the State Government that the programme for polling can in no circumstances be allowed to go beyond December, 1951 and that the Commission has no objection to the polling being spread over November-December as proposed though efforts should be made to reduce the total period of polling to four weeks if possible.

Shri Sidhva: As definite months have been fixed by the Government, may I know whether there is any likelihood of a change in those months?

Dr. Ambedkar: As at present situated there is no likelihood of change but I cannot say what may happen in the future.

Mr. Speaker: I may say the question is confined to Orissa.

सेठ गोविन्द दास : क्या यह बात सही है कि माननीय मंत्रीजी ने यह राय ज़ाहिर की है कि उड़ीसा और कुछ अन्य स्थानों से जो बातें आ रही हैं उनके कारण और जो तैयारी चुनाव के लिये हो रही है उसके कारण चुनाव जनवरी और फरवरी से पहले नहीं हो सकोगे, और अगर यह बात सही नहीं है तो क्या माननीय मंत्रीजी इस बात की स्पष्ट घोषणा कर देंगे कि ३१ दिसम्बर, सन् १९५१ के आगे चुनाव जाने की इस देश में कोई सम्भावना नहीं है ?

[**Seth Govind Das:** Is it a fact that in view of the information being received from Orissa and other places as also in view of the preparations of elections that are going on at present, the hon. Minister has expressed the opinion that it is impossible to hold elections before January-February, and further if it is not a fact, then will the hon. Minister make a clear statement that there is not the least likelihood of the elections being postponed beyond 31st December, 1951?]

Mr. Speaker: That is what he just said.

सेठ गोविन्द दास : मैं यह बात जानना चाहता था कि क्या यह बात सही है कि माननीय मंत्रीजी ने स्वयं इस बात को कई जिम्मेदार लोगों से कहा है कि ..

[**Seth Govind Das:** I just wanted to know whether it was a fact that the hon. Minister himself had expressed this opinion before many responsible persons that.....]

Mr. Speaker: Order, order. No argument on that point.

Shri Biswanath Das: May I know whether the Government are aware of the fact that the monsoons are active there in the months of November-December?

Dr. Ambedkar: I suppose the Election Commission has taken everything into account in fixing the time-table.

Shri Rathnaswamy: Is it a fact that the reason given by the Madras State to have the election.....

Mr. Speaker: Order, order. I said the question is confined to Orissa.

Shri Rathnaswamy: There is here a reference to.....

Mr. Speaker: Whatever it may be, it is confined to Orissa.

Shri Kesava Rao: May I know whether any other State adjoining Orissa.....

Mr. Speaker: Order, order.

Shri Biswanath Das: May I know whether Government is aware of the fact that polling was suspended during this period in previous elections in these areas now included in the State of Orissa?

Mr. Speaker: He is giving information which is an argument.

Shri Biswanath Das: It is not an argument. I asked whether they were aware of the fact that elections were suspended during that period because of rains.

Mr. Speaker: Order, order.

सेठ गोविन्द दास : अध्यक्ष महोदय, मेरे एक प्रश्न का उत्तर नहीं मिला है।

[**Seth Govind Das:** Sir, my question has not been replied.]

Mr. Speaker: It is all right. I am calling the next question.

INDIAN INSTITUTE OF FRUIT TECHNOLOGY, DELHI

*4554. **Shri S. C. Samanta:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) when the Indian Institute of Fruit Technology, Delhi, merged with the Central Food Technological Research Institute, Mysore;

(b) how much economy has been effected thereby;

(c) the new researches taken up since this merger; and

(d) the proposed new items of Research to be taken up in 1951-52?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) On the 1st March, 1950.

(b) The amalgamation has resulted in an economy of about Rs. 40,000 per annum.

(c) and (d). A statement giving the desired information is placed on the Table of the House. [See Appendix XXVI, annexure No. 25.]

Shri S. C. Samanta: May I know, Sir, how many employees have been displaced, by this amalgamation and how many of them have been engaged elsewhere?

Shri Sri Prakasa: I am sorry I have no detailed information.

Shri S. C. Samanta: May I know, Sir how far the production of synthetic rice from tapioca, malze and tubers has progressed?

Shri Sri Prakasa: As the question relates only to the administrative side of the subject, I fear I have not got the details before me of the actual investigations in synthetic rice and other products. I may, however, add that I gave full information to the House on the subject of synthetic rice sometime back.

Shri S. C. Samanta: May I know, Sir, whether the hon. Minister is aware that the preparation of milk from vegetable seeds is being experimented upon in this Research Institute?

Shri Sri Prakasa: I believe that is one of the subjects that is within the purview of this Institute.

FAMILIES DISPLACED FOR D.V.C. OPERATIONS

*4555. **Shri A. C. Guha:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the total number of families displaced for the Damodar Valley Corporation operations in different sectors;

(b) the number of families rehabilitated;

(c) the number given land for land; and

(d) the acreage and cost of land acquired?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Thirty-six.

(b) Thirty-six.

(c) and (d). Information is being collected and will be laid on the Table of the House as soon as available.

Shri A. C. Guha: Am I to understand that the total number of displaced families was only 36 and they have all been rehabilitated?

Shri Sri Prakasa: That is so, Sir. They come from the Bokaro area. As I explained to the House on an earlier occasion, we are taking steps to prepare houses and lands for those who are likely to be displaced from the Telaiya area.

Shri A. C. Guha: May I know how these 36 families have been rehabilitat-

ed? Have they been given land for land and house for house, or they have been given housing relief to build their own houses?

Shri Sri Prakasa: Our system is to give land for land and/or house for house. If any would like cash compensation and are not in need either of land or house or both, then we give them cash.

As regards the other part of the question, as I have already said, information is being collected and then I would be in a position when I have this information, to give details to the hon. member.

Shri Kamath: Is it not a fact, Sir, that at the time the D.V.C. Bill was being discussed in Parliament, Government assured the House that these displaced persons would be given land for land and house for house, and not and/or?

Mr. Speaker: The hon. Member has not understood the reply. He said in the reply that, it is entirely left to the option of the person concerned to have land for land and house for house, or if he wanted cash for land, or cash for house, or if he so liked cash for both.

Shri S. C. Samanta: May I know, Sir, how many families have been rehabilitated in the reclaimed land?

Shri Sri Prakasa: So far, Sir, as I have said, only the Bokaro area has been arranged for and 36 families have been displaced and rehabilitated. The problem has not yet arisen in the other areas, but the problem would arise in a year or two and by then we hope to be ready with houses and lands for them.

Shri S. C. Samanta: Is it not a fact, Sir, that those reclaimed places would also be allotted to these families.

Shri Sri Prakasa: If the hon. member refers to these 36 families, I said that they have been rehabilitated. As regards the other families which might be displaced in future, provision is being made for them.

Mr. Speaker: His point seems to be this. He wants to know how many are rehabilitated or going to be rehabilitated on reclaimed land.

Shri Sri Prakasa: No land has yet been reclaimed. It is being reclaimed.

Shri B. K. Das: May I know, Sir, whether the D.V.C. has prepared a comprehensive scheme about this land reclamation and whether they are proceeding on a planned basis about the whole area?

Shri Sri Prakasa: That is so, Sir. The Land Acquisition and Rehabilitation Department of the D.V.C. was started in July, 1948 and the organisation was working at full speed from March, 1949. 118,650 acres of land have to be acquired in Bihar. The plans are with us and we are proceeding accordingly.

LOANS TO INDIA

***4557. Shri Kishorimohan Tripathi:**

(a) Will the Minister of Finance be pleased to state whether any of the Asian countries owe any loans to India?

(b) If so, which countries and what is the amount due from each?

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

(b) The countries are Burma and Pakistan. Burma owes India Rs. 48.15 crores out of the Separation Debt exclusive of interest. Pakistan's Debt has not yet been determined.

Shri Kishorimohan Tripathi: In the case of Burma, what has been up to now the duration of the debt?

Shri C. D. Deshmukh: The settlement was made after partition.

Shri Kishorimohan Tripathi: What is the rate of interest on the debt?

Shri C. D. Deshmukh: On separation the liability of Burma to India, except in respect of central pensions in payment on the date of separation was consolidated into a debt of Rs. 50.8 crores repayable in 45 years. The interest is at 3½ per cent.

Shri Sondhi: Has any money been received up till now?

Shri C. D. Deshmukh: Yes, payments were made up to 1st April, 1942.

Shri Kesava Rao: May I know the reasons for the delay in the fixing of Pakistan debt?

Shri C. D. Deshmukh: The necessary accounting information has not yet been received in full. That is one of the subjects being discussed at the Conference.

Dr. M. M. Das: May I know, Sir, what are the heads of accounts under which Pakistan is indebted to India?

Shri C. D. Deshmukh: That is asking for details of something which is being discussed.

Dr. Ram Subhag Singh: May I know, Sir, whether any period has been fixed for the repayment of the debt which is due to India from Burma and Pakistan?

Shri C. D. Deshmukh: In the case of Burma, as I just read out, it is 45 years. In regard to Pakistan—I have not got the details here—I believe it is 40 years beginning from August next year.

Shri Jnanī Ram: May I know if instalments are being paid regularly?

Shri C. D. Deshmukh: In the case of Burma I have given the information. In the case of Pakistan, as I said, the first instalment is not due till August, 1952.

Shri Sarangdhar Das: Has Burma paid any interest since 1942?

Shri C. D. Deshmukh: No, Sir.

Prof. S. L. Saksena: May I know the reasons why payments are not made since 1942?

Shri C. D. Deshmukh: There has been a war, Sir.

Shri Lakshmanan: May I know, Sir, whether over and above the partition debt that Burma owes us, another loan which was given to Burma recently is also outstanding?

Shri C. D. Deshmukh: A loan was agreed upon, but I do not think it has been drawn.

Per Capita PUBLIC DEBT

***4558. Shri Kishorimohan Tripathi:** (a) Will the Minister of Finance be pleased to state the *per capita* burden of public debts in India?

(b) How does this figure compare with those of the U.K., U.S.A. and Canada?

The Minister of Finance (Shri C. D. Deshmukh): (a) Taking the public debt of the Centre and the States together the *per capita* burden is approximately Rs. 66.

(b) Government have no precise information but the burden in this country is for obvious reasons bound to be much less than in the countries mentioned.

Shri Kishorimohan Tripathi: What was the total volume of public debts in India on 15th August, 1947 and what is it now?

Shri C. D. Deshmukh: I am sorry I have not got the figures. But they are published periodically in the *Gazette of India*.

Shri Kishorimohan Tripathi: What has been the average annual interest that the Government of India has paid on these public debts in the past three years?

Shri C. D. Deshmukh: I think some research in the Budget papers will give that information to the hon. Member.

Shri Jaani Ram: May I know if the per capita debt is increasing or decreasing?

Mr. Speaker: I think he referred to a research in the Budget papers!

Shri T. N. Singh: May I know the burden of interest payments that the country has to incur on these debts today as compared to what was the position before Partition?

Shri C. D. Deshmukh: That is the same question in another form as to what movement has taken place in the total amount due. I think there has been some reduction by way of re-payments, and to that extent the burden has decreased. The total burden remains on us because the share of Pakistan has not yet become payable.

Shri Kishorimohan Tripathi: Is there any data with the Government to show, in the case of the public debt as on 15th August, 1947, what part of it was spent on development purposes and what on war efforts?

Shri Sondhi: That is, productive and non-productive.

Shri C. D. Deshmukh: I should imagine the difference between the debt as at the end of the war and as at the beginning of the war would give an indication of what was spent for war purposes—because there was no development attempted during the war.

Shri M. A. Ayyangar: With your permission, Sir, may I put this question? It is a very important question with respect to South India.

Mr. Speaker: The person who has put the question is absent. He has given authority to some person who is present, and it will be taken at the end if there is time.

नासूर (कैंसर)

*४५६०. श्री खापरडे: क्या स्वास्थ्य मंत्री यह बतलाने की कृपा करेंगी कि:

(क) केन्द्रीय प्रशासित क्षेत्रों में ऐसे अस्पतालों की संख्या क्या है जहाँ नासूर (कैंसर) की विशेष रूप से चिकित्सा की जाती है तथा भारत में नासूर (कैंसर) से प्रति वर्ष कितने व्यक्तियों की मृत्यु होती है;

(ख) क्या भारतीय नासूर (कैंसर) परिषद् ने इस रोग की नवीन चिकित्सा

प्रणालियों के सम्बन्ध में कोई अनुसन्धान किये ह, यदि किये हैं तो उन्हें अपने अनुसन्धानों में कहां तक सफलता मिली है; तथा

(ग) उन डाक्टरों की संख्या जिन्हें भारत सरकार ने इस रोग की चिकित्सा के सम्बन्ध में अग्रतः अध्ययन करने के लिये विदेशों में भेजा है तथा उन विदेशों के नाम ?

CANCER

[*4560. **Shri Khaparde:** Will the Minister of Health be pleased to state:

(a) the number of hospitals in the Centrally Administered Areas where specialised treatment of Cancer is given and the number of persons who die of Cancer every year in India;

(b) whether the Indian Cancer Council have carried out researches to find out new methods of curing this disease and if so, how far they have succeeded in their researches; and

(c) the number of doctors sent to foreign countries by the Government of India for further studies regarding the disease and its treatment and the names of such foreign countries?]

The Minister of Communications (Shri Kidwai): (a) One. No information is available regarding the number of persons who die of Cancer every year in India.

(b) So far no new and specific cure for Cancer has been discovered.

(c) Nil.

श्री खापरडे: क्या माननीय मंत्री बतलायेंगे कि बम्बई के टाटा मेमोरियल हास्पिटल में कैंसर रोग के निवारणार्थ और अध्ययन केन्द्रों को विकसित करने के लिए सन् १९५०-५१ में सरकार ने कितना खर्चा दिया है ?

[**Shri Khaparde:** Will the hon. Minister please state what financial aid has been given by the Government during the year 1950-51 to the Tata Memorial Hospital for the treatment of Cancer as also for the development of various research centres in the country?]

श्री किडवाई: इस वक़्त इस की इतला मेरे पास नहीं है, लेकिन अभी तीन या चार

रोज़ हुए इसी परिधद् में यह इतला दी जा चुकी है ।

[Shri Kidwai: The information on this point is not with me just now, but it has already been given in the House some three or four days back.]

श्री खारडे : क्या सरकार और भी ज्यादा कैंसर के अस्पताल खोलने का विचार कर रही है और कब तक यह अस्पताल खोले जा सकते हैं ?

[Shri Khaparde: Do the Government intend to open more hospitals for the treatment of Cancer and if so, by what time it is possible to open them?]

श्री किडवाई : अभी तो कोई नई योजना नहीं है ।

[Shri Kidwai: There is no new scheme as yet.]

Shri Rathnaswamy: Is it a fact that in a number of cases it was found that chewing *pansupari* was responsible for this disease?

Mr. Speaker: I do not think such questions need be put. It is a matter for investigation by medical men.

Shri R. Velayudhan: May I know whether Government have received any guidance or support from the W.H.O. in regard to the treatment of Cancer?

Shri Kidwai: Whatever help we are receiving from the foreign experts—that information was supplied to this House only three days ago.

Shri Sanjivayya: With your permission, Sir, I would like to withdraw part (b) of the question.

Mr. Speaker: Very well. Part (b) is not being put and part (c) will be renumbered as part (b). The hon. Minister may reply to the remaining two parts.

Ganja

*4561. **Shri Sanjivayya:** (a) Will the Minister of Finance be pleased to state whether it is a fact that a large quantity of *ganja* was smuggled into India from Nepal?

(b) What action have Government taken to prevent such smuggling?

The Minister of State for Finance (Shri Tyagi): (a) There has been some smuggling of *ganja* into India from Nepal.

(b) Nepalese Government were requested to lend their co-operation in taking concerted measures in stopping smuggling of *ganja* from Nepal into India, and have agreed to do so. The State Governments of Uttar Pradesh and Bihar which have a common border with Nepal, and which are most affected by the smuggling, have taken certain measures such as:

(i) the appointment of special preventive staff;

(ii) co-ordination of the activities of the excise staff with those of the revenue, police and postal departments;

(iii) imposition of deterrent sentences on traffickers; and

(iv) grant of liberal rewards to informers, and detecting staff.

Shri Sanjivayya: What was the quantity confiscated, if any, during this period and what is its value?

Shri Tyagi: As *ganja* is not a Central subject it is the lookout of the State Governments to ban or confiscate contraband articles like *ganja* and *bhong*.

Shri Amolakh Chand: May I know the names of the districts where there is a ready market for smuggled *ganja*?

Shri Tyagi: As I have informed my hon. friend, *ganja* is an article which is a Provincial subject, they know about the consumption. My hon. friend might enquire from his State as to which districts consume *ganja* more.

Shri R. K. Chaudhuri: May I know how the Government disposes of the smuggled opium which is seized? Is it a fact that it is sold again and the Government takes the profit?

Mr. Speaker: The question is over *ganja*.

Shri R. K. Chaudhuri: Yes, Sir. I want to know how the Government disposes of the smuggled *ganja*.

Mr. Speaker: I thought he spoke of opium.

Shri Tyagi: Sir, it is smoked off.

Shri Sohan Lal: May I know how many arrests, prosecutions and sentences took place in 1950-51 in regard to the smuggling and whether the smugglers were mostly Nepalese or Indians?

Shri Tyagi: It is the State Governments who launch prosecutions against

the traffic in *ganja* and therefore they will know the number of persons convicted or prosecuted.

Shri Sohan Lal: I want to know about the smugglers, whether most of them were Indians or Nepalese.

Mr. Speaker: He says the question rests with the Provincial Government.

Shri Tyagi: There are no Customs barriers between Nepal and India and therefore I cannot give full information. It is the lookout of the State Government to stop the import of *ganja* and other contraband articles which are under their excise.

Shri R. K. Chaudhuri: Sir, the hon. Minister said that the smuggled *ganja* is 'smoked off'. By whom? By hon. Members or by the hon. Minister?

Mr. Speaker: Order, order. The question hour is over.

Short Notice Question and Answer

CALCUTTA NATIONAL BANK

Shri A. C. Guha: Will the Minister of Finance be pleased to state:

(a) whether the Calcutta National Bank Ltd. has been falling in keeping the statutory balances with the Reserve Bank;

(b) if due to this failure the Reserve Bank prohibited the said Calcutta National Bank from taking any fresh deposit from the 13th May, 1951;

(c) if consequent upon this prohibition, the said Bank has stopped its operations;

(d) if the Reserve Bank or the Government has any estimate of the assets and liabilities of the Bank; and

(e) whether the Reserve Bank or the Government has any plan so that the depositors may get the maximum return of their deposit with the Bank?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. The Bank had been defaulting persistently since February, 1950.

(b) The Reserve Bank issued an order prohibiting the Calcutta National Bank from receiving fresh deposits with effect from the 14th of May, 1951. One of the reasons for this was the persistent defaults by the bank in the maintenance of statutory deposits.

(c) It has been reported that the Bank has suspended payment with effect from the 14th of May, 1951.

(d) The Reserve Bank had made an estimate of the realisable value of the assets of the Bank and its liabilities

during an inspection carried out in December, 1950, under Section 35 of the Banking Companies Act.

(e) It is premature to say anything in this respect as the Bank has approached the Calcutta High Court with a request for a moratorium.

Shri A. C. Guha: May I know what are the realisable assets and liabilities of the Bank according to the estimate of the Reserve Bank in December, 1950?

Shri C. D. Deshmukh: I do not think it would be right, Sir, to give the Reserve Bank's view at this stage as to what are the realisable assets of the bank. That is a matter of opinion and estimate.

Mr. Speaker: There is a further point also. I am doubtful whether it is proper to put in any further questions for information, because the hon. Finance Minister just disclosed that the Bank has gone to the High Court for getting certain orders for a moratorium. I believe, that the whole subject then will be under the review of the High Court and any questions and discussion on this point, I am afraid, will prejudice the result or in any case it may be *sub judice*.

Shri A. C. Guha: I may submit, Sir, that the High Court has already passed the moratorium order. At first they gave the Bank seven days' time and then they extended the order for one month and the order has been passed by the High Court.

Shri Sidhva: There is no regular case.

Mr. Speaker: It is not a question of a regular case. Before the High Court passes orders judicially it takes into consideration all the things and the hon. Members will see that in case of liquidation, the High Court will have to take into consideration all the questions of assets and liabilities and then decide upon the claims of people. So these are inter-related questions. These things must be borne in mind.

Shri A. C. Guha: My submission is that the High Court has already passed the order on moratorium.

Mr. Speaker: I do not know.

Shri C. D. Deshmukh: I do not know. I only read a press report that the High Court has passed the order. I would have to actually get confirmation of that. It is possible later on that the Bank may come up again before the High Court for schemes of an arrangement and so on and with great respect to your view, I think it would be unfortunate if we were to discuss

at any length the affairs of the Bank in answers to questions now.

Dr. S. P. Mookerjee: The High Court has called for a report from the Reserve Bank.

Mr. Speaker: It is for them to consider how it will serve the depositors better. By putting questions here relating to the Bank's affairs, we will be harming them.

Shri A. C. Guha: It is not one individual case. In Bengal there have been so many Banks.....

Mr. Speaker: Whatever it may be, it will be for the hon. Finance Minister, if he so chooses, to lay the information or he may say that he cannot lay the information.

Shri A. C. Guha: I shall put some other question. Have the Reserve Bank before passing that order considered any proposal of taking over the management of the Bank and getting it amalgamated with some other Bank so that the depositors' interests might be safeguarded, as was done some years ago in the case of the Alliance Bank of Simla?

Shri C. D. Deshmukh: It is not for the Reserve Bank to take over any Bank that gets into difficulties. The Reserve Bank gives advice from time to time to this Bank. It also gave some assistance in February and March, 1951.

Shri M. A. Ayyangar: May I ask the hon. Minister if the Reserve Bank has taken any steps to rehabilitate this Bank and if there is no provision in the Banking Act for the Reserve Bank to take over the management in exceptional cases?

Shri C. D. Deshmukh: Offhand, I do not think there is any provision for taking over the management of a Bank.

Shri A. C. Guha: Sir, there is a provision in Banking Companies Act—under which the Reserve Bank can change the management and put its own man.

Mr. Speaker: Order, order. The questions now put are really suggestions for action. In substance they come to that.

Shri M. A. Ayyangar: May I ask if any steps have already been taken by the Reserve Bank for rehabilitating the Bank before it collapsed?

Shri C. D. Deshmukh: It looks as if hon. Members want me to go into

greater details than I care to go into and the history of the case is that the Bank got into difficulties, as I said, in spite of assistance extended to the Bank at one time and as they went on subsisting in their default, the Reserve Bank found that it had no other alternative but to pass this order in the interests of depositors. The closure of the Bank could by no means be ascribed to this particular order. Such orders have been passed against various Banks and it is not necessary that the consequence should follow that the Bank should close its doors. What the Bank would do in future will depend, as I say, on further legal proceedings. It may be that some scheme may emerge after the High Court has received the report which may indicate some kind of amalgamation with some institution, if that is possible, but it is too early for me to say what direction the improvement will take.

Shri Kamath: What was the period during which the Bank defaulted?

Mr. Speaker: From January, 1950; he said that warnings had been given.

Shri Kamath: Only two months? I refer to maintenance of statutory minimum balance with the Reserve Bank.

Shri A. C. Guha: Up to what period?

Shri Kamath: From what date to what date?

Shri C. D. Deshmukh: I think in the total period of 60 days, the Bank defaulted from time to time.

Shri A. C. Guha: Is it true that just when this order was passed by the Reserve Bank, the Bank was not defaulting in keeping its statutory reserve?

Mr. Speaker: Order, order. He is going into the merits and arguing on behalf of the Bank.

Shri A. C. Guha: I am not arguing on behalf of the Bank—but on behalf of the depositors.

Mr. Speaker: I am going to the next item of the business.

WRITTEN ANSWERS TO QUESTIONS

EXCISE DUTY ON COTTON CLOTH

*4537. **Shri M. Naik:** Will the Minister of Finance be pleased to state the total amount of revenue realised from cotton cloth on account of excise duty for each of the last three years?

The Minister of Finance (Shri C. D. Deshmukh): The amounts of gross

Central Excise revenue realized on cotton cloth during the financial years 1948-49 to 1950-51 are as follows:

Year	Amount
1948-49 (from 1st January, 1949 to 31st March, 1949 only)	Rs. 57,64,000
1949-50	Rs. 13,21,14,000
1950-51	Rs. 8,92,01,000

VITAMIN PILLS

*4544. **Shri Kshudiram Mahata:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that American Council of Voluntary Agencies for Foreign Services have sent 300,000 vitamin pills to India for free distribution; and

(b) if so, how Government propose to distribute them?

The Minister of Communications (Shri Kidwai): (a) Yes.

(b) The consignment has been sent to the Director of Public Health, Bihar and, in accordance with the wishes of the donors, will be distributed free to children suffering from mal-nutrition particularly from vitamin A deficiency.

D.V.C. (FINANCIAL SET UP)

*4550. **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 in the Inter-State Conference held on 5th May, 1951?

(b) If so, what were the subjects discussed and the decisions taken thereon?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Yes, Sir.

(b) A list of subjects discussed and of the decisions reached in the conference is laid on the Table of the House. [See Appendix XXVI, annexure No. 26.]

RAMAPADA SAGAR PROJECT

*4559. **Shri P. Kodanda Ramliah:** Will the Minister of Natural Resources and Scientific Research be pleased to state whether the Ramapada Sagar Project has been given any priority in the long or short term plans that were discussed recently with the Madras State Government Ministers?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): The Ramapada Sagar Project was included by the Madras Government in its list of schemes both for the five-year and fifteen-year plans for irrigation and power development. In the five-year plan framed in consultation with the Planning Commission, the first priority has been given to irrigation and power schemes which have already been commenced and are in progress. Schemes for implementation after such works have been completed, that is new schemes not yet commenced, will be selected after a careful examination from the technical, financial and economic points of view and of the resources available.

NATIONAL SAVING CERTIFICATES

*4562. **Dr. Deshmukh:** Will the Minister of Finance be pleased to state:

(a) the names of States in which one per cent. commission is being allowed to agents on the sale of National Savings Certificates as an experimental measure; and

(b) what is the experience gained and is this system to be introduced throughout India?

The Minister of Finance (Shri C. D. Deshmukh): (a) The system of authorised agents has been revived as an experimental measure in the three States of Madras, Bombay and West Bengal and the rate of commission is 1½ per cent.

(b) It is too early to gauge the results of this experiment on which will depend whether the system should be continued in these three States and should also be extended to the remaining States.

STUDENTS IN SCHOOLS AND COLLEGES IN DELHI

*4563. **Shri V. K. Reddy:** Will the Minister of Education be pleased to state:

(a) the number of students in the secondary schools and colleges in Delhi State during 1950-51;

(b) whether it is a fact that the schools and colleges in existence at present are not in a position to admit many students;

(c) whether the Government are aware that many students have to go out of Delhi for their education; and

(d) whether Government propose to introduce shift system in these institutions?

The Minister of Communications (Shri Kidwai): (a) In secondary schools.—77,390.

In colleges.—7,482.

(b) Yes, Sir.

(c) No, Sir.

(d) There are already 28 secondary schools working on double shift system. The introduction of shift system in more schools is under consideration. The colleges do not have double shifts.

MINERAL OIL RESOURCES IN ASSAM

*4564. **Maulvi Haneef:** Will the Minister of Natural Resources and Scientific Research be pleased to refer to the answer given to my starred question No. 3733 asked on 2nd May 1951 and state:

(a) what steps are being taken by Government for further development of the Mineral Oil Resources in Assam;

(b) what are those mineral oils in respect of which the information as to their annual production is not available; and

(c) what steps have been taken by Government so far for exploration of the resources of various mineral oils in India?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (c). The development of mineral resources including oil falls within the purview of the State Governments and at present the development of oil resources has been left to private enterprise.

For the purpose of exploration, prospecting and mining of oil, persons who apply under the Petroleum Concession Rules are granted licences by State Governments with the approval of the Government of India after completion of necessary formalities. Any applicant who satisfies the prescribed conditions is encouraged to take up this work.

The Geological Survey of India have carried out extensive surveys to demarcate rock formations likely to be associated with mineral oils in Assam, Tripura, Cutch, Saurashtra, and along the foot of the Himalayas. As a result of these surveys, areas have been selected for detailed work; and out of these areas, the Geological Survey of

India have recently surveyed in detail several hundred square miles in Jwalamukhi area (Punjab) and have also taken up geophysical survey of the Gogha area in Saurashtra. Work has also been recently done in Cutch and the Andamans for locating structures suitable for the accumulation of mineral oil.

(b) As the hon. Member will appreciate, it is not possible to make an exhaustive list of all mineral oils and then tabulate those in respect of which information is not available.

REGIONAL COMMISSIONERS

*4565. **Shri Kamath:** Will the Minister of Law be pleased to state:

(a) whether Regional Commissioners to assist the Election Commission are proposed to be appointed in accordance with Article 324 (4) of the Constitution; and

(b) if so, how many and by what date?

The Minister of Law (Dr. Ambedkar): (a) Yes.

(b) Four. No decision has yet been taken as to the date from which they are to be appointed.

TRAINING IN SUBMARINE OPERATIONS

*4566. **Shri Shankaraiya:** Will the Minister of Defence be pleased to state whether any training is given in submarine operations in the Naval Schools of India?

The Deputy Minister of Defence (Major-General Himatsinghji): As we have no submarines, the question of training in submarine operations does not arise at present.

NON-MATRICULATES GOVERNMENT SERVANTS

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

(a) the total number of non-matriculいたes that are in the employ of the Central Government;

(b) how many of them have put in 20 years of service or more;

(c) whether non-matriculate Government servants are eligible for promotion on the same footing as matriculates; and

(d) whether they can become gazetted officers after a certain number of years of service as non-gazetted

officers and if so, is there normally any fixed period?

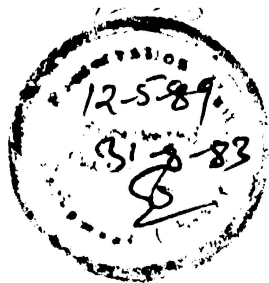
The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). The information is not readily available and the time and labour required for collecting it cannot in the public interest be spared.

(c) The minimum qualifications for appointment to posts and grades in the different classes of services vary in accordance with the nature and

importance of the duties. Some relaxation is made in the case of Government servants already in permanent employment who have by the quality of their work earned a title to promotion to posts or grades in their line.

(d) Whether a non-gazetted officer who does not possess the required minimum educational qualifications can be promoted to a gazetted post or grade depends on the merits in each individual case. There is no period of service prescribed in this context.

Saturday, 26th May, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

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Third Session

of the

PARLIAMENT OF INDIA

1950-51

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PARLIAMENTARY DEBATES**

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PARLIAMENT OF INDIA

Saturday, 26th May, 1951

*The House met at Half Past Eight
of the Clock.*

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

9-37 A.M.

MOTION FOR ADJOURNMENT

**DEMOLITION OF A TEMPLE IN PAHARI
DHIRAJ**

Mr. Speaker: I have received a notice of an adjournment motion, the subject being the demolition of a temple in Pahari Dhiraj, near Delhi on Thursday the 24th May night by the Delhi Administration. I do not know the facts. Assuming the facts to be true, I am quite clear that this unfortunate incident cannot be the subject matter of an adjournment motion. I have very often said to this House as to what the importance of the adjournment motion is and, in the changed set-up, how such motions may or may not come. I do not think that I need explain anything further. But I would suggest that the hon. Member may put a question and get the information or take such other course as may be open to him. If the hon. Home Minister would like to make enquiries, he may do so.

The Minister of Home Affairs (Shri Rajagopalachari): I have no information on the spot. It is just now I have seen the paper. I shall make enquiries and if any question is put, I shall be glad to give information.

Shri Sidhva (Madhya Pradesh): May I know whether it was demolished by the local authorities or by the municipality?

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Mr. Speaker: We have no idea as to who is responsible for this.

Shri Rajagopalachari: Such information as I have got here tends to show that it is mixed up with a judicial proceeding also.

Shri Kamath (Madhya Pradesh): Is not the destruction of a temple a matter of public importance?

Mr. Speaker: The destruction of an individual temple is very important undoubtedly, but it is not of such a public importance as to entitle taking two hours of the time of this House to discuss it.

Shri Kamath: Not necessarily two hours.

Mr. Speaker: An adjournment motion means that. Therefore, hon. members will do well in the first instance to approach the Ministers concerned and invite their attention by tabling Short Notice Questions and, if they are dissatisfied, see if the remedy of an adjournment motion is open to them, but not otherwise.

Shri Kamath: Am I to take it that the motion is not allowed because ours is a secular State?

Mr. Speaker: It has nothing to do with the secular character of the State.

**GOVERNMENT OF PART C STATES
BILL.—contd.**

Mr. Speaker: Now, the House will proceed with the further consideration of the following motion moved by the hon. Shri N. Gopaldaswami Ayyangar:

“That the Bill to provide for Councils of Advisers in certain Part C States and for Legislative Assemblies and Councils of Ministers in Himchal Pradesh and Vin-dhya Pradesh, be taken into consideration.”

Shri Dwivedi (Vindhya Pradesh): Yesterday, I was dealing in this connection with the issue which Mr. Sidhva had raised. Mr. Sidhva wanted that the people in Part C States should accept public men from outside to be included in their Council of Ministers. I had suggested that if in Part A and Part B States, public workers from Part C States were accepted as Ministers in order to give them some training in the art of administration, the idea will be acceptable. But if the choice is between officers and public workers, I would say that public workers will be preferable even from outside the State, if necessary.

Yesterday, we had some talk with the hon. Minister of States in connection with the various amendments which we had proposed. I came to know that there are certain difficulties on account of which the States Ministry is hesitating to give more powers towards democratisation of Part C States, and particularly Himachal Pradesh and Vindhya Pradesh. These difficulties, I understand, are two-fold. Firstly, they are somewhat political and secondly, there are some difficulties regarding law and order in these States. In connection with political difficulties, I may say that there are certain persons who were Ministers in Vindhya Pradesh and these Ministers were responsible for having done something because of which they had to tender resignation and the Government of Vindhya Pradesh had to be taken over by the Centre. The blame, as has been given in the White Paper on States, is this:

"Continued dissensions and mutual recriminations amongst the Ministers and their failure to inspire confidence amongst the people resulted in a most distressing situation. The Ministry resigned on April 14, 1949 and an official administration was set up on April 15, 1949."

In this connection I may say that I, along with a number of other public workers, had pointed out to the hon. Sardar Patel of revered memory that in the choice of the Ministry these persons should not be included and that, otherwise, there would be mal-administration and difficulties in the running of the administration. But, I was told that these Ministers were responsible for the merger of the States in connection with the integration of Rewa along with Bundhelkhand, making the whole into Vindhya Pradesh; and so these Ministers had to be taken in. That was the reason which the Gov-

ernment gave and we had to accept those Ministers. If those Ministers, who became Ministers entirely on account of the choice of the Government of India, did something wrong, may I know what is the fault of the people of Vindhya Pradesh? What is the fault of the representatives of the people there? Why should they suffer for the shortcomings of certain persons who were selected by the Ministry of States. This is a stronger ground in favour of the people, because the choice which was made by the Government of India was wrong; and I hold that the people should be trusted. After the elections take place, the leader, and the Council of Ministers, whoever they are, should be trusted and given powers as are given in Part A and Part B States. We should not at this stage discriminate between States and States. Now, I find that the States Ministry has got conflicting views in connection with each State so far as democratisation of the States is concerned. In regard to Delhi, they say that because Delhi is the capital of the country, or for some other reason, they cannot democratize and give such powers to the Delhi Administration as are being exercised by other States. In regard to Himachal Pradesh they say:

"...and the desirability of making available to these areas manpower and wealth-power resources of a large administrative unit, the Government of India integrated these States into a Centrally-administered unit known as 'Himachal Pradesh'".

I do not know whether any of these resources have been made available to that State. We had given a definite promise to Himachal Pradesh for democratization with a Lieutenant Governor; that promise has not yet been fulfilled. In regard to Vindhya Pradesh also, various promises were made and it was understood that after it became a Centrally administered area, conditions will improve. But, to my disappointment and the disappointment of the people, there is no such improvement in the administration.

In connection with law and order, I may say that I have pointed out in this House several times that the law and order position has not been handled in a sense which may be called proper. Prisoners have escaped from various jails in Vindhya Pradesh. Prisoners have escaped from Tricumgarh, Aiaigarh, Chattarpur, Panna, Charkhari and Bilawar. In addition to the 22 persons of the Devi Singh gang

who had escaped with the arms of the police who were guarding when the magistrate was trying them, I have received a report only two days back that more persons of the Devi Singh gang in Bijawar jail have broken open the jail, committed murders and escaped.

Mr. Speaker: What is the point he is trying to make with reference to this Bill?

Shri Dwivedi: My point is this. They say that because of difficulties in connection with the law and order and lack of material in Vindhya Pradesh, they are not able to give the powers that they want to give. I want to show that worse conditions are now existing because of the Central administration. When the popular Ministry was in office, these conditions were not in existence. Various dacoits had been arrested and law and order was not so badly abused as in these days. Here is a report of the Ministry of States showing the number of thefts and dacoities committed last year. If you look into the records of the previous years when the popular Ministry was functioning, or when the Rulers were running the administration, you will find that crimes were not on the increase and that the dacoits were not so active in those days as they have become now during the administration of the Chief Commissioner.

Mr. Speaker: Will the hon. Member resume his seat? The point which I wanted to make out for my understanding was this. Here is a Bill which tries to create some Legislative Assembly or legislatures for these States. If it is his contention that in the past some mistake was committed, this is not the occasion for criticising that past history of mistake. We are now concerned with the Bill. If he wants any improvement in the Bill, from that point of view, that will be a different proposition. If he is against a Chief Commissioner being there in spite of a legislature, then, of course, the point will be a different one. He speaks, to my mind, against the Bill. It is no use going into the details of the administration or mal-administration. That will not be directly relevant. He has made the point that the administration was bad. He need not go into all the details. Otherwise, we shall have a debate on the administration of every Part C State. That is not the present issue.

Shri Dwivedi: My purpose is not to oppose the Bill. I rather welcome the Bill. At the same time, I want to make some improvements in the Bill. I want that the powers which have been contemplated to be given may be

increased so that responsible Government may function in a manner which the people want. The aspirations of the people must be satisfied. That is my point of view. I wanted to develop the argument that all the worse conditions exist on account of the Chief Commissioner. If the Chief Commissioner is removed, the public workers and popular Ministries may probably tackle the situation in a better way because they know the conditions. The Chief Commissioner who comes from outside does not know the condition of the people and he will always find himself handicapped in various ways. The Chief Commissioner is therefore under a handicap and he cannot carry on the administration in the manner in which a popular administration can do. Vindhya Pradesh and Himachal Pradesh are sufficiently large and they must be entrusted with democratic institutions much better than those contemplated in this Bill.

During the budget discussion, I made reference to certain allegations and I was accused of exaggerating and the hon. Minister said that he would investigate into my allegations and find out if they were true or exaggerated. It is more than a month and he must have got all the information by now to see if my allegations were right or not. I repeat that whatever I said at that time still holds good and what is more, things are going from bad to worse. Therefore, this is the proper time, when we are bringing in this Bill to entrust more powers to the popular Ministry that may be set up. The administration there should be responsible to the Legislature and not to the Central Government. Of course, the Central Government is there and we shall be under the Centre when our area is in a Part C State and we will be under the general superintendence of the Central Government. But why not trust the people there who have been aspiring for this sort of responsibility and whom you have been giving promises from time to time? If they feel frustrated, that would be bad and that may lead to further difficulties.

In this Bill there are certain features which are not acceptable in many respects. For instance it has been provided that the Chief Commissioner should preside over the meetings of the Council of Ministers. If a person of the official grade presides over the Cabinet, what responsibility will there be on the Ministers. The Chief Minister should preside over the meetings of the Council of Ministers and the Chief Commissioner or the Lieutenant Governor as the case may be can be the

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head of the Government. And the Council of Minister must be responsible to the Legislature.

Then again, in the provisions relating to the Legislature, it is stated that the Legislatures of Vindhya Pradesh and Himachal Pradesh will be able to legislate on subjects mentioned in Concurrent list and the State List; but according to clause 28, some powers have been taken away by saying that the previous sanction of the President has to be obtained when legislating on certain subjects.

I may submit that Parliament has the over-riding power and it is stated in sub-clause (2) of clause 26:

"Nothing in sub-section (1) shall derogate from the power conferred on Parliament by the Constitution to make laws with respect to any matter for such State or any part thereof."

Further in clause 27 it is also stated:

"If any provision of a law made by the Legislative Assembly of a State is repugnant to any provision of a law made by Parliament, then the law made by Parliament, whether passed before or after the law made by the Legislative Assembly of the State, shall prevail and the law made by the Legislative Assembly of the State shall, to the extent of the repugnancy, be void."

Thus it is clear that we have already secured over-riding powers to Parliament. Then where is the need to restrict the power of the Legislative Assembly to legislate on subjects over which it may have jurisdiction to legislate?

And then again, there is no provision in this Bill for setting up a Public Service Commission for the State. It is said that the Union Public Service Commission will do the job for them. But that will mean that the inhabitants of the Vindhya Pradesh will be deprived of their right to be appointed to these services, in the sense in which people of other States are entitled to. For instance, in Uttar Pradesh or Madhya Bharat or in Saurashtra, the people of those particular States are entitled for appointments in those States at first instance and when local persons are not available, then the people from outside are taken in. But in the case of Vindhya Pradesh, as there is to be only the Union Public Service Commission, all the persons residing in India or in all the Part C States will be entitled to service there

will be under a handicap. Moreover, there was a Public Service Commission there when there was a popular Ministry and so I see no reason why Vindhya Pradesh should be deprived of a Public Service Commission.

It was pointed out by the hon. Minister that these areas are backward and that they are like children and perhaps it was wrong to give or rather that they are not entitled to a democratic set-up of the kind that the people there desire. I may tell the House frankly that the people in Vindhya Pradesh are not backward. Like this they can say the people of Himachal Pradesh are backward, or the people of Delhi, are also like this and are backward. But that is not the fact. In this connection, Sardar Patel himself had said:

"In the world of to-day where distances are fast shrinking and masses are being gradually brought into touch with latest administrative amenities, it is impossible to postpone for a day longer than necessary the introduction of measures which would make the people realise that their progress is also proceeding at least on the lines of their neighbouring areas. Delays inevitably lead to discontent, which in its turn results in lawlessness; and use of force may for a time check the popular urge for reform, but it can never succeed in eradicating it altogether."

These are the words of our honoured leader Sardar Patel. And our Minister of States is also a very capable person, with wide administrative experience and I do hope that in the light of these remarks, he will not delay the setting up of a desirable democratic set-up in Vindhya Pradesh or in Himachal Pradesh or any other State. Our people have full faith in Government and they are prepared to extend to them their fullest co-operation. Then why distrust them? Why not give them fully democratic institutions?

In the report of the Ministry of States there is a paragraph in which the following programme of things has been promised to be taken up in each State: (1) Administrative reorganisation, (2) Economic Development, (3) Development of local self-governing institutions, (4) Law and order and (5) the introduction of a well considered legal system. But, I am sorry to say, in none of these has there been much progress as far as Vindhya Pradesh is concerned. With regard to the reorganisation of the administration or services, I understand that a scheme was submitted, but with regard to the other

schemes, they have been put in cold storage. It has been mentioned that the Chief Commissioner said that the Members of Parliament are the cause of the delay and they are obstructing the reorganisation scheme. I do not know of anyone approaching the hon. Minister here and telling him that this scheme should be postponed. Here in this report we have been giving promises that certain things will be done. But nothing is actually being done worth the name.

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In connection with economic and mineral development also of Vindhya Pradesh nothing is being done. So far as natural resources are concerned, Vindhya Pradesh is a rich Pradesh and if you want to develop it, it can promise to be more than self-sufficient. In this direction too, nothing has been done. The Railway Minister is here. He has not taken care to go to Vindhya Pradesh and find out the traffic there or the population there and what income could be derived from that area. So far no steps have been taken so far as this area is concerned for laying a railway line. Whereas big river projects and other projects have been taken in hand in respect of other States, our states are neglected in every direction.

The Minister of State for Transport and Railways (Shri Santhanam): Pass the Bill and take charge.

Shri Dwivedi: Therefore, I wanted to speak on the amendment in connection with entrusting the Bill to a Select Committee. My hon. friend Capt. A. P. Singh had made his points yesterday and successfully convinced the House that the Bill does not contain provisions satisfactory to the people. Therefore selected Members of this House may sit together in a Select Committee and amend the Bill in a form that is acceptable to the House as well as to the hon. Minister. The hon. Minister should find no difficulty in accepting the proposition but if he thinks that it will cause some delay, then we are also agreeable to the proposal that the hon. Minister may call some friends from the House and some Members from Part C States and discuss the points and agree to certain propositions that we make. In this way we can hammer out a solution acceptable both to the Government and to the people in Vindhya Pradesh, Himachal Pradesh and other States. If the hon. Minister is agreeable to this idea, then we do not want to stick to the proposal to refer this Bill to a Select Committee; otherwise this should be referred to a Select Committee. With these words

I support the amendment for reference to Select Committee.

Prof. K. T. Shah (Bihar): The Bill before the House tries to realize the ideal—at least in some States—of establishing a proper democratic Government in some of these States, and paving the way for the future expansion of the same idea in other Part C States. In order, however, to understand properly the provisions of this Bill, and see them in a correct perspective, you will permit me to bring to the notice of the House the reasons why separate, special treatment has been given to these States. They have been kept somewhat apart, as it were, from the general constitution of the country, and assured a status, a position which would, in course of time, enable them to achieve a democratic Government, though, for the time being, they are kept out of it.

It has been said, in the statement made by Government the other day in this House, that reasons of geography, including strategic considerations in some cases, of history, and of the backwardness of the people and the territory, the political consideration also, have influenced Government in meting out this treatment. At the same time the hon. Minister himself, and the head of the Government also, have shown their solicitude for introducing and establishing democratic institutions in those States, or, at any rate, associating the people of those parts as much as possible in the task of their own Government. Long ago, it was said, as early as fifty years ago, by one of the most reactionary Viceroy of India—Lord Curzon—that this country could not march forward with one sound foot and one limping. By the limping foot he meant the Indian States of those days, which were, as a whole, backward, reactionary, autocratic and in every way non-progressive. To anyone who desired to consolidate the whole country into a single, homogenous, democratic whole, it seemed impossible, while they continued, to establish a uniform, progressive and popular administration.

Since the days of Curzon we have changed materially and rapidly. Political consciousness has grown in every corner of the country. And whatever may be your ideas about the backwardness of these people to which I will refer in a few minutes, you must realize that, so far, at any rate, as the political consciousness and the desire for self-Government are concerned, these people are not less backward than those of either Parts A or B States. If I may say so, because for the very reason that some of these people had, by their then Rulers, been kept back-

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ward and oppressed to such a heavy degree, that consciousness has, by their very persecution as it were, grown much sharper and clearer in those parts than perhaps in some of the Part B States and even in some of the Part A States. The desire of the people to do their own governing is intense and undeniable. Many of them had their own *Parishads*, and *Praja Mandals* corresponding to our National Congress; and these suffered as much as, if not more than, the Congress. Their preparation, therefore, to shoulder their own responsibilities of self-government cannot be denied. Take next the argument about their backwardness.

So far as backwardness is concerned, we have been all kept deliberately backward, if I may say so, whether in Part A or Part B or Part C States, by the British Government for their own reasons. Few of us were associated in the task of the country's Government, in so far as the Britishers kept the highest posts for themselves, all positions of command and authority for themselves, until a gradual relaxation came, again for their own reasons, in that behalf. We were, therefore, inexperienced in the art and science of Government when we came to power on the departure of the British from the land. So far, however, as the Indian States were concerned, within the limited field that the Indian States had, so far as the opportunity for governing those territories and peoples were concerned, there was a much greater chance of active association for Indians—for the people of those parts themselves—to have a direct contact with the problems of those States, than—I say it in all humility—was available perhaps in the larger territories and the greater field for governance of the present Part A or Part B States.

Further, most of the—or at any rate a large proportion—of the wealth, prosperity, enterprise and advance in art and science of many Part A States, in the principal capitals of this country have been made up by immigrants from, if I may say so, these Indian States; and no less from the Part C States. A good deal of the prosperity and advance in moral, economic, social, and political fields, in a city like Bombay, for example, can be attributed to the immigrants from Saurashtra which is now in Part B, and Cutch which still remains as a Part C State. Go into any of its business organisations or exchanges; see the public institutions of that city, and you will find that those who have originally come from

Part C States are not only not lacking in their contribution, not only not backward, but are taking quite a leading part in the municipal corporation, in the local Legislature, in the university and the Port Trust, in business exchanges, in professions, industry, commerce, and other walks of public life. They are not by any means inferior in comparison to the others.

The argument, therefore, of backwardness of the people is, I am afraid, a *petitio principii* which, I trust, will not be pressed further than its legitimate due. These people, or rather the more advanced of them are, no doubt, not residents in their own original parts or, if I may put it so, native places, for the simple reason that the field for their activities, their talents and abilities is extremely limited if not non-existent. They had, therefore, to go out, make their name and fortune and their contribution to the national cause; and so helped to build up the progressive character of our present day class A States leaving their native state neglected. Now, however, that opportunities are opened up; now, however, that we all feel united in one nation, is it any reason to insist upon this difference, is it any reason to exaggerate their old-time backwardness, which does not exist except in the reports, or the imagination of the officers, perhaps of those interested in keeping them backward? I do not, therefore, think it desirable to insist upon an exaggeration like this, and consequent maintenance for years to come, of the so-called backwardness of these people by putting them under a different constitutional set-up.

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

I would like also to add that if you accept this plea of backwardness of these areas in the economic sphere, and say that Part C States will not be economically self-sufficient, and that, therefore, they must be taken under the wing, so to say, of the Central Government, I feel constrained to point out that that is utterly unjust. There is no State in this country, the largest and the most prosperous of Parts A and B included, which can, under the policy of the welfare state, really and effectively claim to be wholly self-sufficient. Self-sufficiency for any State is impossible in a Union like the Indian Union, where the powers, resources and obligations of Government have been distributed so as to be definitely in favour of the Central or National Government. Most of the productive sources of revenue, the most important means of developing the resources of the country,

have been entrusted by the Constitution to the Centre. The State units are left with relatively meagre resources at their disposal, coupled with considerable responsibility which they cannot possibly discharge without aid from the Centre. This is true not only of the C class States but still more so of Part A and B States. They have the name and form of autonomy; but nothing else.

The idea, therefore, of self-sufficiency is impossible for any State to attain, at any rate under the present set-up. So far as that argument is concerned the boot is on the other leg, so to say. If some of these C class States had those resources which were formerly enjoyed by them, such as, for instance, their own separate customs, revenue and income-tax receipts, which are now taken over by the Centre, without a corresponding, equivalent or adequate compensation or reimbursement, it would be easy to show that these Part C States would have met their own obligations, and kept themselves up to the standard from their own resources, much better than is the case with them, when they are lumped up with other competing units, some of whose voices are much more loud and more readily heard and effective than those of the other Part C States. The representatives in Parliament of Part C States are not able to unite among themselves. And even if they could and did, it is not possible for them to press their demands as effectively as the representatives of States far more populous, larger in area, and resources can and do.

Let me mention another consideration. The former regime in those States, with all its blemishes and I am not inclined to minimise them—had one advantage. That was that the final authority in their governance, whatever power it had, was on the spot. The people's grievances, such as they were, when they became vocal, could be represented to the Ruler, the authority on the spot; and such redress as that authority was able to give was available, even though after years of representation or agitation. Today, however, that final authority is the supreme Government of India, which is removed hundreds of miles from them. The result is that on every question the local authority—the Chief Commissioner or his advisers—has to run to Delhi, and get the orders or instructions from the Ministry here. It does not always happen that those instructions or orders coincide with the minimum or the most moderate demands of those areas, because the Central Minis-

try has to consider all these demands along with others. Necessarily, therefore, they make a *pro rata* allotment to them, *pro rata* not to the need, but to the volume of noise each unit can create. Since each region has been unable to develop its own resources from its own means, as they have been curtailed, it follows that, unless and until they have their own popular institutions and authority to provide for their own Government, it would not be possible to bring them up to the standard of administrative efficiency, economic prosperity and political progress desired to make them to be on a par with the other parts of this country.

The very argument, therefore of backwardness acts as a boomerang. You will call them backward now to deny them the institutions of self-government; and you will yet so manage things that inevitably they will remain backward for ever, because of their lack of resources, and consequent inability to develop their own resources or their possibilities in the best way they can.

The question has also another aspect which must not be forgotten. Time and again, when we ask questions in Parliament on important matters of information relating to those States we are told it is being compiled or will when ready be placed on the table of the House in due course. (I do not know when it will ever be placed); or "it is not in the public interest to give the information" and, at a very inconvenient moment the next question is called. The result is that authoritative information is not available to the satisfaction of the people making enquiries. I do not say that this is the fault of the Ministers. I do not want to be misunderstood in this. But the inability to supply the information is due to the fact of the distance and the lack of living contact with local conditions, which makes it difficult for them always to be able to give information on a subject, which is exhaustive, adequate or satisfactory.

One remedy really, therefore, is to charge the local people with the responsibility of their own governance. We must place at their disposal the necessary means and advice, when called upon, sufficient to help them. As it happens the chief governing authority is sent from outside, who is least acquainted with the people for whom he is to administer the State. He is usually derived from the heaven-born steel frame of the old I.C.S.,

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which is supposed to know everything, but is not always omniscient or infallible. And yet he is employed, because he is a member of the superior service, and what he says ought to go. Because the Secretaries here are also derived from the same fraternity, naturally they have far more sympathy to a member of their own body, than they have with the popular "agitators" for whom at least in the old Civil Service there was a measure of contempt, if not dislike, which was hardly deserving.

Take an example. We have, in the very State in which I am interested, for the moment, a Chief Commissioner, a member of the old Indian Civil Service, who had been dismissed from public service 20 years ago. When questions were put in this House on the subject, we were told that he had acquired high administrative experience, which justified his appointment, even after dismissal from service. I fail to understand where and how he could have acquired that "high administrative experience" which justified his appointment, even though he had served only for eight or ten years, mostly as a junior officer, before he was dismissed for a grave lapse. I would like not to be misunderstood in this part of my remarks. I have no desire to make any personal attack on anybody. I can quite understand that such a person, having undergone the penance imposed of twenty years exclusion, may have fully expiated his early offence, and may now be a wholly different person. In this case, I know the individual concerned, and believe him to have turned over a wholly new leaf. All that I want to point out is that the officers we send out are unfamiliar with the local conditions of those regions, and that they are, perhaps, not sufficiently experienced. Certainly, they are always far more costly than the locally available talent and experience of those places.

And that brings me to another point of general policy. There seems to be a belief that the more you pay the better is the service you get. I do not believe in that. I do not think that a higher pay is necessarily a guarantee either of efficiency, understanding, or sympathy which is necessary for doing the work under the circumstances in which these people have to do. The administration in those parts may have been backward, from the standpoint of administrative efficiency, that you demand; but they had also their own means of curtailing their expenditure, they have had their own ways of pro-

viding for the minimum requirements of the administration. These are no longer available to them; and at the same time they have to conform to all-India standards which are not standards within their means, but which seem like white elephants forced upon them. Those all-India standards, moreover, are fixed, not with reference to Indian conditions, not with reference to the ability of this country to support them; but with reference to the demands of a foreign bureaucracy which was in power until a few years ago in this country, which, for its own purposes, set standards that I for one have always maintained were far beyond the ability of this people to bear. And yet we are saddled with them no matter how poor we are. There is in this a double pressure, as it were, applied by you on the Part C States. On the one hand, you withdraw or curtail their resources; on the other you force upon them scales of expenditure which they necessarily cannot support. And then you add insult to injury by saying that they are not self-sufficient, that they are economically backward, that they are educationally backward, and that, therefore, they cannot come up to the level of efficiency and advancement that you desire, unless you keep them under your grip!

If you are earnest and genuine in your desire to see that these people attain the standard of efficiency and advancement that you profess the whole country should have, then it is up to you to see that whatever you take away from them you make up for it. You must teach them, you must lead them, you must help them to be graduates, as it were, in the art of self-government. Nobody acquires the art of self-government without making mistakes; and this Government ought to be the last to say that they have made no mistakes, that they are infallible, that they set the best standards. And let me tell you that if the Ministers of the Centre make mistakes, they are mistakes which can be explained away! As somebody has said, if doctors make mistakes, those mistakes are not known, because those "mistakes" are either buried or burnt. Nobody, therefore, knows the doctors' "mistakes". When you are in a supreme position, your mistakes are also capable of being white-washed away. But the mistakes of these people cannot always be so easily explained away, and, therefore, they have to bear the consequences of those mistakes because those mistakes are forced upon them by others not responsible to them. They are denied the right to learn from their own mistakes, and know the more safe, more

scund paths of progress. Nobody can acquire the art of walking or riding without falls. Nobody can acquire the art of self-government without making mistakes. Even countries which have had the right of self-government for centuries are not immune from making mistakes. After all, it is the human agent that is involved; and the human agent is not always so experienced and perfect as to be infallible.

The possibility, therefore, of their making mistakes, if they are given full democratic institutions, is no reason why they should not have the right to make them. Unless and until you charge them with the responsibility; unless and until you make them do things themselves, you will never get them to the standard which you profess you have in your mind for them also. And so long as any part of this country remains backward, they would not be a help to you—they will be a drag upon your national progress, because in proportion as they are backward, the rest of you will also suffer directly or indirectly. It is a common truism in science that the strength of a steel chain is not the strength of its strongest link but of its weakest. The strength of a people also is not that of its most advanced portion, but that of its least advanced portion. If you desire these people to remain as backward as they have been, then only deny them the right of self-government as you are doing.

You provide only for advisory councillors who are your own nominees—being nominees of the President—who may have no concern whatsoever with the confidence of the people. Though you do provide in nominating advisers that the President should judge that they are possessing or commanding the confidence of the people, there is no guarantee that the President's choice will be the best from that standpoint. At any rate, the President will not be answerable for the choice of these individuals to any local body; and I doubt if he will be quite correctly made responsible even in Parliament for making appointments to the Councils which may not really have the backing in the country itself. At any rate, unless and until you make the people themselves choose their own councillors, and eventually their own Ministers, you have no right to beg the question, and say straightway in advance that they, the people, are not competent for their own self-government, and so deny them those rights which the rest of the country enjoys.

You may have reasons of a political or a strategical character, which may

not permit you to grant uniformity of treatment all at once to all these C class States. It is perfectly reasonable, and I am willing to accept that position. But even there I would beg to point out that the powers that Part C States have, or can have for some years to come, of legislating for themselves are and will necessarily be limited. In fact, the powers of all States in India are and have been far more limited, in our desire for centralisation, in our desire for unification of the country than is quite consistent with a real, working democracy. That we have accepted as the groundwork, as the basic principle of our Constitution, and there is no resiling from that now. I am not quarrelling with that basic principle at this moment. All I am saying is that, subject to the governing principle of the Constitution, subject to the minimum need of national solidarity and uniformity, you should, however, see—if you are true to your ideals of democracy—that these people also come up and live up with you in the path of parliamentary democracy as soon as possible; and that every obstacle in their way ought to be removed by your advice and assistance—unless you fail in the primary mission and objective of the Constitution that you have framed under which we are living.

There is a suggestion that, eventually, some of these Part C States may have to be merged with the neighbouring States. At the present moment we have not before us any specific proposal for such merger. I am not, therefore, prepared to pre-judge that issue here and now. But I would like to say that some of these units have been kept apart, and have been made to remain apart, for centuries. A unit like Ajmer, for example, has been, since at least the days of Prithviraj, kept apart from the rest of the area around, and has therefore, become as distinct as Belgium from Holland. For you now, all of a sudden, to decide upon its merger with the neighbouring Rajasthan would, in my opinion, be objectionable, unless the people of those parts also desire and consent to do so. There is such a thing as the doctrine of self-determination; and that doctrine of self-determination does claim from this Government a respect, a regard, which ought not to be denied, even though the unit is comparatively small in area or population. I suggest, therefore, that, before any idea of merger of any State with another is adopted, before the scope for self-government is made conditional for those areas upon their being merged with other neighbouring areas, the wishes of the people con-

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cerned should be specifically ascertained, so that the merger may not be forced upon them against their wishes.

As regards the particular Part C State for which I am immediately concerned, I happen to know that, to the nearest possible State for merger, there is the strongest objection among the people in Kutch. You have, no doubt, no established institutions by which you can ascertain the feelings of the people in such matters. It seems, however, to be fashionable nowadays not to care for and ascertain the opinion of the people even in the most radical constitutional changes. We have the sight of the Constitution being amended without any reference to the people at all, even though we call the people to be the real sovereign. We have the spectacle of the present Ministry claiming to themselves not only omnipotence but also omniscience where the people, their masters, do not count at all. How, then can the poor devils of Part C States be given the honour of being consulted, and their wishes being ascertained in the matter and respected?

I am perfectly aware of this attitude or tendency. But that does not prevent me from pointing out that if you are today to make your will felt everywhere, remember this is not the right course to adopt. The more you accept, the more you consult, the more you respect the people's wishes in such radical matters, the more would your structure become strong, solid and permanent. Rather than having the thing imposed upon them as it were by *force majeure*, and, therefore, against their wishes, consult them, find out their views and give effect to them if you do not want this Constitution to break down by its own internal stresses and strains.

I have said the question of merger was not before us at the present moment. A passing remark was made by the hon. Minister while moving this motion, which tempted me to make the remarks which I have made in this regard. But those remarks apart, the present Bill, in making a discrimination as it does, and any limiting the power or ministerial responsibility, the scope for the doctrine of responsibility to the representatives of the people, and making the executive non-responsible, is open to the most serious objection. You assume that the local people or their chosen representatives would be unequal to the task; and therefore you insist upon your right, not only to introduce non-local elements as Advisers, but reserve their final responsibility to the President. Your insistence

upon the Chief Commissioner, who, *ex hypothesi*, is only an executive officer, and who has, therefore, presumably no contact with popular wishes, or at any rate has not gone through the mill of popular feelings on such matters, is a needless and a most offensive restriction, which ought not to be maintained. If you feel the representatives of the people in those parts must have extra assistance or advice, certainly you can send them advisers to assist the responsible Ministers, or even responsible councillors. But do not make them part of the responsible machinery. Certainly do not make the Chief Commissioner, if you wish him to be the head of the Government in the same manner as Governors and Rajpramukhs are in other parts of the Union, the head of the executive there. Keep this head of the State wholly outside and apart from local parties or local partisanship, so that, if, at the last moment, he is obliged to offer advice, or make a representation, his representation may bear much greater weight, and be listened to much more effectively than if it were presumed to be the voice of a local party in that particular area. His presence, as a presiding officer over the deliberations of the legislatures or Council of Ministers, is, therefore, objectionable from both political and administrative point of view, as far as I can see. I, therefore, suggest that it is not too late even now to make this change and avoid the Chief Commissioner becoming, as it were, the President of the Council of Ministers in those parts. See to it that the responsible Ministers become truly responsible from the very beginning, and guard against any misuse or abuse of power.

There is another incongruity in this Bill to which I cannot but draw the attention of the House. These advisers, not Ministers, are supposed to be nominated by the President; their portfolios will be assigned to them by the President; their salaries and allowances will be paid to them as may be determined. But they are also declared to be not disqualified for sitting in Parliament. Unless I am wrong in this regard, I think that that provision violates the fundamental principle, as I view it, of the Constitution. They should not be, in so far as they become office-holders under the Central Government—appointed by the President during his pleasure; and removable, therefore, by the President—made Members of this House. They should not be entitled to become and to remain Members of this House. This is a point of principle, which I trust will not be regarded as merely a point of political demonstration for the occa-

sion, but really a matter which goes, as it were, to the root of the whole Bill. It must, therefore, be considered dispassionately from the standpoint of the entire Constitution and its governing spirit.

The Bill, taken as a whole, therefore, needs improvement; and the suggestion made here that it might be considered by several Members interested in it, in consultation with the Minister, is both reasonable and moderate, even if you are not prepared to accept the motion for reference to a Select Committee. The only argument, so far as I can see against the acceptance of reference to Select Committee, is the question of time. The Part C States have remained like that for the past five years or all the period after the attainment of independence. Supposing this Bill is referred to a Select Committee, there will be no unconscionable delay. It was suggested the Select Committee should report within three days. Even if it takes a longer period, even if this passage of the Bill is postponed, let us say, to the next session, how much time would be lost? Probably two or three months. What would that matter—if, at the cost of some time, you are able to guarantee a much more agreed, a much more acceptable, much more generally satisfactory arrangement than will be the case under this Bill. You have got the majority; you are in a position to push it through as and when you like. None is blind to it—certainly not I. But I feel that here is a matter relating to millions of people—ten millions it was said—which ought not to be rushed in this manner. You have waited so long—this Bill was introduced several weeks ago. Other more urgent matters have forced its being taken up so late. And when it was taken up, it was taken up so suddenly that even the Minister in Charge was a bit unprepared for it. Think of those Members of the House who may also be similarly unprepared; and think particularly of the people of those parts who have to bear the burden of this Bill when in operation.

I, therefore, suggest that the argument of time should not be pressed too hard; and that the motion for reference to a Select Committee should receive first preference. But if for any reason you are not accepting it, then at least take the much more moderate and reasonable suggestion that those Members who are, directly or immediately, interested in the welfare of the people of Part C States, should be called into an informal conference with the Minister. With their agreed acceptance of the governing spirit of its provisions, and after remedying the basic objections which we have urged, it might

have a smoother passage; and perhaps may contribute much more effectively to the satisfaction of those people whom it affects.

Mr. Deputy-Speaker: May I make a suggestion to the House?

I find that a number of hon. Members are desirous of taking part in the debate. There are a number of Members from Part C States. Even at the rate of allowing one Member from each State it will take some time. I think it is also the desire of hon. Members who come from Part C States that this Bill should be passed within this session and not be delayed. Having regard to the pressure of work, if the House is agreeable, I would suggest a time-limit for speeches. May I put it at ten minutes? (*Some Hon. Members:* No, no.) This has been debated in season and out of season: let us now come to brass tacks. Even suggestion for reference of the Bill to a Select Committee is not opposition to the Bill. Informal discussions are as much productive of results as consideration by Select Committee. Under these circumstances, with the sweet reasonableness of the hon. Minister who is in charge, they can have all that they want.

I, therefore, propose calling upon the hon. Minister at 12-15 P.M. to reply. In between, if we limit the time of speeches, eight Members can speak. If, otherwise, one or two Members want to monopolise the House, let them do so—I leave it to the House. Having regard to the fact that there has been enough discussion, I put the time-limit at 15 minutes per Member.

Pandit M. B. Bhargava (Ajmer): No doubt this proposition has been discussed on several occasions in this House, and also in this very session of the House. The Bill which has been introduced and which is the subject-matter of discussion has been based upon the policy announced by the hon. Minister of States in answer to the private Member's resolution for the purpose moved by me a few days back. I had pointed out then, and I reiterate now with all the emphasis at my command, that the entire approach of the Government and of the hon. Minister of States to this problem is that of a bureaucrat and not that of a democrat. What is the scheme of democratisation incorporated in this Bill? Can this enthuse any person either coming from Part C States or from any other part of the country, of course, if they believe that they form part of the Indian Republic? Does this Bill hold any promise of giving to the people of these Part C States, numbering about

[Pandit M. B. Bhargava]

a crore. even a semblance of the political, economic and social equality which is envisaged in the Preamble of our splendid Constitution and upon which the foundation of the entire superstructure of the Republic of India will be built? Will the inhabitants of these areas have even a semblance of political equality with their fellow brethren in Part A and Part B States? What is their condition? It has been repeated often and I need not repeat it again. These areas have been rotting under the iron heels of autocracy for centuries. So far at least as my State, the State of Ajmer from which I come, is concerned—the other States, of course, are comparatively of recent creation—but so far as the State of Ajmer is concerned, and so far as the State of Coorg is concerned, they have been in existence for centuries. The State of Ajmer has always been a separate entity in the political history of the country, from the time of the Pathans and Moghuls, from the time of Maharaja Prithviraj, the last Hindu Emperor of India, who made Ajmer the capital in preference to Delhi itself, and even thereafter—throughout the Pathan and Moghul period and throughout the British period—Ajmer has been cut out from all its surrounding States for the purpose of the Imperial Government at the Centre. When on occasions after occasions the representatives of these areas raised their voice that they were entitled to share in self-government, what was the answer that had been given, and is being given today? I regret indeed that the arguments that our British masters resorted to on so many occasions, whenever the demand for the self-government of the country was put forward by the Indian National Congress and other political institutions, the same arguments are being repeated today by our national leaders at the helm of affairs of the Government of the day—the same arguments: backwardness, differences between people and people, parties and factions. If it is a correct answer to this demand I ask, are there any Part A and Part B States where party factions do not exist today? What is the state in the Punjab, and in so many Provinces? I need not cite examples. If this is an argument for depriving the people of these States from their elementary rights of self-government, may I ask, does it not behove our leaders to treat those States on the same footing and deprive them also altogether of self-government because there are differences, because there are factions and because there are so many other things? If that is

not an argument for depriving the people of Part A and Part B States of their rights of self-government, I submit it is no argument for not extending the same rights of self-government to the people residing in the Part C States.

Similarly the question of backwardness. I respectfully submit that it is again an absolute wrong. I do not admit that the people of Ajmer are in any way backward to the people of any other part of the country. If past history can be any guide to us, I submit that throughout the struggle for freedom, throughout the battle for emancipation of this country from the thraldom of the British yoke, the people of Ajmer have been agitating and taking part from 1919 since the Non-co-operation *satyagraha* came, up to 1942, the Quit India movement. That was the position also in respect of Delhi and other parts of the country. If we struggled with our brethren for the emancipation of the country from the thraldom of the British yoke, did we struggle for the maintenance of autocracy even after the attainment of democracy throughout the country? What is the position today? Does this Bill make any improvement whatsoever in the existing state of affairs? As I say, this Bill is nothing but an attempt at perpetuating the existing system of autocracy, to preserve intact these conclaves of bureaucratic and autocratic regimes. That is the only object of this Bill. Out of the eleven States, only in respect of Himachal Pradesh and Vindhya Pradesh it is envisaged in this Bill to give them some sort of representative Assemblies at the time of the General Elections in the country. But so far as the other States are concerned, there is to be what is styled a 'Chief Commissioner-in-Council' for an indefinite period. What is the reason for it? What will be the constitution of the Chief Commissioner-in-Council, and will it improve the existing state of affairs in any way whatsoever? My respectful submission is that it is only an eye-wash. It is only an attempt to satisfy the people that the Government wants to do something towards the democratisation of the autocratic administrative set-up in these States. But the scheme, on the face of it, is not likely to improve the existing state of affairs in any way whatsoever.

It is stated in clause 3 of this Bill that the Council of Advisers will be set up under article 239 of the Constitution. May I in all humility ask the hon. Minister whether the so-called Council of Advisers will at all be a legal body under article

239 of the Constitution? As far as I have gone through the Constitution, article 239 lays down that it will be the responsibility of the President of the Union to administer these States specified in Part C of Schedule I to the Constitution—the wording is “administered by the President...to such extent as he thinks fit”. That is what article 239 lays down. It does not envisage the setting up of any Council of Advisers or Council of Ministers. The other provision of the Constitution, that is article 240, says that it will be open to Parliament by law to set up a body in any of the Part C States to function as a legislature, and also to set up a Council of Advisers or Ministers or both. That is, the legislature as also the Council of Ministers, and the constitution, functions and powers of the legislative body as also of the Council of Ministers will be specified by Parliament.

This is what article 240 envisages but even this is not conceded in the Bill. The hon. Minister in clause 3 refers to only article 239 and I am unable to follow how the envisaged Council of Advisers will be a legal body if set up under article 239 of the Constitution. Then, it is stated that the Constitution itself has classified the States into A, B and C class and it is sought to be contended by the hon. Minister that the very classification of the States into three categories implies that the States falling under category C are to be politically and constitutionally inferior to Part A and Part B States. I submit if the Constitution is to be interpreted in this way, it is nothing but doing fraud on the Constitution, if not in letter but in spirit. In fact the Constituent Assembly did not like to tackle this problem because of the varied character of these areas and their past history and they left this function to Parliament. That does not mean that if the Constituent Assembly had taken upon itself the function of making the Constitution of these areas, it would have framed this Constitution in an undemocratic manner as it is being sought to be done today by means of this piece of legislation. Article 240 of the Constitution is quite specific and comprehensive and the Council of Advisers or Ministers or the bodies which are to function as legislatures, their functions and their constitution can very well be specified by the law of Parliament and it will be open to Parliament by any legislation that it passes to lay down that these legislatures or the Council of Advisers or Ministers functioning in Part C States, will have the same powers as are given to these bodies in Part A or Part B

States. Therefore, when this argument is thrown before us that the Constitution has made this difference in the classification and consequently, they are bound to be of a lower democratic set up than Part A or B States, it should be discarded on the face of it. I cannot possibly welcome this Bill, because it only tries to evade the problem which has been confronting us. It was never the intention of the Constitution that this problem should be evaded in the manner it is being done.

As far as I have been able to see this body, the Chief Commissioner-in-Council is a body which was never envisaged by the Constitution itself. There may be a Council of Advisers; there may be a Council of Ministers; there may be a body functioning as a legislature under article 240, or there may be the President administering these States through a Chief Commissioner or a Lieutenant-Governor under article 239 but an amalgam of the two, that is, ‘the Chief Commissioner-in-Council’ is a term absolutely unknown to the Constitution. It has been coined for purposes of diverting this problem by the hon. Minister of States and that it should not receive any just recognition at the hands of this Parliament.

I submit that this scheme, which is envisaged so far as those Part C States are concerned excluding Himachal Pradesh and Vindhya Pradesh, is bound to create many complications. For example, in each of the States of Ajmer and Delhi and also in Cutch, there is an Advisory Council functioning. How was this Advisory Council brought into existence? Half of the members of these Advisory Councils were elected indirectly from the municipalities and district boards in these States. They are the members of these Advisory Councils as far as the State of Ajmer is concerned.

The Minister of States, Transport and Railways (Shri Gopaldaswami): May I ask one question of the hon. Member? Does he envisage the Council of Advisers provided for in this Bill as being of the same type as the Advisory Councils that were attempted to be constituted or were constituted in the past?

Pandit M. B. Bhargava: I may submit that the hon. Minister of States as a shrewd diplomat as he is, has thought it proper to remain as vague and as indefinite as any British diplomat.

Shri Gopaldaswami: I thank the hon. Member for his compliment.

Pandit M. B. Bhargava: I challenge the hon. Minister to point out any word in this Bill from which it could be found out what the status of these Executive Councillors will be. Will they not be merely at the sweet will of the Chief Commissioner? Will it not be open to the Chief Commissioner to brush aside their advice altogether? As far as I have been able to see, this has been kept extremely vague and as the experiment of Advisory Councils proved a dismal failure, I have not the least doubt that this experiment, which is only an attempt to divert the attention of the people, to give them some hope that the Government is trying to democratize the administrative set-up, is also bound to be a great failure. Firstly, we do not have in this Bill an indication as to how these councillors are to be appointed. I put a specific question on the last occasion when the private Member's resolution was discussed and the hon. Minister answered that they would be selected as the old Governor's Executive Councillors were once selected. I fail to understand the analogy. What is the parallel character of the circumstances that were existing in 1919—during the Montague-Chelmsford reforms or later on? The times are absolutely changed. You cannot regard the people in Part C States as anything but human. They have the same aspirations for the fullest measure of self-expression, for the fullest instalment of self-government as their brethren are enjoying in other Part A and Part B States. If that is so, do you think that in 1952 this scheme of yours, which is vague, which is indefinite, which maintains the *status quo*, which keeps the Chief Commissioner as supreme as he is today, will satisfy the people in any way whatsoever? How then will you select the leaders of public opinion? There is absolutely no indication. How are the leaders of public opinion—they may be two or three or even more,—going to satisfy the people in this democratic age? Will they not in their turn convert themselves into as great autocrats as the Chief Commissioner himself, with the result that instead of one Chief Commissioner, there may be three or four Chief Commissioners? Unless and until you set up a machinery to maintain liaison between the Chief Commissioner, the representative of the Central Government, and the people, there is absolutely no form of democracy worth mentioning. Is it impossible to set up such a body?

11 A.M.

I was just dealing with the Advisory Council. There are three members

elected from the district boards, municipalities and there are others nominated by the Central Government. Is it impossible to make this body broad-based so that instead of three indirectly elected members, there may be 12 or 15 and this Chief Commissioner in Council may be made responsible to that Advisory Council. It will to a certain extent satisfy the aspirations of the people. It will also give a democratic setting to the existing proposals.

Mr. Deputy-Speaker: I am afraid, the hon. Member ought to discontinue his speech.

Pandit M. B. Bhargava: I will finish in two or three minutes, Sir.

My submission, therefore, is that if you want to take some positive step towards the democratization of the administration, the first thing that you have to do is to establish in these areas Advisory Councils with members, though not directly elected, at least indirectly elected from municipalities and district boards. That process is not likely to take much time. At least the existing Advisory Councils should continue and the Executive Councillors, who are at least representative of the people, being elected indirectly, may be responsible to the Advisory Council. If at least that is done, it may be an improvement.

My other suggestion is this. Why should you insist on an ICS officer continuing to be the Chief Commissioner in these areas? If public men and leaders can be trusted with the administration of Part A and Part B States so that the Governors may be non-servicemen, there is absolutely no reason why the Chief Commissioner should be an ICS man. There is one other suggestion that I want to make.

Mr. Deputy-Speaker: Is there any clause which says that the Chief Commissioner must be an ICS man?

Shri Sidhva (Madhya Pradesh): That is the practice.

Pandit M. B. Bhargava: There is no clause. Because there is no indication to the contrary, I presume that the same practice will continue.

Then, there is one other thing. You are leading to absurd conclusions. What are you going to do for electing a Member to the Council of States from these areas? You are going to form an electoral college of 30 persons, elected on adult franchise. What will be the function of this electoral college? It will simply elect one person to represent the State in the Council of

States. That is the only function for which an electoral college will be elected on adult franchise. It should cost lakhs of rupees. I submit, if you are going to do that, why not endow this electoral college with the functions of a legislature? If you are afraid, if you think that these people are backward, then, maintain the scheme that you have maintained in respect of Himachal Pradesh and Vindhya Pradesh and make the Chief Commissioner the President. At least those persons who will be elected only for the purpose of electing one person to the Council of States, should function as a legislature. What is the impracticability about it? What is the reason why such bodies cannot be set up? If you are setting up a Council of Advisers, two or three, you must incur some expenditure on their salaries, etc. What extra expenditure will the functioning of a legislature of 20 or 30 involve? It will be practically not much more than what you intend to spend.

Then, it is said that they may be merged. How can you keep the fate of lakhs of people hanging in the balance for years? You must take a decision. If you are for merger, that must be decided here and now. It should not be deferred for a long time. If you do not want to take such a decision, you are responsible for keeping them as a separate entity and therefore, it is your responsibility to provide them with a democratic apparatus for carrying on the administration by the people, for the people and in the interests of the people. That can be done only by the chosen representatives of the people, not by any bureaucrats to be deputed from the Centre.

My submission, therefore, is this. I cannot possibly welcome this measure, which I regard to be more or less of a reactionary type, and an attempt to maintain the *status quo* which must be terminated as early as possible.

Mr. Deputy-Speaker: Thakur Lal Singh.

Shri Deshbandhu Gupta (Delhi): Sir, before you call upon the next speaker, I just want to make one submission. Yesterday I interrupted the debate only for making a request to my hon. friend who was pressing his motion for reference to a Select Committee. I also made it clear that there are two fathers of this Bill, the hon. Minister of States and the hon. Home Minister, and that since the hon. Home Minister was not in his seat, and that I had told him also that I would not speak on the merits of the Bill today. So, Sir, I would like to know whether I would

be permitted to have my say today. I may point out that I am the only person who represents Delhi and Delhi is the second biggest Part C State. I hope, Sir, that even if I had technically committed a mistake yesterday by interrupting the debate, you will show me the indulgence of allowing me to have my say.

Shri Sidhva: Mr. Deshbandhu Gupta is perfectly right. He stated yesterday that he was only intervening for the purpose of asking Capt. A. P. Singh to withdraw his amendment. He represents Delhi and he definitely said that he would not refer to the other aspects because the hon. Home Minister was not there. I think you should give him a few minutes.

Thakur Lal Singh (Bhopal) rose—

Mr. Deputy-Speaker: Let me dispose of this matter that has been raised. Mr. Deshbandhu Gupta told me when I was there that he would like to have an opportunity and that yesterday he had only interrupted. I went into the lobby and looked into the proceedings. He has made a long speech covering nearly two or three typed pages. I can understand an interruption of two or three sentences, that in view of the assurances or in view of some arrangement come to, the hon. Member is requested to withdraw, etc. On the other hand, he agreed with various other provisions, about one crore of people being affected and so on. In the end, he said that the hon. Home Minister was not here and so on. I do not think it is proper at this stage to allow the hon. Member to speak. I will be creating a very bad precedent if I allowed the hon. Member to speak. It was open to the hon. Member to proceed. Certainly the hon. Home Minister would have looked into the proceedings and given an answer. I am exceedingly sorry. I have no special powers and I will only be creating a precedent for the future. The hon. Member will certainly have an opportunity to deal with these matters on the clauses of the Bill. On any particular clause, he may make his representations.

The Minister of Home Affairs, (Shri Rajagopalachari): I do not wish to stand in the way of your maintaining correct precedents. On that I have nothing to say. But, I must add to what has been said by my hon. friend Mr. Deshbandhu Gupta that I took his permission before leaving the House. It adds to the strength of the argument that he has put forward. I took his permission to be absent in order that he may not touch a subject for which I should be responsible. Therefore,

[Shri Rajagopalachari]

perhaps, his claim is a little stronger on that account. In addition to what you have said, I may say, that not only would I have read the papers; I was available near the House and I would have come into the House if he dealt with the subject. Therefore, while—I say again—I do not wish to prevent you from maintaining correct precedents. I think it is fair that he should be allowed to speak.

Mr. Deputy-Speaker: I am afraid, it is a little embarrassing to me after what the hon. Minister has said.

Shri Rajagopalachari: I am in the habit of making concessions.

An Hon. Member: Give him ten minutes.

Shri Sondhi (Punjab): It may not be a precedent.

Mr. Deputy-Speaker: It is so kind of the hon. Home Minister to have said this. But the hon. Member did not confine himself to stating that the amendment for reference to a Select Committee might be withdrawn. He made references to various other matters. It is, as I said, rather embarrassing. I do not want to prevent any hon. Member from speaking. Certainly Delhi is an important subject, being the capital of India. And the hon. Member is enormously interested in its affairs and is practically the only representative in this House from Delhi. All the same, I do not know whether it is right for me to create a precedent of this kind.

Shri Rajagopalachari: When the hon. Member speaks on the clauses, he may be given a greater latitude than usual.

Mr. Deputy-Speaker: Yes, I will not confine him to the particular clause, but allow him to speak on other matters also.

Shri T. T. Krishnamachari (Madras): May I suggest that perhaps after the disposal of the amendment to refer the Bill to a Select Committee, the hon. Member can take part in the general discussion on the Bill?

Mr. Deputy-Speaker: But I informed the House that the amendment for reference to the Select Committee might be moved and the discussion on that amendment and also the general discussion on the Bill might go on. I do not think it is proper to depart from that procedure now. I have been allowing hon. Members to travel over other points also when speaking, and

sometimes even when they were not very relevant. I will allow some latitude when Mr. Gupta speaks on the clauses.

Shri Sidhva: It is surprising that Mr. T. T. Krishnamachari should have made such a suggestion.

Shri Deshbandhu Gupta: Sir, I am thankful to you, and I thank the hon. Home Minister also for clarifying the position. If you feel that in the interest of a proper and fuller debate on this subject, could be allowed more time at a later stage, you may do so.

Mr. Deputy-Speaker: Yes, when the clauses are under discussion I will give the hon. Member full opportunity to speak.

Now, I will first call Members from Part C States to speak on the Bill. And to give the hon. Members more time, I mean calling on the hon. Minister to speak at 12-30 P.M. instead of at 12-15 P.M. But this consideration stage of the Bill should be over to-day in the interest of the Bill as a whole

Shri R. K. Chaudhuri (Assam): Sir, no one is here from part C States of Manipur and Tripura, and coming from the same Provincial Congress Committee I want to speak on their behalf.

Mr. Deputy-Speaker: I will come to Manipur and Tripura later on.

श्री भट्ट : माननीय उपाध्यक्ष महोदय, एक प्रार्थना यह करना चाहता हूँ कि आप समय की मर्यादा जरूर बांध दें, लेकिन ऐसे महत्व के बिल के ऊपर अगर दूसरे आदमियों को भी बोलने का मौका नहीं मिला तो ठीक नहीं होगा। इस बिल के बारे में काफी आदमी बोलन वाले हैं। यह सिर्फ़ पार्ट सी स्टेट का ही सबाल नहीं है। पार्ट बी और पार्ट ए के जो मेम्बर आते हैं वह भी हिन्दुस्तान के प्रतिनिधि हैं और उन को भी बोलने का उतना ही हक़ है जितना कि पार्ट सी स्टेट से आने वाले मेम्बरों को है। तो अगर आप को ठीक लगे तो मैं यह समझता हूँ कि यदि समय की कमी है और शोधवार को यह नहीं लिया जा सकता

तो आज शाम को हम फिर से मिलें और इस पर बहस करें।

श्री सिधवा: दो दिन तो हो गये, आज दूसरा दिन है।

[Shri Bhatt (Bombay): Sir, I beg of you to impose a time-limit for it would not be proper if other persons were deprived of speaking over a measure of so much importance. Many Members want to speak on this Bill. It is not a question of Part C States only. The Members coming from Part A and Part B States are also the representatives of our own country and are entitled equally with Members of Part C States to speak. May I suggest, therefore, that if time be short and it may not also be possible to take up the Bill on Monday, then if you deem it proper, we may meet again in the evening and discuss it.]

Shri Sidhva: Already two days have passed; today is the second day.]

Mr. Deputy-Speaker: I entirely agree with the principle laid down that not only Members coming from those particular States, but every hon. Member who is expected to vote on this motion is entitled to speak.

Shri Sondhi: Mr. Sidhva has already spoken.

Mr. Deputy-Speaker: Yes, yes, he has already spoken. And so it is not my intention that Members from the other States should not speak on this Bill. But I would like to give preference to Members of Part C States and if there is time, I shall call upon other Members also to speak. If it is the wish of the House that the matter should be carried on from day to day, I cannot stop it, I am prepared to sit here. I leave it to the House. I have no right to prevent any Member from speaking. I am prepared to go on till the last of the 300 and odd Members have spoken. It is for the House to decide when the occasion arises..

Shri Sidhva: Yesterday you wanted Members from Part C States to speak, but nobody got up and so I spoke.

Mr. Deputy-Speaker: Very well. I find here that Shri G. S. Guha represents the State of Manipur and Tripura.

Shri R. K. Chaudhuri: But he is not here, Sir.

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Mr. Deputy-Speaker: That may be, but if he is not interested in the matter, Mr. Chaudhuri need not take it upon himself to speak.

Shri R. K. Chaudhuri: Then am I not entitled to speak, Sir?

Mr. Deputy-Speaker: Mr. Chaudhuri is always entitled to speak.

ठाकुर लाल सिंह: उपाध्यक्ष महोदय, खेद की बात है कि सी पी पार्ट स्टेट्स का जो बिल है उस के लिये हमें एक पूरा दिन भी बहस के लिये नहीं मिला और उस में से भी आधे घंटे के करीब ऐसी बातों में रूफ हो गया जो कि ज्यादा महत्व की नहीं थीं। बहरहाल, जितना समय आप देते हैं हम उसी के लिये आप को धन्यवाद देंगे इसलिये कि होना तो वही है जो हमारे कर्ता धर्माओं ने पहले से सोच रखा है, अलबत्ता दिल को समझाने के लिये कुछ लोगों को बहस में बोलने के लिये मौका दे दिया जाता है। सी पी पार्ट स्टेट्स जिस हालत में बनी हैं वह हम सब को मालूम है। हिन्दुस्तान में रियासतों का जब इटीग्रेशन (integration) हो रहा था तो सरदार पटेल ने सोच रखा था कि किस को कहां रखना चाहिये, उन का एक खास दृष्टिकोण था और उस ब्याल से वह इन सब को ठीक बनाना चाहते थे। लेकिन ईश्वर को कुछ और मंजूर था और वह वक्त के पहले यहाँ से चले गये। यह सब हमारी बदकिस्मती है, वरना इन छः महीनों में जो कि अभी निकल गये हैं बहुत सी रियासतों के बारे में फैसला हो जाता, कम से कम भोपाल के बारे में तो मैं समझता हूँ कि कुछ न कुछ फैसला जरूर हो गया होता और दूसरी रियासतें भी इस हालत में नहीं होतीं जिस में कि वह आज अपने आप को पाती हैं। जब हमारे मिनिस्ट्रों ने यह देखा कि सी पी पार्ट के रहने वाले सदस्य शान्त नहीं रह रहे

[ठाकुर लाल सिंह]

हैं, शोर मचा रहे हैं, बाहर भी कमेटियां कर रहे हैं और इस हाउस के अन्दर भी रिजोल्यूशन (resolution) ला रहे हैं तो उन का दिल समझाने के लिये फौरन् ही, एक अच्छा बुरा, बगैर कुछ ज्यादा ध्यान दिये हुए एक बिल लाये। कुछ न कुछ हुकूम इन को दे देना, किसी तरह इन का दिल खुश कर देना, यह इन का खास उद्देश्य रहा। मैं समझता हूँ कि यह किसी तरह ठीक नहीं है, इसलिये कि पार्ट सी में रहने वाले भी उतने ही इच्छुक हैं अपने हिन्दुस्तान में हुकूमत करने के अधिकारी होने के, जितने कि दूसरे लोग। जैसे भोपाल की ही मिसाल मैं देता हूँ। इतिहास से अगर भोपाल उस समय सन् १९४७ में अलग न रह गया होता और किसी पास के प्रान्त में, मध्य प्रदेश में या मध्य भारत में मिल गया होता तो क्या आज वहाँ के निवासियों के लिये क्या यह कहा जा सकता था कि वह पिछड़े हुए हैं? अगर मध्य प्रदेश में चला जाता तो उस का स्थान ए पार्ट में हो जाता और अगर मध्य भारत में तो कम से कम बी पार्ट में। लेकिन आज वहाँ के लोग इस हालत में पड़े हुए हैं कि कोई उनका हाल नहीं देखता और नवाब साहब और स्टेट के मिनिस्टर साहब में आपस में जो सलाह मशिबरा होते हैं और उस की तरफ सब लोग देखते हैं कि वे किस नतीजे पर पहुँचते हैं।

अब और रियासतों के बारे में, जैसे कि जब काश्मीर का मामला आता है, और दूसरे बड़े बड़े मामले आते हैं तो आप कहते हैं जनता से पूछो, यह जनता का हक है। लेकिन हम सी पार्ट स्टेट वालों की कोई हक नहीं कि जनता क्या कहती है। सन् १९४८ में इस मर्जर

(merger) के सवाल पर भोपाल की जनता ने एक एजीटेशन (agitation) किया और उस एजीटेशन में बहुत से आदमी जेल गये। हम को जेल में यह यकीन दिलाया गया कि सेंटर की सरकार से और नवाब साहब से बातचीत हो रही है, जल्दी ही हमारी मर्जी के मुताबिक सब बातें तय हो जायेंगी, इस एजीटेशन को बन्द कर दो। हम न आप के भरोसे पर उसे बन्द कर दिया। लेकिन नतीजा उस का क्या हुआ, कि आज हमारी पहले से भी खराब हालत हो गयी। नवाब साहब के जमाने में वहाँ लेजिस्लेचर (Legislature) था। लोगों को अधिकार था कि अपने विचार वहाँ लेजिस्लेचर में प्रकट करें। आज वहाँ कोई लेजिस्लेचर नहीं है। यह कहा जाता है कि क्या चीफ कमिश्नर साहब की हुकूमत खराब है? मैं आप से कहता हूँ कि एक आदमी की हुकूमत, चाहे वह अच्छी हो या बुरी, कोई नहीं चाहता, इस तरह तो सी पार्ट स्टेट्स में आप डिक्टेटरी (Dictatorship) रख रहे हैं। हम जो हमेशा से डिमाक्रसी (democracy) के लिये लड़ते रहे, जो हमेशा अंग्रेज से कहते रहे कि हिन्दुस्तान में डिमाक्रसी होकर रहेगी, लेकिन आज आप के हाथ में हुकूमत आने के बाद आप सी पार्ट में डिक्टेटरी रखना चाहते हैं। यदि आप हम को अपने अधिकार नहीं देना चाहते तो यह साफ कह दिया जाय कि तुम्हारी कोई आवाज नहीं और तुम्हें कहने का कोई हक नहीं, तो ज्यादा अच्छा होगा, बजाय इस के कि इस किस्म की कोई बातें और बहानेबाजियाँ लाई जाय और जैसा कि अभी एक मेम्बर ने कहा 'आईवाश' (eyewash) के किस्म से कोई बात की जाय।

हिन्दुस्तान में आप ने शेड्यूल्ड कास्ट (scheduled castes) और शेड्यूल्ड ट्राइब्स (scheduled tribes) को हक्क दिये हैं और उन के तीसरी सदी के करीब मेम्बर पार्लियामेंट (Parliament) में आर्येंगे, उन के मेम्बर वहां की असेम्बलियों में जायेंगे, और उन को अपने भाग्य के निर्माण का पूरा अधिकार होगा। बहुत से लोग सम्मते हैं कि इस से आगे चल कर कुछ खराबी होने वाली है, लेकिन आप ने डेमोक्रेसी (democracy) के उसूल पर चलते हुए इस की कुछ परवाह नहीं की और आप ने कहा कि हर मनुष्य को अपनी योग्यता के अनुसार बुरस्कार मिलना चाहिये। और उसे अपनी योग्यता दिखाने के लिये पूरा मौका मिलना चाहिये। हम सिर्फ इसलिये उन्हें अधिकारों से वंचित नहीं रखेंगे कि वह पिछड़े हुए हैं और आगे नहीं आये हुए हैं, उन को हम जरूर हक्क देंगे। अब जहां तक सी पार्ट स्टेट्स के निवासियों का सवाल है, वह कहीं कहीं तो ए और बी पार्ट स्टेट्स [(A) and (B) Part States] के रहने वालों से भी आगे बढ़े हुए हैं, लेकिन दुर्भाग्य की बात है कि उन्हें अपने इन अधिकारों से वंचित रखा जाता है। जावरा स्टेट पार्ट बी में आ गई है, लेकिन अगर मध्य भारत में वह न मिलती तो वह भी भूपाल की तरह पार्ट सी स्टेट में रखी गई होती। लेकिन उसी जावरा ने एक ऐसे व्यक्ति को पैदा किया जो एक महान प्रांत के सफल राजपाल बने हुए हैं। यह कहना कोई मानी नहीं रखता कि पार्ट सी स्टेट वाले लोगों में अपना शासन भार सम्हालने की योग्यता नहीं है; उन स्थानों ने बहुत से योग्य आदमी पैदा किये हैं, जो बहुत ऊंचे ऊंचे पद पर पहुंचे हैं। आप साफ साफ यह क्यों नहीं कहते कि असल में

आप को इस विषय पर ठीक तौर से सोचने का अवकाश नहीं है। और यह बड़ी बदकिस्मती की बात है कि आप एक करोड़ आदमियों की हालत की तरफ, उन के भविष्य निर्माण की तरफ ध्यान नहीं देते। मैं कोई पर्सनल (personal) हमला नहीं करना चाहता लेकिन यह कहे बिना नहीं रह सकता कि जो हमारे बारे में बिल पेश होते हैं, उन के साथी बिल के डिफरेंट क्लाजेज (different clauses) पर ठीक तौर से ध्यान नहीं देते और न उनको ठीक स्टडी (study) करते हैं। और जल्दी जल्दी तरकीबों में पेश कर के बिल को हाउस में रश करना चाहते हैं, यह हमारी बदकिस्मती नहीं तो क्या है। मुझे इसका बड़ा दुःख है, लेकिन क्या किया जाय, लाचारी है, आप के सहारे हैं, हम ने इतनी कुरबानियां दे कर आप को यह अधिकार दिलाया और आजादी की लड़ाई में सी पार्ट हिन्दुस्तान के दूसरे सुबों से पीछे नहीं रहा, उस की आप जिस तरह आज दुर्दशा कर रहे हैं, यह आप खुद समझ सकते हैं। आप अपने हृदय पर हाथ रख कर देखिये कि आप क्या करने जा रहे हैं? आप यह कह कर कि भूपाल एक बहुत छोटा इलाका है, मजं करने की बात करते हैं, मैं कहता हूं कि छोटेपन की दलील देना सिर्फ बहाने-बाजी है। कोई भी चाहे कितना छोटा क्यों न हो, अपने अस्तित्व को खोना नहीं चाहता, यह कैसे संभव है कि मैं भूपाल का होकर भूपाल को मिटाने की कोशिश करूं, लेकिन ज्यादा बड़े की भलाई के लिये हम अपना छोटा अस्तित्व खो देने को तैयार हो जाते हैं, वरना मेरा तो यही कहना होता कि हर एक को बलग अलग यूनिट (unit) बना रहना चाहिये और किसी का बिलीनीकरण न करना चाहिये।

[ठाकुर काल सिंह]

साउथ (South) में केरल और मालाबार अलग अलग यूनिट की शकल में रहने की कोशिश में हैं और वह अलग रहेंगे तो कोई वजह नहीं है कि हमारे दूसरे उस से बड़े बड़े इलाक़े भी क्यों अलग अलग न रह सकें और अपना अलग अस्तित्व कायम रख सकें। इतने पर भी मैं आप से कहता रहा कि मूपाल का यह छोटा इलाका मर्ज कर दिया जाय, लेकिन आप न तो उसे मर्ज करते हैं और न ही उसे अधिकार देते हैं और सिर्फ़ बहानेबाजी करते हैं। यह हमारी बदकिस्मती है और अफ़सोस हमें इस बात का है कि कांग्रेस में होने के कारण हमें अपनी गवर्नमेंट के खिलाफ़ आवाज़ उठाने का हक़ भी नहीं है, उस के लिये या तो हम अपने उसूल और कांशंस (conscience) के खिलाफ़ कांग्रेस को छोड़ें और बाहर आकर अपनी आवाज़ मुख़ालफ़त में बुलंद करें और ऐजिटेशन (agitation) शुरू करें, या फिर जो कुछ भी आप हमारे हक़ में बुरा या भला करते हैं, उसे चुपचाप बर्दाश्त करते जायें और अपने घर जाकर ख़ामोश बैठ जायें। मेरी समझ में नहीं आता कि आख़िर इतनी क्या घबराहट है कि अभी से यह तय कर दिया कि सवा बारह बजे मिनिस्टर साहब बोलेंगे, और ज़रूर जवाब देंगे और कल तक इस बिल को ज़रूर पास हो जाना चाहिये। यह क्या बात है कि जब पीपुल रिप्रेजेंटेशन बिल (People's Representation Bill) पर बहस करने का कोई वक़्त नहीं रहा और जसेम्बली के सामने दूसरा कोई काम नहीं रहा, तो उन्होंने कहा कि चलो इस बीच में पार्ट सी स्टेट्स बिल को ले लो और इस को जल्दी से रश कर के पास कर दो। आख़िर यह क्या तमाशा है? यह बहाने

बाजी करने से कुछ फ़ायदा नहीं, साफ़ दिल से कह दीजिये कि आप इन के सम्बन्ध में कुछ नहीं करना चाहते और चीफ़ कमिश्नर (Chief Commissioner) को आटोक्रेसी (autocracy) बर्दा पर रखेंगे, यह तो किस्मत की बात है कि इतने दिनों अंग्रेजी राज्य के ज़माने में रियासतों में नवाब साहबों की हुकूमत रही या किसी राज की रही, अब आज़ाद होने के बाद चीफ़ कमिश्नर की हुकूमत वहां पर रहे अब उस में जो आप दो तीन सलाहकार रख रहे हैं, उन को कोई विशेष अधिकार तो आप ने दिया नहीं है, उल्टे ज़ितनी बुराईयां होंगी, वह उन के मत्ये मढ़ी जायेंगी। उन ग़रीबों की आप के पास तक एप्रोच (approach) भी नहीं होगी, लेकिन चीफ़ कमिश्नर की आप के पास एप्रोच होगी। Chief Commissioner will approach you और वह यह कहेगा कि यह एडवाइज़री बाडी के लोग बड़े नालायक़ आदमी हैं और आप पर वह यह इम्प्रेसन (impression) डाल सकेगा कि मैं बड़ा लायक़ आदमी हूं, तो मैं आप से कइना चाहता हूं कि आप को ऐसा करने से कौन रोकता है, रखिये उसे autocrat रखिये और दुनिया भी देखेगी कि मुल्क के एक हिस्से में जो एक करोड़ बसने वाले आदमी पहले अंग्रेजों और नवाबों की गुलामी में थे, वह आज मुल्क आज़ाद हो जाने के बाद भी उसी तरह गुलामी में पड़े हुए हैं जैसे पहले थे बल्कि उस से ज्यादा गुलामी में मुब्तिला हैं और मुझे माफ़ किया जाय अगर मैं यह कहने की हिम्मत करूं कि यह जो सी पार्ट की स्टेट्स हैं यह सेन्टर (Centre) के मिनिस्टरों (Ministers) की जागीरों की तरह हैं। आप बड़ी ख़ान्

से कहते हैं कि हमने ३६ लाख और २० लाख रुपया भूपाल और विन्ध्य प्रदेश को दिया और वहां पर उस रुपये से कितना अच्छा काम हो रहा है, तो किस की मजाल है जो आप के खिलाफ वहां आवाज़ उठा सके और जैसा बबाब शाही और मुग़ल शाही में होता था आज भी सब लोग हाथ जोड़ कर आप के सामने खड़े हो जाते हैं और आप जो हुकम दें सही या गलत उस को उन्हें बजाना पड़ता है। आप कहते हैं कि यह ज़मीन तोड़ दो तो वह उस के जवाब में बहुत अच्छा हज़ूर के अलावा और कुछ नहीं कह सकते। आप ने कागज़ में नक़्शा लिख कर दे दिया और उन्होंने ने आप का आर्डर (order) बजाया। वह स्टेट्स जागीरों के समान ट्रीट (treat) की जाती हैं और वहां जो अधिकारी आप रखते हैं, वह नौकरों की तरह सिर्फ़ आप का हुकम बजाने के लिये वहां हैं और होता यह है कि जिस आदमी को कहीं जगह नहीं है और जिस को अयोग्य समझ कर आप स्वयं निकाल देना चाहते हैं और जो बूझा व पेंशनयाफ़त हो गया है, अगर उसकी पहुंच हमारे दोस्तों तक हो जाती है, तो उस को इन रियासतों में तैनात कर दिया जाता है मानों हमारी स्टेट्स ऐसे लोगों के लिये पस्वरिशगाह हों और हमारी रियासतें ऐसे तर्जबे करने के लिये बनी हुई हैं। किन्तु योग्य लोकल जो आदमी हैं, उन को यह जगहें नहीं मिलती। What is that? मैं चाहता हूँ कि आप इसके लिये कोई क्लियर कट (clear-cut) फ़ैसला करें और साफ़ साफ़ कहें कि हम उन्हें अधिकार देना चाहते हैं या नहीं देना चाहते हैं।

एज्युकेशन (Education) में पार काल आपने दो लाख रुपया भूपाल की

सोशल ऐज्युकेशन (Social Education) के वास्ते रखा, बाद में वह रुक़ब काट दी गई और जब हम ने उस के बारे में कहा, तो हम से कहा गया कि साहब ऐज्युकेशन की मद में रुपया नहीं है और यह कितनी शर्मनाक बात है कि जब मैं ने इस वर्ष इस शुभ कार्य के लिये रुपये के लिये कहा तो वहां के अधिकारी मुझे जवाब देते हैं कि आप जब हमारे बनाये हुए बोर्ड (Board) को मानने को तैयार नहीं, तो फिर आप हम से रुपया क्यों मांगने आये हो। आप ने वहां की रिवाया को मिखारी के समान समझ रखा है कि आप जो कुछ उस पर दया कर के देना चाहेंगे बतौर ख़रात दे देंगे। न मालूम आप ने क्या समझ रखा है कि आयदनी का सारा ख़ज़ाना सेन्टर के मातहत है और यह स्टेट्स के लोग नीग्रोज़ (Negroes) और दूसरी भीख मांगने वाली जातियों के समान हैं और वहां का ऐज्युकेशन और हेल्थ डिपार्टमेंट और उन के सेक्रेटरीज़ व चीफ़ कमिस्नर तक आप के रहम पर हैं और रुपये के लिये आप के हाथ जोड़ते रहते हैं और सब आप की खुशामद करते रहते हैं। और आप जिस पर चाहते हैं रहम फ़रमा देते हैं।

कुछ मास पूर्व पाटं सी स्टेट्स के बारे में जब हम लोग एक आपस में इनफ़ॉरमल मीटिंग (informal meeting) कर रहे थे, तो हमारे प्राइम मिनिस्टर (Prime Minister) साहब के पास उस की ख़बर पहुंची, तो वह तो डेमोक्रेटिक स्पिरिट (Democratic spirit) के बादमी हैं, बोले कि यह क्या बाहियात बात है, उन के सम्बन्ध में कुछ न कुछ ज़रूर करना चाहिये लिहाज़ा स्टेट काउन्सिल (State Council) में चुनाव के लिये इलेक्टोरल कॉलेज (electoral college) बनाना तब हुआ।

[ठाकुर लाल सिंह]

मैं कहना चाहता हूँ कि प्राइम मिनिस्टर साहब को तो एक नहीं तरह तरह की फिफ्टें बाहर की ओर देश की लगी रहती है, ऐडमिनिस्ट्रेशन (administration) करने का सवाल उन के सामने रहता है, लेकिन मैं आप से कहता हूँ कि आखिर आप किस मर्ज की दवा हैं और why are you here? आप क्यों नहीं उस तरफ़ ध्यान देते और वहाँ की हालत सुधारने की कोशिश करते।

हमारे यहाँ जो एडवाइज़री कौंसिल (Advisory Council) है, उसको कोई अधिकार नहीं है, आप उस को और क्यादा अधिकार देने की बात क्यों नहीं करते और इलक्टोरल कालिज को बनाने की बात भी आप के दिमाग़ में तब आई जब प्राइम मिनिस्टर ने उस के लिये कहा when he instructs you, then only you do anything. आप अपने आप से कुछ इस दिशा में कि उन को अधिकार दिये जाय, कोशिश नहीं करना चाहते। उस की तरफ़ आप का ध्यान दिलाने के लिये मुझे सिर्फ़ पन्द्रह मिनट दिये गये हैं और मुझे दो मिनट के अन्दर अपनी बात ख़त्म कर के बैठ जाना है and you are going to rush the Bill as soon as possible. आप साफ़ साफ़ बिल्कुल क्लियर कट (clear-cut) अपना हल रखें और बहानेबाजी न करें जिस से लोगों को किसी तरह का मुग़ालता न हो और जो आज आप अस्सल में बेजीटेबुल भी रख रहे हैं, उसको असली धी समझ कर लोग लुप्त न हों, और उनको ठीक ठीक पता चल जाय कि आप उन के लिये क्या ब्यबस्था करना चाहते हैं।

मैं तो कहता कि हूँ either give us something or nothing at all भोपाल को सही सही अधिकार देना चाहिये। सच पूछा जाय तो भोपाल बड़ा बदकिस्मत है। यह न बार्डर (border) पर है और न शेड्यूल्ड ट्राइब्स (scheduled tribes) का एरिया (area) है, हालांकि सब से ज्यादा एडवान्स्ड है और हमारे यहाँ के नवाब साहब तो बरसों चैम्बर आफ़ प्रिंसेज़ (Chamber of Princes) के चान्सेलर (Chancellor) रहे हैं। वहाँ की रियाया भी काफ़ी लायक है। वह ज्यादा अच्छी नहीं तो ज्यादा बुरी भी नहीं साबित होगी। तो मैं आप से कहता हूँ कि be frank and be true to yourself.

(English translation of the above speech)

Thakur Lal Singh: Sir, it is indeed regrettable that not even a full day has been devoted for discussion on the Bill dealing with the Part C States and besides more than half an hour was spent in things which were not of much importance. However, we shall thank you for whatever time you give because, after all, what has to be done has already been decided upon by our rulers: some people are given opportunity to speak only for their self-satisfaction. Everybody is aware of the circumstances under which Part C States were formed. When integration of States was taking place in the country, Sardar Patel had already a plan in his mind for the integration of each State. He had a specific approach and he wanted to set them in proper places accordingly. But God wished otherwise and he was taken away from here prematurely. This has been our misfortune for else during the six months that have passed decision would certainly have been reached with regard to several States, at least something must have been settled about Bhopal and other States too would not have been in the position in which they find themselves today. When our Ministers saw that the Members from Part C States were not quiet, that they were agitating, holding meetings outside and bringing resolutions in the House, they brought forward, in order to placate them an ill-considered Bill. The main object of which was to win them over

somehow by giving them some rights. This is in no way a proper thing, for the people of Part C States are as much entitled to govern themselves as other parts of the country. As for an instance I take Bhopal. If in 1947 Bhopal had not been left aside by chance and would have been merged into some neighbouring province, Madhya Pradesh or Madhya Bharat, then could have it been said that the people of Bhopal are backward? If it had gone to Madhya Pradesh, its place would have been in Part A States and if it were merged with Madhya Bharat then it would have at least been in Part B States. But now nobody pays heed to their condition and people look to the consultations that take place between the Nawab Sahib and the States Ministers and wait for the decisions that may be reached.

When it comes to other States, e.g. when the Kashmir affair and other big affairs come up, it is said it is the right of the people to decide and they should better be asked. But do the people of Part C States not have the right to be heard? On this question of merger an agitation was made by the people of Bhopal in 1948 and many persons went to jail during this agitation. They were assured in the jails that negotiations were going on between the Central Government and the Nawab and the matter will soon be settled in their favour and therefore the agitation should better be stopped. We stopped it on your assurance. But what was the result? Our condition today has gone worse than before. During the time of the Nawab, there was a Legislature even. People had a right to express their views there in the Legislature. Today, there is no Legislature. Today it is asked whether the administration of the Chief Commissioner is not good. I have to say that the position is that nobody wants one man's rule, it does not matter whether it is good or bad. By this method you are only creating dictatorship in Part C States. We all through fought the English for the sake of establishing democracy in our country, but today, when we have got power in our hands, we want to keep dictatorship in Part C States. If you do not want to give us our own rights then we must be clearly told that we will have no representation and that we have no right to that even. It will be a better course to follow rather than advance any excuses or pretexts or as an hon. Member has just stated, a clear statement of the policy in this respect will serve better than any other eyewash business.

Here in India you have conceded certain rights to the Scheduled Castes and Scheduled Tribes. They will be

able now to capture almost thirty per cent. of total number of seats in the Parliament and their representatives will be elected to the State Legislatures. They will, thus, exercise complete control over their destiny. Many people hold that it will yield unwholesome results in times to come. You have, nevertheless, paid no heed to that counsel and in pursuance of democratic principles have ever held that every individual, community or nation should have full opportunities to display their merit and should also be suitably rewarded. We should not deprive them of their rights merely because they are backward people or are not sufficiently advanced. We shall certainly give them their rights. Speaking for Part C States people, in some of them they are more advanced than even Parts A and B States people. It is however, a matter of pity that they continue to be deprived of these rights. The Jaora State has now been merged in Madhya Bharat. Had that not been done, then like Bhopal, it would have also been reduced to the status of a Part C State. Yet Jaora has given the country a great personality who holds charge of governorship of one of our major States. It is meaningless to suggest that people of Part C States lack ability to shoulder the responsibility of administration. Many capable persons of repute, who have held high offices, came from these States. Why don't you come with a clear statement that you have no time to consider all these issues in a proper perspective. It is a matter of misfortune that you do not pay any attention to the future prosperity of a crore of our countrymen. I do not want to indulge in any personal attack, but I cannot help saying that neither sufficient and proper attention is being given by my colleagues to the different clauses of the Bills moved here in respect of Part C States, nor on their own part they make a proper study of the Bill concerned. Further, they want to rush through this Bill making hasty amendments. Is it anything short of our misfortune? It pains me extremely to say so but we are quite helpless in the matter and there is no way out. We have been your main support and you owe your present positions to our tremendous sacrifices. Again Part C States have not lagged behind other provinces in the country's fight for freedom. You can well realise the way you are maltreating these States now. Just look into your mind and see what you are going to do. You want Bhopal's merger on grounds of the smallness of its area. I hold it is a mere excuse. Howsoever small a thing may be, none in the world wants to lose a separate entity. It is impossible that while belonging to Bhopal,

[Thakur Lal Singh]

I should aim at its extinction; at times, however, we became prepared to sacrifice a smaller entity in the cause of bigger good. But for that consideration, I would have pleaded for a separate existence for each unit and would have raised my voice against the merger of any area.

Kerala and Malabar in the South are making efforts to maintain themselves as separate units. If they succeed, there is no justification why our other bigger areas should not be allowed to maintain their separate entities. Despite all that I have been advocating the merger of Bhopal. You, however, neither merge it nor give it any rights. It is nothing short of our misfortune. Our regret is that while remaining within the Congress, we cannot criticize our own Government. There are two alternatives before us; one is that following the dictates of our conscience and principles we should leave the Congress, raise our voice in opposition and start agitation. The other is we should silently endure all good or bad that you may do for us and, thus, sit inactive in our homes. Why this nervousness to decide so early that the hon. Minister must reply to the debate at quarter past twelve? I am utterly unable to see any reason in it. It has been said that he must begin his reply at that time so that the Bill may be passed by tomorrow without fail. How is it that while there was no time left to resume the debate on the 'Peoples' Representation Bill' and there was no other agenda before the House, then this Bill regarding Part C States was taken up and we are asked to rush through it and pass it so hastily? What is all this fun? It is no use to advance such excuses. You should state it categorically that you want to do nothing in the matter and that the autocratic rule of the Chief Commissioners will be kept intact in these areas. It is a stroke of sheer ill-luck that, while under the British, there was the Nawabs' rule in the States for so many years and now that freedom has been achieved, those States are asked to remain under the autocratic rule of the Chief Commissioners. Two or three advisers, that you are appointing there, have been given no special powers. They will, nevertheless, stand to blame for all the ill consequences of the various actions and policies. These poor fellows will have no approach to you while the Chief Commissioner can have that privilege at all times. The Chief Commissioner will approach you and declare the advisers to be utterly incapable and unfit and, thus would create an impression on you that he was the only most

capable person. I, therefore, say that there is none to prevent you from doing so. You can keep him an autocrat. The world will also note that one crore of our people who were till recently held in the subjugation of the British and the Nawabs, are no better off even now that freedom has been achieved. They will see that those people are rather worse off and I may be excused for making bold to say that these Part C States are just like the Jagirs of the Ministers at the Centre. You have proudly proclaimed that sums of 36 lacs and 20 lacs of rupees have been advanced to Bhopal and Vindhya Pradesh as aid and that with this help the work in those areas is being run quite smoothly. In the circumstance, none dare raise his or her voice against you. The result is that people always stand hand-folded just as they used to do in the days of the Nawabs or Moghul rule in this country and whatever orders, right or wrong, you may issue, are carried out respectfully and faithfully. If however, you order them to break the very land, their answer can be no more than "very well, Sir". You provide them with outlines on paper, and they strive their utmost to carry out your orders. These States are being treated as *Jagirs* and the officers posted there are merely to carry out your orders like servants. What happens is that those persons who cannot be accommodated elsewhere or whom you yourself want to turn out on grounds of inefficiency or even old and retired pensioners who can approach you are posted on these jobs and the local people never get a chance as if our State is a maintenance house for all such persons or is merely meant to make such experiments. What is that? I want you to arrive at some clear-cut decision in the matter and state clearly whether or not you intend to give them some rights.

Last year you had provided under 'Education' a sum of two lacs towards the Social Education Scheme in Bhopal. Subsequently that sum was dropped. On drawing attention to this omission, we were told that no funds were available for educational purposes. It is a matter of shame that on our asking for the money, we were given the taunt that when we were unwilling to recognise the Board set up by them, it was inconsistent for us to ask for the money. You regard the people of these States as beggars whom you will give anything only by way of charity. I fail to see why, when the total revenue of the country is under the control of the Centre, you regard these people as mere negroes or other types of beggar classes. The Education and Health

Departments of these places and the Secretaries incharge of them and even the Chief Commissioners are all entirely at your mercy and are always coaxing and cajoling you for the grant of more funds. It is at your sweet will that you may favour whomsoever you may wish.

Once when we were holding an informal meeting in respect of Part C States, the news reached the hon. Prime Minister. Being a person of democratic spirit, he thought it absurd not to do anything with regard to these States. As a result an electoral college for holding elections to the State Council was decided upon. As for the hon. Prime Minister, I wish to say that he is surrounded by many internal and external anxieties and the issue of administration is also before him. I, however, want to ask you what purpose your presence is serving and why are you here? Why don't you pay attention to those areas and try to redress matters there?

The Local Advisory Council in Bhopal enjoys no rights. Why do not you take steps to give them more rights? Even the right of having an electoral college was conceded to them on the personal intervention of the hon. Prime Minister. When he instructs you, then only you do anything. On your own part, you never want to do anything to give them their rights. I have been given only fifteen minutes to draw your attention to this state of affairs and I am left with barely two minutes to conclude. And you are going to rush through the Bill as soon as possible. You should state your case in a clear-cut manner and should not take recourse to pretexts so that people may not have any misgivings. You should not try to pass vegetable *ghee* for pure *ghee* just to flatter people. You should give them a clear picture of the future pattern of administration that you want to give them. I want you either to give us something or nothing at all. Bhopal should get all that is due to it. As a matter of fact Bhopal's has been a very much unfortunate case. It is neither situated on the border nor is a Scheduled Tribes area. It is the most advanced State and the Nawab of Bhopal has been the Chancellor of the Chamber of Princes for many years. The local population is also sufficiently intelligent. If they will not prove quite upto the mark, they will not cut too sorry a figure even. I therefore, call upon you to be frank and true to yourself.

Shri Rajagopalachari: I wish to intervene only for a few minutes. Much has been said by Pandit M. B.

Bhargava—who is not here—about bureaucracy and autocracy and things like that. (An Hon. Member: Pandit Bhargava has come). I do not wish the House to continue to have these prejudices. Once really democracy takes power and any officer is entrusted with responsibility he has to act even more bureaucratically than an officer appointed by a personal ruler. The amount of power exercised by democracy cannot be less than the amount of power exercised by an autocratic ruler. The power quantum being the same, the responsibility quantum being the same, any officer entrusted with responsibility has to exercise the powers. In fact I am reminded of my own experience of many years ago when I went to a French territory in India, Pondicherry—I have never gone abroad—and I found that a constable in Pondicherry under the French Republic had far more authority than a constable in India at that time. He sat next to me, when I addressed a meeting, in a chair as if he were the chairman of the meeting and I saw that in France things were different from what I knew.

Merely talking about autocracy and bureaucracy leads us nowhere, because we have to be completely responsible and powerful in democracy as much as in any other form of Government.

As far as I could understand or misunderstand my hon. friend's Hindi speech, he thought that this Bill was a sort of vegetable *ghee*. He thought also perhaps that Part C States were treated apart like Scheduled Castes and Tribes. He could well have said it, even if he did not and I want to refute that notion.

Part C States have a history of their own. They differ from other States in many respects and each one of them differs from every one of the others also individually. There are some States which are small and which everybody expects to be merged. There are others which are highly difficult to manage and therefore must be kept under complete contact with the Centre. But most of the Part C States had rulers and they have emerged from personal rule. Part A States had for a long time a system of government with budgets, discussions in the legislature, financial statements and the like. The States under Rulers had not that kind of experience. For good or evil most of the Part C States have emerged from personal rule and they have no Rulers now as Part B States have, who are called Rajpramukhs. Therefore their position is anomalous,

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not that anyone wants to keep them anomalous for all time but they are in fact in an anomalous position.

Then there is the position of Delhi, which my friend Mr. Deshbandhu Gupta will discuss at great length, I am sure, later on. But the very fact of good fortune is sometimes a misfortune also. The capital of a great, big nation and Republic must not only enjoy the prestige and position of the metropolis of a big Indian Republic which figures in international circles but must also have the misfortune of a metropolis. We cannot have two Governments in a metropolis. There are difficulties attached to that, which we shall deal with later on, if necessary. I want only to strike a note of hope. Let us not allow ourselves to shout the slogan "All or nothing". That was all right when we dealt with a foreign Government but when we deal with our own representative Government the slogan "All or nothing" for local government has no great meaning. On the contrary, I believe that Part C States which will be governed under the Bill now proposed which is going to be hatched, modified and finally passed, will probably be better governed than many Part A or Part B States. My feeling is that the smaller the size of a State the better the quality of the Government that you will produce in those areas. If I had my own way I believe that Parts A and B States should also be reduced to the size and quality of administration of Part C States in course of time. Then we shall be able to govern with a direct touch. The Governors or the Ministers, whatever name you call them by, will have direct touch with the people in a much more familiar and intimate manner than we have now in the very large States.

I quite agree with the last speaker, Mr. Lal Singh, who said that every thing should be done frankly and straightforwardly but let us not do things hastily. Frankness is not the same thing as haste. We must not proceed, especially when responsibility is our own and power is our own, without care. There is nothing that is being done now which is intended to keep down Part C States. On the other hand it is the opportunity and the advantage of an experiment that is asked for by the Centre. I quite agree with him when he says that dealing with Part C States in Parliament is not satisfactory. I go the whole hog with him that it is no use taking up Part C States questions here in details in Parliament, where the attention of

Members is distracted by more important things, and therefore it is necessary to transfer actual and effective responsibility to those who are responsible for Government in Part C States. At the same time we must not do things in haste or without properly measuring the circumstances of each case. Hence this experimental measure.

At once without any waste of time we shall proceed with the very brilliant idea which was given by my hon. friend Pandit Bhargava. His idea will be seized and worked out, namely, that the electoral colleges that we bring in to being in Part C States should not be simply left functionless like the appendix in the human organism but will continue to do something, after electing the Members of the Council of States. It is a very good idea that the electoral college should be taken hold of and those who have been elected with trouble and commonsense on the part of the adult voters in those areas should be utilised for some function or other. I think my hon. colleague who is in charge of this Bill will work out a scheme by which this college will function like an eye and an ear and not remain like an appendix doing nothing. When that is done we would have a complete system. Names do not matter. You will have an executive head who will be your servant and he will have to work hard, with power and not with less of prestige, because if you reduce the prestige of your executive officers the administration will suffer. Democracy stands as much to gain by the prestige of its officers as autocracy in the old days did. There is no difference on this point. The executive head should not be interfered with by Ministers or Members of Parliament writing or asking the Chief Commissioner to promote or transfer so and so or get rid of so and so or do some mischief or give some advantage to so and so. He should be the sole responsible head for the executive personnel.

Shri Sondhi: But the Ministers may go on writing to the Chief Commissioner—the Chief Commissioner may go on receiving letters of recommendation from the Ministers themselves.

Shri Rajagopalachari: I was referring specially to the Ministers. I hope the hon. Member does not refer to Ministers in Parliament here but the Ministers there.

Shri Sondhi: I refer to the Ministers in Parliament

Shri Rajagopalachari: It was very gracious on his part to make that reference, but I refute his allegation. (Interruption). Let us not go into that now.

So far as policy is concerned, if Pandit Bhargava's idea is taken up and we have a fair-sized legislature in each one of these States—I find according to the People's Representation Bill there will be an average of thirty, forty, fifty or sixty members in each one of these States—very good and handy legislatures they will be, they can sit in a smaller room, talk more familiarly than we do here and without going into personal quarrels they can decide policies and maintain the administration in a very proper form. I have no doubt that it will work well. And then the Ministers will be responsible and they will also work satisfactorily. There will be no 'vegetable ghee' about it. It is good, honest, cow's ghee. Only the cow is not all white, the cow is not of uniform beautiful Sindh colour, the cow is dapple. But that was the colour of *Kamadhenu*, *Kamadhenu* was a dapple cow; it was a sort of pie-bald not one colour. But it was an exceedingly good cow. This Part C States Bill I think will be the *Kamadhenu* for these States, I have no doubt in my mind. Only let us not ruin the whole thing by saying, "All or nothing". Government will be pleased, that is to say my hon. colleague will be very pleased, and may say, "Yes, this Bill is very unsatisfactory. We shall not go forward with it", and everything will remain as before. I hope the hon. Members will not induce such a thought in my hon. colleague's mind but will encourage him and induce him to go ahead with this measure. We will correct it next year if there is anything to be done. There is one great advantage in Part C States; whereas Part B or Part A States are a little rigid, Part C States can acquire all the powers of Part A States without appearing to have the power in so many words. There is nothing to prevent the President from conferring every privilege which Part A States are enjoying, on Part C States. Only, let me remind hon. Members who are interested in these States of one thing. I have a paper, a very interesting paper, before me which has three columns: revenue, expenditure and deficit. I find all these States are *minus*, *minus*, *minus*. Minus 35 Himachal Pradesh, minus 7 Bilaspur. Bhopal is *minus* 76, all in lakhs of rupees.

Thakur Lal Singh: It is due to tractorization of land.

Shri Rajagopalachari: It is improvement. But up till now no budgets have been prepared in those States and now for the first time we have got these figures. I have also calculated in my mind the addition of a portion of income-tax which should normally be due to them. All together their deficit is Rs. 500 lakhs but the income-tax portion will come to about Rs. 40 lakhs. I do not say nothing should be done for them. I say the administration of these States will have to be done with some care.

Thakur Lal Singh: At the cost of keeping them under the thumb.

Shri Rajagopalachari: No thumb—it is keeping them on the lap. We have to maintain them in good order. We have to take care of the baby till it is able to walk and go about. I know it is necessary to fall before one can learn to walk but surely we do not send our children with the express purpose of falling—we have to take the chance of its falling but we have to allow it to learn. Not that these States will be in their babyhood for a long time, but as soon as the Ministers are on their feet, as soon as they begin to exert pressure, then I am sure the Chief Commissioner will say, "Please allow me to resign. Please appoint a constitutional head." It will not take much time. I promise you everything will be all right soon, especially if hon. Members here will give them sound advice as to how to make themselves disagreeable. It is very easy to get reforms quickly enough....

Dr. Parmar (Himachal Pradesh): May I know the financial aid given to Part A States?

Shri Rajagopalachari: Plenty. But that is a long-standing business; we have been giving them for long and sometimes we give loans without the hope of getting them back. It is true, but at the same time if hon. Members will look into the concrete picture, they will see that when a big State is managed it is possible to adjust things. But suppose you take a State like Ajmer and it is deficit to the extent of Rs. 69 lakhs. It is not easy to manipulate things in a small State which is smaller than an ordinary district. And Ajmer is a kind of an island. It had a strategic position when the Rajput states were all around it, but at present they have become a Union and no astrologer—and at present I find astrology is more popular than it was in my childhood....

Shri Sondhi: Is it not equally popular with the Ministerial Benches?

Shri Rajagopalachari: I assure so far as I am concerned I am a hearty disbeliever in astrology, and—I speak for myself—I think every alternate astrologer tries to cheat rather than prophesy. That apart, I was speaking of Ajmer and I say not even an astrologer will be able to say what the fate of Ajmer will be. It is too small to have a legislature and a Governor. You are not satisfied with a Chief Commissioner—you want a Lieutenant-Governor. Then you will say, "A Lieutenant-Governor is not satisfactory. It is a sort of a military rule. We would like to have a Governor". Is it possible? *(Interruption)* Let Ajmer work under the present system. Let us see, and then we can bring about changes when necessary.

Shri Deshbandhu Gupta: May I interrupt the hon. Minister again and ask a question? As regards Bhopal the difficulty is about the covenant. You cannot merge it with any other State unless the Nawab agrees. What is the difficulty with regard to Ajmer? Why not at least merge it?

Shri Rajagopalachari: I am very doubtful. I am not so very much in touch with popular feelings as my hon. friend is, but I think I am right in this that a great many people in Ajmer would object to merge Ajmer. *(Interruption)* I think a question can be put privately to Pandit Mukut Beharilal Bhargava on that.

Pandit M. B. Bhargava: On a point of personal explanation, may I remind the hon. Minister that I, on the floor of this House, on behalf of the people of Ajmer demanded merger and Sardar Patel, for the reasons given in his declaration, said that the time was not ripe for it and that he could not do it? Of course the times have now changed.....

Shri Rajagopalachari: They have not.

Pandit M. B. Bhargava: We are on the eve of elections and if you are setting up this electoral college why not entrust this duty also to that body to decide the future of Ajmer?

Shri Rajagopalachari: The electoral college is not, in my opinion, good enough to work as a plebiscite body, but good enough to run the administration and advise the executive and the Ministers. We cannot cut up India into a number of self-deciding bodies as to the form of Government that they should have. It is impossible to govern India as if it were Europe and

give to each district its right to decide as to what should be done about Government itself. I do not think that is good advice which Pandit Bhargava has given, but as regards his own opinion I understand he is for merger. I hope at a future time we shall know exactly how people feel about merger. He said time was not ripe when the Sardar was here. I feel the time is not ripe even now, not ripe at all before an election and not ripe when Ministries are changing in Rajasthan rather at brief intervals. Therefore, I think we should not think of merger just now. We have to wait.

I have talked frankly because Mr. Lal Singh wanted me to talk bluntly. I did not intend to speak for so long. The main brunt of the battle is left to my hon. colleague.

Shri S. N. Shukla (Vindhya Pradesh): Sir,.....

Dr. Parmar: Sir, I hope the hon. Minister will not be asked to reply at 12-30 P.M.?

Mr. Deputy-Speaker: I was looking to the hon. Member to see if he was intent upon standing up. I have got a list of Members here. Mr. Deshbandhu has already spoken on behalf of Delhi and for Ajmer Pandit Bhargava has spoken. I was expecting Dr. Parmar from Himachal Pradesh to get up. But he was sitting tight in his seat. So I had to call Mr. Shukla once again, though Mr. A. P. Singh from Vindhya Pradesh had spoken.

Hon. Members are too exacting in this House. What I was saying was that I want to distribute opportunities to all Members representing the different States, so that there may be no monopoly and there may be no grievance on that score. What is the meaning of the hon. Member saying that the time should be extended? I have no objection to it. I will put the closure motion to the House at 12-30 P.M. If the House wants discussion to continue, let it continue. If the House accepts closure, discussion will stop at 12-30 P.M.

Shri S. N. Shukla: This Bill, as it is before the House, falls short of our expectations, especially of the people of Part C States. Personally speaking for myself I do not feel very much enthusiastic about it. We have put our demands for responsible Government in all the Part C States, and especially Himachal Pradesh and Vindhya Pradesh, before the Leader of the House and in this House several times and we were promised that a Bill would

be brought. But it has taken so much time that today when it is before the House there is hardly sufficient time to consider over the various provisions of the Bill.

In this Bill provision has been made in Part II for setting up Council of Advisers in almost all the Part C States. As regards Himachal Pradesh and Vindhya Pradesh when the Legislative Assemblies will be established after the General Elections there will be Councils of Ministers. Excepting in Himachal Pradesh and Vindhya Pradesh a feeling of uncertainty remains about the future of all other Part C States. They are going to be kept under Central surveillance or supervision because they are backward, and also on account of certain strategic and other special reasons which are best known to Government. If this is the consideration, then they should be given their due. They demand responsible Government. If the Central Government want to retain them for their own reasons beneficial to the Central Government, then they should be given the responsible Government that they demand. To deny them responsible Government, to deny them their democratic rights and still to retain them as distinct entities in the administration of the country is not fair as far as I think.

As regards Himachal and Vindhya Pradeshes, Legislative Assemblies have been provided. But I would say that the powers that have been given to the Legislative Assemblies are not very wide, but rather as some of my hon. friends have said, they are reactionary in character. Why the powers that have been given to Part B States have not been given to Vindhya Pradesh or Himachal Pradesh is not known to us, at least to the people of Vindhya Pradesh and Himachal Pradesh. It is said that there are certain constitutional difficulties, which come in the way of investing Vindhya Pradesh and Himachal Pradesh with full democratic powers and responsible Government. As far as I could see, these constitutional difficulties will remain and will be allowed to remain as long as there is no intention on the part of the Government to give full responsible Government to the people. The moment Government intends to give powers to these States, all these constitutional difficulties will disappear at once.

As for the provisions that have been made here with regard to Vindhya Pradesh and Himachal Pradesh, I would like to draw your attention, Sir, to the fact, that the Chief Commissioner's rule in Vindhya Pradesh and Himachal Pradesh has been sought to be perpetuat-

ed. The Chief Commissioner is all in all there and he can do and undo anything that he likes. He can take the whole credit for himself and put the whole blame on the Members of Parliament who come from those States. Anything that goes wrong there is due to the Members of Parliament of Vindhya Pradesh and Himachal Pradesh. For myself, I can say that last year grazing tax was levied. It was really very harassing to the people. When the people went to the Chief Commissioner and asked him, "Sir, why do you levy this tax?" he said: "It is the Members of Parliament who have done it, not I." Now a reorganisation scheme was sent here for the consideration of the States Ministry. That has been delayed,—I do not know why. The service people are very impatient there. They want something to be done and went to the Chief Commissioner and asked why he had not finalised the schemes. He said: "Well, I was very enthusiastic; the Central Government was very enthusiastic, but the Members of Parliament from Vindhya Pradesh opposed this idea very vehemently and therefore it is being delayed."

Now, this is the position in which the Chief Commissioner finds himself there. Now you want to set up an Advisers' regime during the interim period. The Chief Commissioner came to us personally and asked us: "Do you think that it will be good for you to accept the advisership during the interim period as long as the elections are not over?" I replied: "What is the harm?" He said: "Supposing you accept it—it is not very good—you will not win the elections. So please accept Ministership after the elections. During the interim period do not accept these things." Is he our guru or instructor? He gives us lessons in democracy and says that we should not do this thing and that. So many organisations send telegrams to the States Ministry to the effect that they do not want any Council of Advisers for Vindhya Pradesh. They are all inspired telegrams.

So the Chief Commissioner is all in all there. Now that power of the Chief Commissioner is going to be perpetuated by the provisions of this Bill. I shall point out how it will be done. Our respected Rajaji said that the Bill will emerge in a very fine shape. It may be so. I trust him when he says it. But the present shape is not at all hope-inspiring.

12 Noon

Now, there will be a Legislative Assembly which will be an elected body. But who will be the Speaker of

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the Assembly? The Chief Commissioner himself. The Chief Commissioner will be the *ex-officio* Speaker of the Assembly. That is the position. Can you envisage that situation in which the head of the State himself comes and presides over this Parliament and becomes the Speaker?

Shri Sidhya: Governors used to preside.

Mr. Deputy-Speaker: In the Minto-Morley reforms it was done.

Shri S. N. Shukla: Do not think of those earlier days. Forget them, because we are now living in the present day. So many things might have been done in the past. But do not plead them and for God's sake be kind to us. Do not repeat those things when the question of Part C States comes. They may be repeated, if you want, in other instances but not in the case of Part C States.

So the Chief Commissioner becomes *ex-officio* the Speaker of the Legislative Assembly. The elected Members will be there. There will be Ministers. They will carry on the work of the administration. Then why not entrust this work to an elected Member of the House? He should be made the Speaker. You say that responsibility will develop by convention. I also say why in this case should it not develop by convention. When all the Members sit together they should elect one from amongst themselves to be the Speaker of the House. That is perfectly permissible and admissible. There is no constitutional difficulty about it. You say there are so many constitutional difficulties. I ask, what is the constitutional difficulty in this case if all the Members agree and elect one from amongst themselves?

Mr. Deputy-Speaker: There must be somebody to preside over that meeting. The Chief Commissioner will preside.

Shri S. N. Shukla: For that day I can concede that. For an hour or two let the Chief Commissioner preside and let him have the pleasure of being the Speaker of the House also. I have no objection to that. But if he continues to be the Speaker of the House for years and years and guides our destinies, that is not the way to develop democratic institutions or conventions.

Shri Sidhya: Even for electing the Chairman the ordinary practice is to choose an independent man and not an official of the rank of Chief Commissioner. Even in olden days that was the practice.

Shri S. N. Shukla: The second thing for the consideration of the hon. Minister is that the Chief Commissioner will be the President of the Council of Ministers. There will be the Chief Minister as well. For what purpose is the Chief Minister there? Then do not have the provision of having a Chief Minister. Call all the Ministers equal—every member in the Executive Council should be a member. But if he is a Minister, there must be a Chief Minister. And if there is a Chief Minister, he must preside in the Cabinet meetings, not the Chief Commissioner. If the Chief Commissioner comes there, there will be interference. I say there will be no meeting ground between the two. The Chief Commissioner probably will dominate, I say. As Dr. Tek Chand suggests to me, he will dominate. Moreover, in the normal course of affairs I presume that he will be an ICS man. The ICS man thinks in a very different way. I am not so much critical about them, but their temperament, their whole mode of work, is quite a different one. It does not tally at all in any way with that of the people, of the popular persons. The ICS man thinks: these people have fought in the freedom's battle and they are now worth nothing, they cannot carry on the administration, we can do that. That is what he thinks. And the popular elements think that the ICS men are good for nothing, they are friends of the British people, and they are still working as fifth-columnists. That is how these two sets of people think about each other. How can they pull on together in an Executive Council? So my request is this. They may be very intelligent people, they may be very good draftsmen, they may know very good English, they may know the whole dictionary by heart, everything. I concede that. I have got great respect for them. I say they know something more at least than I do. I am a third-class graduate. They are first class graduates and so on. But there is this difference. After all, in the popular set-up they will be a misfit. If you want the Chief Commissioner and all the Ministers coming together to Delhi, reserving their first-class berths, every week to put all their quarrels and differences before the States Ministry, do you think that that will lead to a healthy life?

The third thing is about responsibility. It is said the Ministers will not

be responsible. This is in clause 42. This clause has been framed on the basis of article 164. But there it is said that the Council of Ministers shall be collectively responsible to the Legislative Assembly of the State. This thing is conspicuously absent here in this Bill. Without such responsibility what is this Legislative Assembly? What are these democratic rights? They are just like a body without a soul. If there is no responsibility the State or the administration comes to that.

Then, restrictions have been placed on the legislative rights of the people. That is laid down in clause 28. There are very important items like forest, land tenure and other things. We cannot legislate on land tenure. Then for what purpose is it? Our land tenure income is of the order of Rs. 95 lakhs and forest income of the order of Rs. 77 lakhs, and the whole revenue of the Pradesh is Rs. 2½ crores. So half of the thing is gone altogether. What shall we legislate upon? About municipal and district boards?

Shri Gopalaswami: Where is it 'gone'?

Shri S. N. Shukla: It is not gone, but we are not free to legislate on that. We have to take the permission of the President. Whether that permission will come from the President or from some official or Secretary of the States Ministry, I do not know. But matters will be delayed and that will cause embarrassment to Ministers and legislators and everyone.

Regarding Vindhya Pradesh I would like to draw the attention of the hon. Minister specially and remind him that Vindhya Pradesh deserves to be treated in a little better way, because it was a Part B State and it was reduced to a Part C State for no fault of the people of the State but for the fault of certain Ministers who were quarrelling amongst themselves. Who were those Ministers? They were just the nominees of the States Ministry. If they were quarrelling, it was the fault of the States Ministry and not that of the people of the State. For the fault of certain Ministers against whom complaints were made, the whole people have been made to suffer. It was going to be merged. But thanks to the Prime Minister and his democratic sense, that was not done. Now it is allowed to remain as a Part C State. It should be placed in Part B or Part A—whatever is possible. But if it is not possible at present to just place Vindhya Pradesh either in Part B or in Part A, then I plead that the maximum

can still be done under this Bill for Vindhya Pradesh. That is, I would request that the Legislative Assembly should consist of sixty persons. You have provided for an electoral college for Vindhya Pradesh of sixty persons elected on adult franchise. They will elect four Members for the Upper House. That electoral college will be elected. Why not just give us a House of sixty persons? Why should you introduce the element of nomination here? I say do away with it. For what purpose are you nominating these persons? For nothing. They will simply create trouble. These nominated persons will be just flatterers of the Chief Commissioner or the Lieutenant-Governor. They will come and create trouble for the popular elements there. *(Interruption)* Yes. It will be just like His Master's Voice in the House. So I request that under the present Bill the maximum may be done. Yesterday we had a meeting and the approach of the hon. Ministers Shri Rajagopalachari and Shri Gopalaswami Ayyangar was quite reasonable. We are still hopeful that if that attitude is maintained, if we talk together and discuss matters for a week or three or four days, we will attain what we deserve and what we desire. I would therefore request the hon. Minister to think over all these matters and to give to Vindhya Pradesh and to Himachal Pradesh as well as to other Part C States whatever is their due. If you do not do that I say there are still undesirable elements, unsocial elements in Vindhya Pradesh who are working feverishly to beguile the people and to tell them that the Central Government is undemocratic and that it is not going to grant democratic rights to the people. I am sure that they will create trouble there. So to avoid all these, I say that there is still sufficient time to give whatever we desire for.

Dr. Parmar: I am glad the hon. Minister of States has after all introduced a Bill which he had promised to the House. I wish, as friends have already stated, this distinction between the various States had been eliminated. In fact what the States people have really been looking for is a total elimination of these A, B and C classes. However, it seems, situated as we are and helpless as we have been, there is no course open, but to accept the principle of this Bill and then try to improve wherever it is possible. That is the practical view and that is the view which seems may have some weight with the administration. It is unfortunate that the hon. Home Minister said that we should accept the Bill or it can be taken up in the next session by the next Parliament. I do

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not know, if at all. However, I will deal with the main features of this Bill which affects us and which needs improvement. There are certain obnoxious features in this Bill which take away by one hand what is sought to be given by the other. It is but meet that if it is really intended that some sort of democratic institutions are to be established, some sort of transfer of power should be made, then these defects will have to be removed. My hon. friend, Mr. Shukla has referred to some of them, and even at the risk of repeating some of the facts he has brought to the notice of this House, I may be able to add a few things to them.

To me one of the most undesirable provisions of this Bill is the introduction of the nominated members to the Legislative Assemblies of Himachal Pradesh and Vindhya Pradesh. It is stated in the Statement of Objects and Reasons that it has been done because all these States have had no experience in democratic organizations and they might benefit by the experience of some who have it. It is not clear from the Bill whether these nominated people will be from these States or from the rest of the country. I could appreciate if one specialist for matters of parliamentary practice had been got, but I feel that there must be some scheme behind it. There are to be three of these nominated people for Himachal Pradesh and six for Vindhya Pradesh and for all one can see these members of those Assemblies will have full rights and may even be appointed or nominated as Ministers. In these days of democracy, especially after having established a Republic in the whole of this country, to bring back this institution of nominations in Legislative Assemblies seems to be absolutely archaic and out of date. We shall be happy of course if you want to give us some people who will help us in matters of the Constitution. They can sit in the House and give their advice but they should not form part of the House nor burden the House with their votes. This is something which seems to be absolutely undesirable and I hope the House will agree with me that this is a provision which must be removed. To say that these States have no experience only belies knowledge of facts. For Himachal Pradesh, I can say with confidence and in the two major States which form Himachal Pradesh, we had Legislative Assemblies functioning and in my own State, Sirmur, we had an Assembly elected on the basis of adult franchise. We had a Speaker elected by those members. Similarly in the

State of Mandi there was an Assembly and popular Ministers and they were working, of course according to the light of those times, fairly well but it is absolutely denying facts to say that there is no experience, that there would not be people efficient enough or good enough to manage the institution which this House is going to set up. I, therefore, submit that this matter of nominations must go. Similarly the matter of the Chief Commissioner or the head of the State being the Speaker of the House for a number of years seems to be absolutely out of date. Let the Chief Commissioner get the Speaker elected; he can be the Chairman; even one of the members can be the Chairman. What has got to be realized is this: You are transferring power; you are going to give these democratic institutions of these people and you must give them opportunity to work them fairly and properly. Let them not be gagged too much. Why is it that you do not have faith and confidence in the ability of these people or in the good intentions of these people? Why should you fear that they will not be able to manage their affairs. Difficulties there may be; mistakes they may make and for the matter of that are not mistakes made in other places? These mistakes are being made in Part A and Part B States. Democracy gives us the right to make mistakes. That is the first principle and if you want to deny that very thing, take away that very right to make mistakes, you are only denying democracy.

I might just refer to clause 28. I hope hon. Members have gone through it. It lays down the matters in which the previous sanction of the President would have to be secured out of the State List and that takes away practically all the major work that the legislature should do. Then it lays down:

“(a) any of the matters enumerated in the Concurrent List; or

(b) any of the following matters, namely:—

(i) constitution and organisation of the court of the Judicial Commissioner;

(ii) jurisdiction and powers of the Court of the Judicial Commissioner with respect to any of the matters in the State List;

(iii) universities;

(iv) land tenures including the relation of landlord and tenant and collection of rents.”

Why do you want to create difficulties in the matter of settlement of land tenures between the landlord and

the tenant? The land reform has to be introduced; it is long over due. Year after year for the past three years right from the days when Himachal Pradesh came into being, we have been pressing for it. The Advisory Council has made recommendations and those recommendations have been before the Government. Nothing has been done. Even now, you want that these things should be retained in the hands of the President. Not that it takes away the right; but matters will be delayed, and take a long time. I ask, what is the necessity for that. What is the use of having these legislatures for us? As far as Himachal Pradesh is concerned, our main source of revenue is the forest. For anything relating to the forests we will have to get the sanction of the President. Then comes the case of mineral developments. That is what we are looking for. If you keep all these powers with the President, no speedy progress will be possible and the purpose for which you are creating the legislatures will be lost.

The Chief Commissioner or the head of the State is to preside over the meetings of the Cabinet. This is another feature which must go. The Cabinet will ultimately be doing no service to the country under those conditions. There is another matter which particularly concerns Himachal Pradesh and Vindhya Pradesh: that is, the status of the head of the State. In the statement which the hon. Mr. Gopalaswami Ayyangar made in this House while giving indication of this Bill, he had said that there might be Chief Commissioners or Lieutenant-Governors in these States. But, in the Bill, there is no mention of the Lieutenant-Governor which naturally makes one think that that position has been reconsidered and the idea of appointing a Lieutenant-Governor has been dropped. I want to bring it to your notice and to the notice of the House that as far as Himachal Pradesh is concerned, it has always been understood that as soon as responsible Government and legislatures are established, the State would be under a Lieutenant-Governor. That was the assurance which was given by the Congress; that was the assurance which was given by the leaders and by our Ministers; that was what was incorporated in the Covenant which the Indian Government drew up with the Himachal Pradesh Rulers. I will just refer to one part of it. On page 219 of the White Paper on Indian States, (1950), it is stated:

"And Whereas it is the intention of the Government of India to unite and integrate the territories of the East Punjab Hill States in one

Centrally Administered Unit and to provide as soon as practicable and subject to the provisions of the Constitution of India, for its administration through a Lieutenant-Governor, with an Advisory Council consisting of three Rulers of the East Punjab Hill States and a local legislature with such constitution, functions and powers as the Government of India may from time to time specify;"

This is a part of the Covenant. It was on this basis for bringing all the States into one Unit as a province with a legislature and responsible Government under a Lieutenant-Governor that we had launched *satyagraha* and forced the Rulers to sign this agreement. This is the result thereof. Not only that. It was later made clear by the Government of India that it would not only remain a Lieutenant-Governor's province, but after its resources had been developed, it would take the place of an autonomous province like any other State. This was on a clarification which Dr. Pattabhi, who was then the President of the All India States Peoples Conference, under whose guidance we had launched the movement, secured from the hon. Sardar Patel. In passing, I may refer to the salient facts of this letter. It is dated 18th March, 1948. It says:

"Reference to the intention of the Government of India to administer this area through a Lieutenant-Governor is made in the Preamble only. The cession of jurisdiction to the Government of India in these States is unconditional and absolute, and in no way dependent upon the fulfilment of that intention. The ultimate objective is to enable this area to attain the position of an autonomous province in India. This objective would be attained in two stages. The area will in the first instance be administered by an Administrator probably an officer of Chief Commissioner's status assisted by an Advisory Council consisting of Rulers and representatives of people appointed in such manner and with such functions as the Central Government may decide. Subsequently, subject to the decision of the Constituent Assembly, it is proposed that the administration should be put in charge of a Lieutenant-Governor assisted by an Advisory Council representing the princes and a legislature representing the people, more or less on the lines of a two chamber legislature in the province. In the final stage, after this area

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is sufficiently developed in its resources and administration, it is proposed that its constitution should be similar to that of any other province."

That is where we stand. It is not a matter of granting it and putting the State under a Lieutenant-Governor only. The people of these hills hope and expect that the time shall soon come when they will be able to attain the status of a fully autonomous State like any other State in the rest of the country. There are reasons for this. The people of the Hills want to have one State, as was put before the Government of India, in which these people, that is the western *pahari* speaking people with one culture, with one economy and one tradition, would be able to stand on their own. It was with that idea that this State has come into being. It is stated that it is small in size; but it is a lame state so far. Some hilly portions have not yet been added. As regards it being deficit, I can say that, as far as Himachal Pradesh is concerned, the moment we have developed our resources, it will be absolutely self-sufficient. There are mines; there are forests; there are a number of other things which will yield enough revenue to enable the State to stand on its own legs absolutely, without depending upon any financial aid from the Centre, for any length of time. The only assistance that we need is in the shape of roads and communications. Beyond that, nothing is needed.

I would like to close my speech with an expression of thanks on behalf of Himachal Pradesh—and I hope Vindhya Pradesh will also agree with me in this—not only to the Prime Minister and the hon. Minister of States, but also to this House for having been indulgent as far as Himachal Pradesh is concerned and for having implemented the assurances given to the people, and I hope that all the defects in the Bill will be removed in the formal discussions which we are having.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, the question may now be put.

Mr. Deputy-Speaker: The question is.

"That the question be now put."

The motion was adopted.

Shri Gopaldaswami: I do not wish to take long over my reply to the debate which we have had on the motion for taking this Bill into consideration. So far as the amendment is concerned, namely, that the Bill be referred to a Select Committee, I take it that the general sense of the House is not one of insisting upon it. The considerations that weigh against the reference of this Bill to a Select Committee have been referred to in the speeches of hon. Members themselves and they have recognised that the paramount need with regard to this Bill is to place it on the statute book before the end of the current session. If we are to achieve that, I think the reference to a Select Committee will probably stand in the way. I take it, therefore, that I need not say much on the amendment itself.

I should like to refer to the points that have been taken as regards the general principles of the Bill in the course of this debate. Now, there was the very general issue as to why States in this country should have been classified into Part A, Part B and Part C, and the wish has been expressed by several hon. Members that the sooner these distinctions go, the better for the country. Well, I do not know. If anything, there is some sentimental satisfaction in advancing an argument of that sort. In the first place, we are tied down to the Constitution under which we are working. That Constitution has classified the States in this manner. Secondly, it is not easy, having accepted the principles that make for difference, for instance, between Part A and Part B States, now to consider the question of obliterating the distinction between the two. For one thing, the main distinction is that Part B States still retain vestiges of hereditary headship of States. I advisedly say "headship" because it is no longer rulership. It is merely headship and so long as we retain that characteristic in the case of the Part B States, we have to make a distinction between those States and the Part A States where we have not got this hereditary headship.

As regards the Part C States, as I reminded the House when I moved this motion, they were originally called Centrally-administered areas and there were only three of them. But as we went on demarcating the units of the Union, when we were framing the Constitution, we felt the necessity of adding to the number of the Centrally-administered areas, and that explains why in the place of three such areas, we now have ten. Now, we have to recognise that these ten States have not been

put into this category by a freak of forgetfulness on our part, or by any idea of behaving wickedly towards the people of these areas. They have been put in this category for very solid reasons. Now, let us look at these States. In the case of Manipur, Tripura and Kutch we had to take frontier security into consideration, and until we have settled down under more peaceful surroundings than we are in to-day, and we have got a neighbour in relation to whom we have got to be particularly watchful, it is certainly a desirable thing that these States should be more directly under the administration of the Centre than other States. You take a case like that of Ajmer, or one like Bhopal or that tiny little State of Bilaspur. Hon. Members must have recognised that it is not easy to state now whether these States deserve to be separate entities in the future. The decision as to whether they should be separate entities or whether they should be merged in a neighbouring State has got to be taken after considerable investigation and that investigation, I entirely agree with my hon. friend Mr. Shah, should include a process of ascertaining the wishes of the people of these areas in many before we come to a decision. Now we have put them in this category. We have to take time to decide this question. In certain cases, we cannot follow the procedure which the Constitution has laid down for the re-demarcation of the boundaries of State units because we have not got the machinery in existence which we could consult for the purpose of ascertaining the wishes of the people in many of these areas. Now, we have therefore to take some time. Take even the case of Coorg. It has no doubt a Legislative Council consisting both of elected and nominated members. Public opinion, so far as we have been able to ascertain it in the past, is not unanimous as regards its remaining as a separate entity or its merger into a neighbouring State. There also I think the people of the area would like more time before their opinions crystallise into recommendations on which they would all be unanimous. The State therefore has to remain for the present as it is.

With regard to Bhopal, hon. Members know the difficulty. Even in Bhopal there is a small group which is not in favour of merger and which would like the State to be a separate unit but I believe at the present moment the great majority of the people in Bhopal do want a merger but we cannot effect a merger because of our commitments to the Nawab and unless I am able to persuade the Nawab to agree to a merger even before the period for

which he is entitled to demand that the present position should continue, we have got to wait in the case of Bhopal also.

With regard to Delhi, that is a unique proposition in itself. There are considerations which militate against Delhi being treated in exactly the same way as we might treat the other Part C States. There is the fact that it is the capital of the Republic. There is the fact that it contains a population which is perhaps as advanced as in any other part of the country but while these facts are there—the fact that it is the capital of the country, that it is the headquarters of the Central Government of the country—it would introduce complications which it is not easy to solve and that is why time is being taken to evolve a system which might give the people of Delhi the satisfaction that they have an effective voice in the administration of their area and which would still not conflict with those interests which the Central Government has got to provide for. That is why we are proposing only a kind of interim arrangement for Delhi. Now that explains the position that we have got to devise for these Part C States a set up which cannot exactly be the same either for Part B States or Part A States and even amongst the Part C States themselves, we have got to make distinctions. We can anticipate sure developments in the direction of full-fledged responsible Government in the case of some of these States. In the case of the others, it is more than fifty-fifty than the majority of them would probably go out of existence as separate entities. Therefore there is no point in providing for these units a system which is exactly the same as for the States which will develop into Part A States of the future. That explains why the line has been drawn between Himachal Pradesh and Vindhya Pradesh on the one hand and the other States for which we are proposing certain arrangements here.

Let us take the first category of States for which we are not contemplating the establishment of a full-fledged legislature. There we have provided for Councils of Advisers. A certain amount of ridicule has been poured upon these Councils. Some hon. Members seem to have identified them with the Advisory Councils that exist either half alive or with no life at all at present. These Councils are going to be very different. They are Councils of men who will share administrative power with the Chief Commissioner. That means that they will be in charge of specific portfolios

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and you will find that provision has been made in this Bill for the allocation of business to them. It is therefore wrong to compare them with the Advisory Councils for whose continuance I have got no sympathy. What we have got to recognise is and what we are attempting to do by this machinery is that we want to give the people of the locality the feeling that it is not the Chief Commissioner alone that issues orders in their areas but that there will be people, representative citizens of the locality, who will be appointed as Councillors and who will have within their respective spheres of administration the same powers for issuing orders as the Chief Commissioner. The Chief Commissioner will no doubt be the head of this body and we have even provided for making rules for the purpose of deciding any differences of opinion that crop up between the Chief Commissioner and his Councillors, whether it is the Council as a whole or individual Councillors.

I want hon. Members to recognise that the myth that was attempted to be propagated by one hon. Member, who I know is very enthusiastic about these matters, namely that my approach to this problem has been that of a bureaucrat, has absolutely no foundation. If anything throughout my approach to this problem it has been the approach of a man who is the very opposite of a bureaucrat. I may have been a bureaucrat in my days as I do believe that several hon. Members will turn into bureaucrats at least for temporary periods when they get into office as Ministers. But it has never been my idea to tackle this problem with anything other than the approach of a democrat, perhaps a better democrat than many hon. Members will be when they get into office.

Of course there is one lacuna in this arrangement for the majority of the Part C States and that is that we did not provide a body which this Council of Advisers and the Chief Commissioner could consult in matters of legislation, administration and so forth. As my hon. colleague has already said—and that has been agreed to between us—we are prepared to accept Pandit Mukut Beharilal Bhargava's suggestion made today in the House—as a matter of fact, I had accepted it at an informal discussion last evening—and that is that as in each of these States we will have an electoral college elected by adult suffrage, for the purpose of electing a representative to the Council of States at the Centre, we will take it and

clothe it with the function of having the right to be consulted on matters of legislation and other important matters in such manner as the President may determine. That is what we propose to do by way of an amendment which we shall introduce.

Now let us pass on to the other category of States, and that is Himachal Pradesh and Vindhya Pradesh. Well, objection has been taken to several of the provisions in Part III of this Bill. Those objections, as a matter of pure theory and on the basis of a constitutional analysis which you would be prepared to apply to other States, have some truth, but we have got to take facts as they are. And I think my hon. friend, Prof. Shah, in a speech which I listened to with great attention, recognised the need for a gradation of steps by which full responsible Government could be reached even in these areas. Now, what have we done? We have provided that there will be a Chief Commissioner who will in due course—I suppose when these States become Part A States—correspond to the Governor of a Part A State. We shall have a Council of Ministers. There will be a Chief Minister who will be appointed by the President of the Republic; the other Ministers will be appointed by the President on the recommendation of the Chief Minister. Then we have a legislature which will be 90 per cent. or more elected. There is a nominated element provided and some objection has been taken to it. Our prejudice against nomination, I venture to suggest to the House, is one that we have inherited from old British days. Nomination by itself is not a wrong thing. Who is going to nominate? The nomination is not going to be done by a foreigner or even by some official who has no touch with public opinion. The nominations will be done by people who are in daily touch with that opinion and if by nomination we could secure three, four or five people of sufficient capacity who will be in a position to help the legislature but will not be of anything like sufficient strength to be able to influence a decision upon a question, I think there is everything to be said in favour of importing into a Legislative Assembly people of that description. When we are starting with legislatures for the first time in these areas, we thought we should inject into these Legislative Assemblies certain people of the locality who may not get into these bodies by election but whose presence, on account of their capacity and usefulness, would be of great utility to the work of the legislature.

Pandit M. B. Bhargava: Will they belong to that locality or they will be imported from outside?

Shri Gopalaswami: The idea is that the nomination should be from people of the locality. It cannot be from people who come from outside. Now that is the only justification for nomination.

The second thing that was said was about the presidentship of the Assembly. It is provided that the Chief Commissioner will start this Assembly by presiding over it, but as soon as the President thinks it should be done, he could be replaced by a Speaker elected in the usual way. There will be a Deputy-Speaker as well. Now the fear was expressed that the Chief Commissioner may continue to preside eternally over this Assembly and dominate its proceedings and interfere with the independence of members in the House. Now I wish to point out only this thing. The Chief Commissioner is not going to be there by himself concentrating all authority in himself. The Chief Commissioner will be a man who will act with a Council of Ministers. He will preside over this and I should think very little of members in a legislature of that sort who would be afraid of being influenced by a Chief Commissioner in those circumstances. Now it may be that the Chief Commissioner might preside over the first meeting, or some meetings afterwards. But the whole spirit of the Bill is that we should as soon as possible evolve a regular system of an elected Speaker and Deputy-Speaker.

Another point raised was that these Advisers in the Council will be persons who will receive salaries and the provision which entitles them to stand for election and be Members of Parliament should be deleted. I daresay that they are basing their objection on the ground that these persons will be holding offices of profit and therefore they should not stand for election to Parliament or be Members of Parliament. I quite realise that. But I want the House to look at another aspect of it. These people will be in States for the administration of which the Centre is responsible. The regular legislative body for these States will be Parliament and these people will hold offices which are analogous to office of Ministers. If Central Ministers could be allowed to stand for election and also be Members of Parliament, in spite of their receiving salaries, it was thought by those who framed this Bill that there was nothing radically wrong in allowing Councillors of this description also the same privilege. But

I have quite an open mind on this matter. If it is the wish of the House that this privilege should be deleted from this Bill, I have no objection to delete it. But I want the House to look at that aspect also.

Shri Deshbandhu Gupta: What about the suggestion made that the Chief Commissioner need not be a serviceman?

Shri Gopalaswami: The Bill cannot plead guilty to the suggestion that it contemplates necessarily a serviceman as Chief Commissioner everywhere. The Bill makes it quite open to the President to appoint anybody. It is a matter entirely for the President as hon. Members know. The appointment of the Chief Commissioner as such is not provided for in this Bill and there is nothing in the Constitution which compels the President to appoint only an official to that office. He can appoint anybody he likes.

Shri Deshbandhu Gupta: As regards members of the Council it has been made clear that they will be drawn from public men. Could not a similar provision be made to the effect that the head of the State will also be drawn from public men?

Shri Gopalaswami: So far as that is concerned we have no jurisdiction at all, because under article 239 the appointment of the Chief Commissioner or the Lieutenant-Governor, whatever it is, is in the hands of the President. It is only in States to which the Chief Commissioner or Lieutenant-Governor has been appointed that we can apply all the other provisions which we have put into this Bill.

Shri Deshbandhu Gupta: Excuse my interruption. But what is the intention of Government in the matter—whether the Chief Commissioner should be a public man or that he should continue to be a service man? Of course it is for the President to make the choice. But what will be the advice of the Government to him?

Shri Gopalaswami: Well, my advice will be to make the appointment on the merits. I will not ban an official, because he is an official, from being appointed; and I will not ban a non-official because he is a non-official. It depends on the man's merits.

Shri Deshbandhu Gupta: Will you have a preference for a non-official?

Shri Gopalaswami: I am quite prepared to say that if A an official and B a non-official are on the merits equally fitted for an office of this sort,

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I would advise the President to appoint the non-official.

Shri Deshbandhu Gupta: So far as the choice of the head of the State is concerned, the question of merit can only arise if the choice is limited to a territory. When there is no such limitation you can choose the best men from any part of the country and put them there.

Shri Gopaldaswami: I am not advising Parliament, and I do not propose to advise Parliament, to put a restriction on the President's choice.

Shri Sidhva: Am I to understand that men of pre-eminence and merit from the public, who can perform their duties as competently as an official can, are not available according to the hon. Minister?

Shri Gopaldaswami: I do not say that. But *per contra* I do not concede the position that because a man is tarred with the brush of officialdom he is necessarily unfit for appointment to such office.

Pandit M. B. Bhargava: With your permission I want to seek clarification on two points from the hon. Minister. Firstly, what will be the fate of the existing Advisory Councils on the coming into existence of the Chief Commissioner-in-Council? What will be the position of these existing Advisory Councils *vis-a-vis* the Chief Commissioner-in-Council? Or will they be terminated? That is one point.

The second point is this. I understand that the Executive Councillors will have assigned to them certain portfolios. Will they be responsible, along with the Chief Commissioner, collectively and jointly, to the President; or will they be responsible for their portfolios to the Chief Commissioner?

Shri Gopaldaswami: Well, so far as the first point is concerned, if the House carries the amendment that these Councils should consult the members of the electoral college that will be brought into existence as a result of the elections, then these Advisory Councils will have to go out of existence. They have been created by executive order. They can be extinguished by executive order.

The second point was whether the responsibility of these Councils of Advisers is to the Chief Commissioner or to the President. The Chief Commissioner-in-Council, that is to say both

the Chief Commissioner and each one of his colleagues and the colleagues collectively—they are all responsible to the President, because, the ultimate responsibility for good administration of these areas vests in the President under article 239, and whoever is entrusted with the task of carrying out this administration has to be responsible to him. That also is a distinction which I should like hon. Members to realise in regard to the responsibility to the Legislature in Himachal Pradesh and Vindhya Pradesh, for which several hon. Members have pressed. Now, the difficulty in providing for a statutory collective responsibility of that sort is that under article 239 the responsibility has to be to the President. That is to say, in law and in theory that will be the P.M. responsibility as it is, for instance, in the case of Ministers, say, in the U. K. where they are supposed to be responsible to the King but the convention has developed that the real responsibility should be only to the Legislature. That is not a matter of statutory enactment and though you have a statutory enactment already in the Constitution with regard to Part A and Part B States you cannot have it in the case of Part C States because of article 239. What I do visualize is that the relations between the legislature and the Council of Advisers or Ministers in the two States must in practice be exactly the same as they are in Part A and Part B States. As I said in my opening speech, that convention would I hope be firmly developed and legislatures will see to it that no Minister continues in office who does not command their confidence. That is a matter which you should bring about by convention.

Mr. Deputy-Speaker: Article 240—clause (2) gives power to modify even that position and it does not derogate the President's powers if it is said that the Council of Ministers should be responsible to the legislature.

Shri Gopaldaswami: There the other argument comes in, that is, we are starting these States with these new Councils and Ministers and so on. We have to develop this convention. It may become necessary to make a statutory enactment but that is a thing which we will consider later. (An Hon. Member: What about the amendments?) I cannot promise anything about the amendments at this stage. A great deal was said by hon. Members from Vindhya Pradesh about the state of administration there at present. As I was listening to it, I remembered the series of reports from off-

cials, letters from non-officials and talks with representative people from Vindhya Pradesh and it seemed to me that whatever truth there may have been in some of their allegations in regard to the past, when you go back to 18 months or more ago, I have perfect condence in telling this House that the state of the administration, the situation as regards law and order and the general administration in the area, have shown definite improvement during the last one year. It may be that there are still blemishes in that administration; I do not say that the administration is perfect. If by merely relying upon things which happened months ago or a thing like the escape of prisoners from a particular jail during the last few days, we are going to condemn the administration, as regards the general efficiency of which I am perfectly satisfied, I want to tell the House that it is unfair for officers to be attacked in this general fashion in Parliament; they lose heart; they are doing very hard work in an area where parties pull in different directions and I think it is a matter for congratulation that we have officers there who can keep up the standard of administration of which they need not be ashamed. That is all I wish to say. I do not want to use stronger language. I implore hon. Members not to trot this out at every opportunity they get of talking about Vindhya Pradesh. I do not think I will go into it further unless any hon. Member wishes to ask any particular question, which I can answer.

Capt. A. P. Singh (Vindhya Pradesh): I hope you will consider the suggestion regarding amendments also.

Shri Deshbandhu Gupta: May I know whether the hon. Minister has an open mind on the question of considering the claims of Delhi and Ajmer, particularly Delhi, for putting them together with Vindhya Pradesh and Himachal Pradesh, and giving them the same administrative set-up, reserving if necessary some parts of New Delhi as sacrosanct to be governed by the Centre and as being beyond the scope of this Bill?

Shri Gopaldaswami: I think I told the hon. Member yesterday at a different place that any practicable idea which he has in his mind, if he would kindly put it down in writing, myself and my hon. colleague will discuss it between ourselves, and discuss it with the hon. Member and his friends and see if anything is possible.

Pandit M. B. Bhargava: It has been said that because of certain limita-

tions placed under article 239, the constitutional set-up in these areas cannot be of a very advanced type. Under the Constitution, article 239 lays down that those provisions will be subject to the other provisions of this Part. If the Parliament by law sets up a body under article 240, is it not the constitutional position that after such a body has been set up with a certain constitution laid down by the law of Parliament, the provisions of article 239 do not hold good and *ipso facto* come to an end?

Shri Gopaldaswami: The answer to that is this. I quite see that if it were considered necessary to go to the extent that my hon. friend wants, as regards responsible Government in these two States, we could devise measures by which we can get round article 239, maybe by a straightforward amendment of the Constitution, or something like that. But, I refuse to concede the position that the quantum of responsible Government that is given under this Bill to these States can be described as not advanced. It is a great advance; it may be it is not exactly the same as in Part A or Part B States.

Mr. Deputy-Speaker: Does the hon. Member wish to press his amendment for reference of the Bill to the Select Committee?

Capt. A. P. Singh: No, Sir. I want to withdraw, as has been suggested by many friends of mine, so that it may not delay matters.

Shri Gopaldaswami: Before you put it to the House. I want to tell the House that I accept the other suggestion which has been made and I will call all Members of Parliament interested in this Bill to come together at an informal conference where we shall discuss all the amendments that have been proposed and try to reach an agreement on the whole Bill. That probably, if it is convenient to hon. Members, I might call tomorrow.

An Hon. Member: At what time?

Shri Gopaldaswami: I have not got any particular engagement tomorrow; shall we say, at 9-30?

Shri Deshbandhu Gupta: Not tomorrow, Sir. Yesterday, the hon. Home Minister had also said that he would not be free tomorrow. So I suggest this may be held some time after Monday or Tuesday.

Shri Gopaldaswami: The real difficulty is this—and I hope you will put

[Shri Gopaldaswami]

it to the House. I understand that there is just a prospect of the Representation of the People Bill not being ready to be taken up on Monday, in which case we can go on with this Bill.

Mr. Deputy-Speaker: It has been represented to me that there may not be sufficient work on Monday. Clauses 7, 12, 24, the definition clause and several others have been held over and the hon. Law Minister had no time yesterday to meet Members to discuss this matter and come to agreed conclusions. But is it good to start every Bill and leave it at a particular stage and take up another Bill and so on? It may be possible to start the Constitution (First Amendment) Bill on Monday. But there is no meaning in keeping every one of them unfinished or half-finished in this manner. So I was suggesting to the hon. Minister in charge of this Bill through the hon. Minister of State for Parliamentary Affairs that this afternoon the hon. Minister may call together hon. Members and sit together and if necessary to-morrow also and iron out whatever differences there may be so that this Bill may be taken up on Monday. Somehow this Bill has to be gone through. If the other Bills are taken up, then this Bill may have to be put off till the next session. It may be possible to complete this Bill on Monday or Tuesday if agreements are reached by tomorrow. Instead of spending time here, it will be better to settle the differences informally with the hon. Minister.

Shri Deshbandhu Gupta: Sir with regard to Delhi, my hon. friend has said that if some clear-cut scheme could be given to him, he has an open mind and he will consider it. So unless such a scheme is there, the dis-

cussions will not be fruitful to that extent. And for giving such a scheme I have to consult the people concerned, discuss it with them and if necessary hold a conference of the people of Delhi who are interested in this and then prepare a scheme to be submitted for the consideration of the hon. Minister. So I request that this matter may not be hurried, but proper time may be given to Members to consider it.

Mr. Deputy-Speaker: Well, as far as the amendment for reference of the Bill to Select Committee is concerned, the hon. Member wants to withdraw it. As regards the other matter, it is for Government to decide when this Bill should be taken up. They can decide it and put it on the Order Paper. I do not adjourn it to any particular date. I leave it to the Government to choose a convenient date.

And so the hon. Member wants leave of the House to withdraw his amendment asking for reference of the Bill to a Select Committee.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for Councils of Advisers in certain Part C States and for Legislative Assemblies and Councils of Ministers in Himachal Pradesh and Vindhya Pradesh, be taken into consideration."

The motion was adopted.

The House then adjourned till Half Past Eight of the Clock on Monday, the 28th May, 1951.