



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME IX, 1951

(7th August to 21st September, 1951)

Fourth Session

of the

PARLIAMENT OF INDIA

1951

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CORRIGENDA

In the Parliamentary Debates (Part 1—Questions and Answers) Fourth Session of Parliament,—1951,

In Volume IX,—

1. No. 7, dated the 16th August, 1951,—

कालम ३३०, पंक्ति १०, “क्या माननीय कृपा” के स्थान पर “क्या माननीय मंत्री जी कृपा” पढ़ें ।

2. No. 8, dated the 17th August, 1951,—

(i) Col. 376, line 14 from bottom for “and” read “any”.

(ii) Col. 380, delete the existing line 13 and between lines 15 and 16 insert new line “subject. The Central Tractor Organisation”.

(iii) Col. 381, for the existing line 18 from bottom substitute the new line “तुम्हें (Shri K. M. Munshi): (a) It is”.

3. No. 12, dated the 22nd August, 1951,—

کالم ۵۳۰، آخر سے سطر ۱۲،، آخر،، کی بجائے،، آفریں،، پڑھیں۔

4. No. 13, dated the 23rd August, 1951,—

(i) कालम ६०२, पंक्ति १८ “निर्यात” के स्थान पर “निर्यात” पढ़ें ।

(ii) Col. 612 for the existing line 4 from bottom read “July-December, 1951—January-June”.

5. No. 16, dated the 28th August, 1951,—

(i) Col. 723, line 12 for the figures “-14,86” read “14,86”.

(ii) Col. 727, line 8 for the figures “88,87” read “88,872”.

6. No. 19, dated the 31st August, 1951,—

कालम ८५०, पंक्ति ४ “मंगी” के स्थान पर “मन्त्री” और नीचे से पंक्ति १७ “घोर के खिलाफ” के स्थान पर “और उस के खिलाफ” पढ़ें ।

7. No. 20, dated the 3rd September, 1951,—

कालम ८९१ नीचे से पंक्ति ४, “उपया” के स्थान पर “रुपया” पढ़ें.

8. No. 22, dated the 5th September, 1951,—

Col. 1014, line 15 for the figures “36,00,000” read “35,00,000”.

9. No. 24, dated the 7th September, 1951,—

(i) Col. 1115, line 8 for the words “Laid on the Table” read “House”.

(ii) Col. 1116, line 25 from bottom for “word” read “work”.

(iii) Col. 1119, transpose the existing lines 7 and 15.

10. No. 29, dated the 15th September, 1951,—

(i) Col. 1327 from bottom line 6 for “Teteorotogical” read “Meteorological”, and line 7 for “in 3 : 2” read “is 3-03”.

(ii) Col. 1336, line 2 from bottom for “convering” read “covering”.

(iii) Col. 1343, line 7 from bottom for “by” read “to”.

(v)

11. No. 30, dated the 17th September, 1951,—

Col. 1400, line 11 from bottom *for* "RECON-" *read* "Re. CON-".

12. No. 31, dated the 18th September, 1951,—

Col. 1434, line 15 *for* "miles" *read* "mills".

13. No. 32, dated the 19th September, 1951,—

(i) Col. 1505, between existing lines 23 and 24 from bottom *insert* new line "being found with money is not".

(ii) Col. 1510, line 13 from bottom *for* "July, 1951" *read* "1st July, 1951".

PARLIAMENT OF INDIA

The Speaker

The Honourable Shri G. V. Mavalankar.

The Deputy-Speaker

Shri M. Ananthasayanam Ayyangar.

Panel of Chairmen

Pandit Thakur Das Bhargava.

Shrimati G. Durgabai.

Shri Prabhu Dayal Himatsingka.

Sardar Hukam Singh.

Shri Manilal Chaturbhai Shah.

Secretary

Shri M. N. Kaul, Barrister-at-Law.

Assistants of the Secretary

Shri A. J. M. Atkinson.

Shri N. C. Nandi.

Shri D. N. Majumdar.

Shri C. V. Narayana Rao.

GOVERNMENT OF INDIA

Members of the Cabinet

- Prime Minister and Minister of External Affairs—The Honourable Shri Jawaharlal Nehru.
Minister of Education—The Honourable Maulana Abul Kalam Azad.
Minister of Home Affairs—The Honourable Shri C. Rajagopalachari.
Minister of Defence—The Honourable Sardar Baldev Singh.
Minister of Labour—The Honourable Shri Jaggivan Ram.
Minister of Health—The Honourable Rajkumari Amrit Kaur.
Minister of Law—The Honourable Dr. B. R. Ambedkar.
Minister of Works, Production and Supply—The Honourable Shri N. V. Gadgil.
Minister of States, Transport and Railways—The Honourable Shri N. Gopalaswami Ayyangar.
Minister of Commerce and Industry —The Honourable Shri Hare Krushna Mahtab.
Minister of Food and Agriculture—The Honourable Shri K. M. Munshi.
Minister of Natural Resources and Scientific Research—The Honourable Shri Sri Prakasa.
Minister of Finance—The Honourable Shri Chintaman Dwarkanath Deshmukh.

Ministers not in the Cabinet

- Minister for the purposes of agreement between the Prime Ministers of India and Pakistan of the 8th April, 1950—The Honourable Shri C. C. Biswas.
Minister of State for Transport and Railways —The Honourable Shri K. Santhanam.
Minister of State for Information and Broadcasting—The Honourable Shri R. R. Diwakar
Minister of State for Parliamentary Affairs—The Honourable Shri Satyanarayan Sinha.
Minister of State for Rehabilitation—The Honourable Shri Ajit Prasad Jain.
Minister of State for Finance—The Honourable Shri Mahabir Tyagi.
Deputy Minister of External Affairs—Dr. B. V. Keekar.
Deputy Minister of Commerce and Industry—Shri Dattatraya Parashuram Karmarkar
Deputy Minister of Defence—Major General Himatsinhji.
Deputy Minister of Works, Production and Supply—Shri S. N. Buragohain.
Deputy Minister of Food and Agriculture—Shri M. Thirumala Rao.
Deputy Minister of Communications—Shri Raj Bahadur.

THE
PARLIAMENTARY DEBATES
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PARLIAMENT OF INDIA

Tuesday, 4th September, 1951

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

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

ORAL ANSWERS TO QUESTIONS
VISIT OF DEFENCE SECRETARY ABROAD

*744. **Shri Sidhva:** Will the Minister of Defence be pleased to refer to my question No. 4700, dated the 30th May, 1951 and state:

(a) what were the matters regarding manufacturing establishments in India for which the Defence Secretary's visit abroad was made; and

(b) whether he has placed any orders with the D.G., I.S.D., London or the India Supply Mission, Washington during his visit; if so, for what amount and what articles?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) and (b). It will be contrary to the public interest to disclose this information

Shri Sidhva: May I know, Sir, whether it will be available to me for information?

Major-General Himatsinhji: The hon. Member is a member of the Estimates Committee and I am sure we will be able to give him the information on this subject in confidence.

Shri Sidhva: I could not follow what the Minister said.

Mr. Deputy-Speaker: He says that he will make it available to the hon. Member in confidence.

Shri Kamath: Is it not in the public interest to disclose even what countries he visited?
240 P.S.D.

Major-General Himatsinhji: Sir, some of the countries visited are the United Kingdom, America and Canada.

Shri Amolakh Chand: Sir, may I know if any other hon. Member who may be interested in knowing these things would be permitted to know it—because the Deputy Minister said that the hon. Member who put the question is a member of the Estimates Committee and as such he would be glad to give the information to him.

Mr. Deputy-Speaker: As regards questions where in the public interest Ministers are not willing to answer them, the practice has been to allow them to decide as to what is in the public interest and what is not in the public interest. I will allow them equally to decide to whom they can show it. No doubt the hon. Minister need not have said "because he is a member of the Estimates Committee". He need not have said it, but it is open to the Minister to show him or not to show him.

Prof. Ranga: It has also been the custom for a Minister to tell an hon. Member that he would be quite happy to give whatever information he can in the lobby. That has been the custom here. So there is no aspersion on other Members.

Mr. Deputy-Speaker: There is no reflection on other Members.

DIRECTOR OF HOUSING

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

(a) whether the Director of Housing, Government of India, has been relieved of his duties;

(b) the reasons why his services have been dispensed with; and

(c) whether Government propose to appoint any one in his place?

The Minister of Health and Communications (Rajkumari Amrit Kaur):
(a) Yes.

(b) The attention of the hon. Member is invited to the reply given to his supplementary question in connection with starred question No. 88 answered on the 9th August 1951.

(c) At the moment, no.

Shri Kamath: That supplementary to which the Minister has referred was in connection with the Managing Directorship of the government housing factory, and this question relates to the Director of Housing. Were they the same person or were they different?

Rajkumari Amrit Kaur: The Director of Housing was also the Managing Director of the factory. His services in regard to the management of the factory were dispensed with and he was relieved of his duties, I think, in April. Anyhow he relinquished charge of his office of Director of Housing on the 1st of July. Government had a contract with him to the end of September. On learning that it was not likely that his services would be required after his contract finished he asked to be relieved of his charge, and he was relieved.

Shri Kamath: Did the contract pertain to the government housing factory or to the Housing Directorate? Or am I to understand that they were co-terminous or identical jobs?

Rajkumari Amrit Kaur: The contract pertained to his appointment as Director of Housing. He was given charge of the factory in addition to his duties as Director of Housing.

Shri Kamath: Was the Directorate of Housing created before or after the government housing factory was set up?

Rajkumari Amrit Kaur: Before.

Shri Sidhva: Is it a fact that the managing agency for the housing factory in question has been given to some Swedish firm and, if so, on what condition?

Rajkumari Amrit Kaur: I do not see how this question arises.

Mr. Deputy-Speaker: I think there is a question put by the hon. Member. It will come some days later.

Shri Kamath: Am I to understand that there is now no need for any Section in the Ministry of Health to deal with the housing problems in India? When they are retaining the govern-

ment housing factory why was the Directorate of Housing abolished?

Rajkumari Amrit Kaur: If the hon. Member will refer to my answer to part (c) of his question, I have said "At the moment, no." The hon. Member must also know that the Planning Commission has made certain recommendations in regard to housing and when these come into being, well, the whole question will be considered again.

Shri Kamath: Who is looking after housing now in the Government of India? Nobody?

Rajkumari Amrit Kaur: The hon. Member knows that the States are autonomous in the matter of housing.

Shri Kamath rose—

Mr. Deputy-Speaker: I think we are entering into a huge argument.

CENSUS RETURNS

*746. **Shri Kamath:** Will the Minister of Home Affairs be pleased to state what stage the compilation of census returns has reached?

The Minister of Home Affairs (Shri Rajagopalachari): The 1951-Census enumeration was completed at the beginning of March, 1951. The provisional figures of population according to the Census have already been published and a copy thereof was laid on the Table of the House on the 14th April, 1951. The detailed tabulation of the results of the Census is proceeding and the Census Report and Statistical tables are expected to be published during the course of the next financial year.

Shri Kamath: "During the course of" means in the beginning or at the end of the financial year?

Shri Rajagopalachari: The hon. Member should understand that the census, so called, has ended, but the real work begins from the date when we end it, and a great deal of tabulation has to be made for useful tables being published. We expect, if all goes well, that the publications should begin to appear one by one from April 1952. The final report will probably be sent to the press on 31st March 1953.

I might mention, Sir, that I compared the dates for the last four or five censuses. In the 1941 census there was practically no tabulation and there was very little to report; they published only Community Numbers and nothing else. The previous four censuses give an average of 27 months between the date of termination of the enumeration

and the publication of the report. We hope to be as good as that.

Shri Kamath: Compared to the censuses of the past four or five decades what new information will the final returns of this census give, and under what heads?

Shri Rajagopalachari: There will be a lot more of economic and national life information than in previous censuses.

Prof. K. T. Shah: Did I understand the hon. Minister to say that in the 1941 census even the tables were not published?

Shri Rajagopalachari: In the 1941 census the position was this. They took a lot of trouble and collected data, but they were left unused except for the extraction of what may be called "Community Numbers". Practically no tabulation was made and little was reported. But that was due to several causes.

Prof. K. T. Shah: My question was whether the volumes of tables were published or not—because I have seen some volumes of tables.

Mr. Deputy-Speaker: But only a few.

Shri Rajagopalachari: I do not say that they were not published. I say that all the materials gathered were not fully used and much less work was done actually than what we propose to do.

Shri Rathnaswamy: Is it a fact that some representations were made to the Government by some leading organisations of the scheduled castes in the country pointing out certain irregularities and discrepancies in the matter of enumeration, and have the Government taken steps to assure them that the enumeration was accurate as far as possible?

Shri Rajagopalachari: Some representations were made and Government did all that they could to see that the census was completed without giving rise to any error but the hon. Member should understand that we could not make the census a judicial inquiry. We had to take the answers given and record them as correctly as possible, and that was done.

Dr. Deshmukh: Now that the Census operations are over, would the hon. Minister be in a position to say as to what percentage of accuracy he expects in the enumeration of the Scheduled Caste people?

Shri Rajagopalachari: I do not think there was anything particular about

the Scheduled Castes but a certain amount of error is expected in any kind of enumeration. I would say that the answers should be 99 per cent. correct.

Shri Amolakh Chand: May I know the number of tables and the heads under which these tables are being prepared?

Shri Rajagopalachari: I think that hon. Members would find it very interesting if they go to the Office and exactly see what kind of work is involved. The number of tables is not decided. First a certain amount of tabulation, then all data have to be sorted; then they have to be compiled as it is called and then there is the main census tabulation and then a subsidiary census tabulation and then a study of the census data. In the U.K. they take four years for the report to be ready. In the U.S.A. they take 29 months, that is the average that we have found and in the U.S.A. they use electric power to sort the cards that are prepared. We have to do it all by manual labour.

Shri Kamath: With regard to the census returns of the Punjab, does the report of the Census Commissioner indicate whether compulsion had been used very largely in the matter of recording the language of the persons concerned or was the language column finally deleted? What happened to the language controversy as regards Hindi and Punjabi?

Mr. Deputy-Speaker: I am afraid all this would not arise. All we are concerned is the period within which the census is expected to be completed. All other details as to whether undue influence has been brought to bear upon etc. would not arise. Next question.

CENTRAL COMMITTEE OF CANTONMENTS

*747. **Shri Raj Kanwar:** Will the Minister of Defence be pleased to state:

(a) the personnel of the Central Committee on Cantonments; and

(b) when its report is expected to reach Government?

The Deputy Minister of Defence (Major-General Himatsinghji):

- (a) (1) Shri S. K. Patil, Chairman.
- (2) Shri R. K. Ramadhyani, I.C.S., Joint Secretary, Ministry of Defence (Vice-Chairman).
- (3) Director-General, Armed Forces Medical Services.
- (4) Quartermaster General.
- (5) Shri R. K. Sidhya, M.F.
- (6) A representative of the Government of Uttar Pradesh.

- (7) A representative of the Government of Bombay.
- (8) A representative of the Government of Punjab.
- (9) Director, Military Lands and Cantonments.

(b) The Committee has submitted Part I of its report, a copy of which is placed on the Table of the House. [See Appendix V, annexure No. 22.] The Committee is expected to submit its final report about the end of 1951.

Shri Raj Kanwar: The statement or report, a copy of which has been placed on the Table of the House says that this Committee was appointed as far back as January, 1949, that is more than 2½ years ago, and only 5 meetings of this Committee have taken place so far. May I know why more meetings could not be held and the report expedited?

Major-General Himatsinhji: As explained more than once in this House the meetings were convened more than 10 times and even on the 21st of August the meeting was not held because some of the important members of the Committee could not attend. The main reason is that certain Members of the Committee hold important positions and they were not able to come whenever we wished them to come.

Shri Raj Kanwar: May I know as to what are the terms of reference of the Committee?

Major-General Himatsinhji: The Terms of Reference are laid on the Table of the House.

Shri Raj Kanwar: Are the Terms of Reference this: The examination of the question of delimiting the areas of cantonments and the desirability of amending the Cantonments' Act?

Major-General Himatsinhji: Yes, Sir.

Mr. Deputy-Speaker: If the report was placed on the Table of the House, I would expect that in such cases sufficient notice may be given or 15 minutes' notice should be given to the hon. Member. If such notice was given hon. Members could go and see them in the Notice Office instead of asking questions about the Terms of Reference etc. here. Whenever such statements are unexpectedly placed on the Table of the House, hon. Members may also go to the Notice Office knowing that a certain procedure is going to be adopted.

Shri Sidhva: May I know when this first report, which is more or less a complete report by itself, was sent to the Ministry of Defence and why has

it been placed so late on the Table and until the hon. Member drew attention to it? May I know if Government have considered the recommendations of this report?

Major-General Himatsinhji: The main recommendation of the Committee was regarding excision of about 18 cantonment areas. In order to carry out this recommendation, Government have appointed local committees in each cantonment to carry out the detailed examination regarding excision of these areas. Replies from 8 cantonments have been received so far, out of which five cantonments have accepted the suggestion and have given a detailed reply. Three cantonments have recommended that no territory should be excised from these cantonments and we are still awaiting the replies from nine cantonments. That is one of the reasons for delay in submitting this report.

Shri Sidhva: May I know whether the report is unanimous?

Mr. Deputy-Speaker: The hon. Member is a Member of the Committee.

Shri Sidhva: My question was whether the Government have examined all the reports and whether they feel that the Terms of Reference which were mentioned have been complied with?

Major-General Himatsinhji: Yes, Sir.

Shri Kamath: Is it a fact that owing to the absence of the Chairman out of India, no meeting of the Committee was held for over a year, in spite of the fact that there was a Vice-Chairman of the Committee, and if it is not so, what was the longest interval during which no meeting was held at all of this Committee?

Major-General Himatsinhji: The interval has been quite long but not as long as the hon. Member suggests. I do not have the information about the exact time of interval, with me, Sir, it is a fact that certain members were absent from the country and that was one of the main reasons for delay in the submission of the report.

Shri Sivan Pillay: May I know whether there is a quorum for meetings of this Committee and whether the meetings were cancelled in spite of this quorum being present?

Major-General Himatsinhji: We felt that the presence of two non-official Members of the Committee was so important that we should not hold this meeting unless they were present.

Shri R. Velayudhan: May I know how long would the Committee take to finish its work? Will it be 2, 3 or 4 years?

Major-General Himatsinhji: I have already stated in my answer that the Committee is expected to submit its final report by the end of this year.

MAPS OF CONSTITUENCIES

*748. **Shri Raj Kanwar:** Will the Minister of Law be pleased to state whether Government intend to publish separately for each of the Part A, Part B and Part C States one or more maps showing the delimitation of constituencies as finally determined for purposes of General Elections?

The Minister of Law (Dr. Ambedkar): The State Governments have been requested to prepare maps showing separately the Parliamentary and Assembly constituencies for each State as finally determined.

Shri Raj Kanwar: When will these maps be available to the public?

Dr. Ambedkar: As soon as they are ready, I suppose.

Shri Raj Kanwar: When is that going to be, Sir?

Dr. Ambedkar: Before the Elections take place.

Mr. Deputy-Speaker: The hon. Minister, if he has got any more definite information, he may give the House. The House expects him to give a reasonable period.

Dr. Ambedkar: All I can say is to request my hon. friend to go and contact the Election Commissioner. His office will probably give all the information that he needs.

Mr. Deputy-Speaker: The hon. Minister is expected to be in touch with the Election Commissioner. It is his portfolio. There is no good generally giving such answers. The hon. Member can draw his own inferences. But, he expects that the Government will be able to say, within a month or two months and so on. All the three answers do not appear to be definite at all.

Dr. Ambedkar: I have no information with me on the point.

Prof. Ranga: Mr. Deputy-Speaker, my objection is that any of the hon. Ministers should get up and ask us to go to one of his subordinates and get the information is really derogatory to the dignity of the House.

Mr. Deputy-Speaker: I think the hon. Law Minister only meant that wherever information could be had from official sources, they must exhaust all

that before taking the time of the House with respect to such matters as are available.

Dr. Ambedkar: I am sure about it, that my hon. friend Prof. Ranga goes to officials on many other occasions without feeling any loss of dignity.

Prof. Ranga: This sort of answer raises another controversy. We may or we may not go. But, it is not for the Minister to ask us when we ask for information that we should go to one of his subordinates and get that information, instead of himself getting the information.

Pandit Thakur Das Bhargava: Will the hon. Ministers themselves not resent if Members went for information to the officers subordinate to them apart from the question of the dignity of Members?

Mr. Deputy-Speaker: I will pass on to another question. It is usual to refer to books and officers before coming to the House.

Shri A. C. Guha: We have been issued a circular that we should not go and see the officers. How can the hon. Minister ask us to go to an officer and get the information? It is the function of the Minister to supply the information.

SMALL SCALE LOANS FROM REHABILITATION FINANCE ADMINISTRATION

*749. **Shri S. C. Samanta:** Will the Minister of Finance be pleased to state:

(a) the number of displaced persons who have received urban small scale loans from the Rehabilitation Finance Administration;

(b) how many of them have received such loans

(i) individually;

(ii) in groups; and

(iii) for forming co-operative societies; and

(c) the number of applications for loans (i) rejected, (ii) complied with and (iii) under consideration as on the 30th June, 1951?

The Minister of Finance (Shri C. D. Deshmukh): (a) The Rehabilitation Finance Administration only deals with applications for loans exceeding Rs. 5,000. Upto the 30th June, 1951 the Administration sanctioned loans to 7,200 applicants, out of which loans were actually advanced in 3,233 cases.

(b) The different categories of applicants who received loans are given below:

(i) Individuals	...	1,340
(ii) Joint Hindu families...		1,249
(iii) Partnership firms	...	598
(iv) Co-operative Societies...		2
(v) Limited companies		44

Total		3,233
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(c) Number of applications rejected.	9,509
Number of applications sanctioned.	7,200
Number of applications pending.	5,188

Shri S. C. Samanta: May I know whether the loans are given only for industrial development and if so, whether the Administration keeps a watch on these industries?

Shri C. D. Deshmukh: They are given both for commercial and trade purposes as well as for industrial purposes.

Sardar B. S. Man: Is it a fact that many of the applications which were under consideration on the 30th June 1951 have been there for more than a year and if so, what steps do Government propose to take to expedite all such cases?

Shri C. D. Deshmukh: I should not be able to give here the exact period for which the loan applications have been pending. But, attempts are constantly being made to accelerate the disposal of these applications.

Sardar B. S. Man: What interest has been fixed by the Administration for sums advanced?

Shri C. D. Deshmukh: I should like to have notice of the question.

Dr. Ram Subhag Singh: May I know the minimum and maximum amount of a loan given to an individual from the Rehabilitation Finance Administration?

Shri C. D. Deshmukh: That question too requires notice.

Shri T. N. Singh: Out of the loans granted to individuals, may I know proportionately how many were given to those who had already started some industry and how many—I do not want exact figures; I want to know approximately—were given to those who had to start business *de novo*? What watch has been kept about the progress of the work?

Shri C. D. Deshmukh: I have not got the detailed break-up of all these applications by various categories.

Shri A. C. Guha: Was there any proposal to set up a separate office at Calcutta and if so, what has been done with that proposal to deal with applications from East Bengal refugees?

Shri C. D. Deshmukh: I cannot answer that question; notice.

Sardar Hukam Singh: Is it a fact that at the time of actual advancing of the loans to the refugees, sums due from them on account of rents or other things are deducted from these loans and they are not able to carry on any industry or business on that account?

Shri C. D. Deshmukh: I think all these questions relating to the disposal of individual applications require separate notice. The question I was asked about was the broad categories of these applications. It is only on that point that I have got information here.

Sardar Hukam Singh: It is not a question of any individual application. I want to know in how many cases, at the time of advancing of the loans, out of the number given to us, the applicants have been asked to deposit the amounts that were due from them on account of rent and other arrears.

Shri C. D. Deshmukh: The hon. Member will realise that that is a kind of statistical information which is difficult to keep ready and anticipate questions in regard to it unless notice is given.

Mr. Deputy-Speaker: Next question.

Shri S. C. Samanta: May I know.....

Mr. Deputy-Speaker: I have called another question.

REQUISITION OF HOUSES FOR MILITARY

*750. **Shri Sidhvá:** (a) Will the Minister of Defence be pleased to state how many houses have been requisitioned by the Defence Ministry during the year 1950-51 in each State?

(b) How many have been de-requisitioned during the same year?

(c) Is it a fact that all the accommodation requisitioned is not occupied by military personnel but is sub-let to civilian persons?

(d) Do Government periodically make inspection of such accommodation?

The Deputy Minister of Defence (Major-General Himatsinghji): (a) 5 in Bombay State, and 3 in Jammu and Kashmir.

(b) 33.

(c) and (d). Some of the accommodation is occupied by civilians paid from Defence Services Estimates but is not sub-let to them. The position in every station is reviewed periodically by the Station Commander.

Shri Sidhva: May I know the reason why this accommodation which was originally meant for military purposes has been given to civilians?

Major-General Himatsinhji: I have already explained that. I will give him the full reasons for that. Civilians paid from Defence Services Estimates are not entitled in the service sense to be provided with accommodation by the Government. During the last war, these civilians were authorised to be provided with hired or requisitioned accommodation on payment of rent at 10 per cent. of their pay irrespective of the amount paid by the Government to the landlords. This war-time concession was withdrawn with effect from 1st April 1948 from which date Government have authorised for them already hired accommodation at difficult stations like Calcutta, Bombay, Poona, etc., for this purpose.

Shri Sidhva: In reply to part (a) of the question, the hon. Minister replied that five houses have been requisitioned in Bombay and three in Delhi: May I know whether they are for residential purposes or for official requirements?

Major-General Himatsinhji: For certain important military operation purposes.

सेठ गोविन्द दास : क्या माननीय मन्त्री जी को मालूम है कि कुछ स्थानों पर ऐसे भी मकान खाली पड़े हुए हैं जो फ़ौजी काम के लिये लड़ाई के शुरू में ही लिये गए थे और उनमें कोई रहता भी नहीं है। उन की कोई मरम्मत भी नहीं होती है और जिन के वह मकान हैं उन को वह वापस भी नहीं किये जा रहे हैं ?

[**Seth Govind Das:** Does the hon. Minister know that several buildings which were requisitioned for military purposes in the beginning of war, are lying vacant at this time at several places and nobody resides in them at present and that they are neither repaired nor being released to their owners?]

Major-General Himatsinhji: We will be glad to have information on this point. But, I would like to point out to the hon. Member that a lot of barracks and buildings are empty because of the fact, as the hon. Member knows, that most of our army is at present in tents and out of barracks. Therefore, you will find all over the country barracks and buildings unoccupied. The reason why perhaps we do not repair some of these buildings is that we think they are not worth repairing and it may cost more than their worth.

सेठ गोविन्द दास : क्या माननीय मन्त्री जी को मालूम है कि जबलपुर जो कि फ़स्ट क्लास मिलिट्री स्टेशन है

[**Seth Govind Das:** Does the hon. Minister know that Jabulpore which is a first class military station.....]

Mr. Deputy-Speaker: I would ask the hon. Member if Jabulpore is in Bombay or Jammu and Kashmir.

Seth Govind Das: The question is a general question: it is not confined to Delhi or Jammu and Kashmir. It is an All India question.

Mr. Deputy-Speaker: Yes; I am sorry.

सेठ गोविन्द दास : क्या माननीय मन्त्री जी को यह मालूम है कि वहां कई बिल्डिंग ऐसी हैं जो कि सिर्फ़ इन्हीं दिनों में खाली नहीं हुई हैं बल्कि आज वर्षों से खाली पड़ी हुई हैं, जिन की मरम्मत नहीं हुई है और जिन की वह बिल्डिंगें हैं उन्हें वापस भी नहीं की जा रही हैं ?

[**Seth Govind Das:** Does the hon. Minister know that there are a number of buildings there which are lying vacant not from recent times only but for the last so many years and have neither been repaired nor are being returned to their owners?]

Major-General Himatsinhji: I have already given the reason for that. The war ended in 1945. Still our troops are in Kashmir and other places. They will occupy these buildings later on. Till they return back, we feel it is not perhaps worth while repairing them while they still remain unoccupied. That is the reason. But, I will be glad if the hon. Member will give me any information in detail and we will enquire into that case.

ENGINEERING COLLEGE AT SINDRI

*751. **Shri Jnani Ram:** Will the Minister of Education be pleased to state:

(a) whether a Mechanical and Electrical Engineering College is being started at Sindri;

(b) the cost of the same; and

(c) the help and co-operation which is expected to be obtained from the Sindri Fertilizer Factory?

(मोला आज़ाद):

(ए) हाँ, सोकर ने नोवंबर सन् १९५० में एक ऐसी कॉलेज वहाँ कौल दिया है -

(बी) अस्तिमि कौन्सिल्ट ने खर्च का जो अंदाज़ा लगाया है, वो २७,५८,००० रुपिये, नान रकुरंग २३,३०,००० रुपिये, रकुरंग -

(सी) सन्दरी फेक्टरी से कॉलेज को हर तरह की मदद मिली है - पानी, और बचली का अन्तर्णाम फेक्टरी ही की वजह से हो सका है - कॉलेज की ज़मीन भी फेक्टरी की मदद से असे मिली है -

[**The Minister of Education (Maulana Azad):** (a) Yes. A Mechanical and Electrical Engineering College has been started by the Government of Bihar at Sindri from November 1950.

(b) The total estimated cost of the College as intimated by the State Government, is as follows:

Rs. 77,57,880 (Non-recurring).

Rs. 4,34,000 (Recurring).

(c) The College has already been helped by the Sindri Fertilizer Factory in various ways including the acquisition of site and supply of water and electricity.]

श्री ज्ञानी राम: केन्द्रीय सरकार की सहायता इस संस्था को मिली हुई है या नहीं ?

[**Shri Jnani Ram:** Has this institution received any grant from the Central Government or not?]

मोला आज़ाद : माली मदद नहीं दी है, लेकिन ओर हर तरह की मदद दी गयी है जैसा मैंने अभी कहा है -

[**Maulana Azad:** As I have just now stated every sort of assistance has been given to it except financial assistance.]

श्री सिधवा : क्या यह बात सही है कि सिंदरी फेक्टरी में एक हाई स्कूल वहाँ के वर्क्स के लिये बना हुआ है और उस को गवर्नमेंट की तरफ से ग्राण्ट दी जाती है, या वह वर्क्स प्रोडक्शन एण्ड सप्लाय मिनिस्ट्री की मदद से चलता है ?

[**Shri Sidhva:** Is it a fact that a high school has been started in the Sindri Fertilizer Factory for the workers and that it is receiving a grant from the Government; or is it being run with the assistance of the Ministry of Works, Production and Supply?]

मोला आज़ाद : असा ज़ाब मैंने अभी नहीं डे सकता -

[**Maulana Azad:** I cannot give this information just now.]

Mr. Deputy-Speaker: It is a Mechanical and Electrical Engineering College.

श्री टी. एन. सिंह : क्या मैं यह जान सकता हूँ कि हमारी सरकार की तरफ से भी प्राविन्सेज़ में कुछ मिर्कैनिकल इंजीनियरिंग कॉलेजों को सहायता दी जाती है, और यदि उन कॉलेजों को सहायता दी जाती है तो सिंदरी कॉलेज को क्यों नहीं दी जाती ?

[**Shri T. N. Singh:** May I know whether any assistance is being given to certain mechanical engineering colleges in the States by the Centre, and if so, why such assistance is not being given to the Sindri College?]

मोला आज़ाद : अब तक कौनी दरख़ास्त कौन्सिल्ट ऑफ इंडिया से नहीं की गयी है - ओर कौन्सिल्ट ऑ

انڈیا نے بھی اسکی ضرورت محسوس نہیں کی ہے۔ اگر کوئی اس طرح کی چیز گورنمنٹ کے سامنے آئی تو وہ اپنی مالی حالت کو دیکھتے ہوئے اس پر سوچ و چار کرے گی۔

[Maulana Azad: No request has been received by the Government of India in this connection so far and the Government too did not feel any necessity for doing so. Nevertheless, if they receive any such request it would certainly be considered, of course with due regard to the financial considerations.]

D.V.C.—DIVERSION OF ROAD

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

(a) whether the diversion of the Kodarma Singrama Road is necessary due to Tilaiya Dam; and

(b) whether the D.V.C. is going to meet the whole cost of the diversion?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) The diversion of a portion of the road between Singrawan and Kodarma on National Highway No. 31 is necessary as a result of the construction of Tilaiya Dam.

(b) The question is under consideration of the Corporation.

Shri Jnani Ram: What is the mileage of the road submerged under water?

Shri Sri Prakasa: The diversion road will be 8.85 miles long and it is estimated to cost Rs. 16,03,300.

LOANS FROM WORLD BANK

*753. **Shri Krishnanand Rai:** Will the Minister of Finance be pleased to state:

(a) whether any invitation has been extended by the President of the International Bank for Reconstruction and Development (World Bank) to India and other under-developed nations for making requests for loans from the above Bank;

(b) if so, whether any such request has been made by India to the World Bank recently; and

(c) if so, the result of the above request?

The Minister of Finance (Shri C. D. Deshmukh): (a) There has been no

specific invitation to India for a request for loan by the World Bank, although the President has stated more than once that the Bank would be glad to consider suitable projects for loans to under-developed countries. It is, however, for the prospective borrower and not for the Bank to take an initiative in this matter.

(b) No, Sir.

(c) Does not arise.

Shri Krishnanand Rai: May I know whether there is any central committee of the share-holders of the World Bank which decides the question of giving of loans and if so which States are represented on that committee?

Shri C. D. Deshmukh: This is decided by the Board of Executive Directors of the Bank which consists of about 15 members, five nominated by the countries with the largest numbers of quotas in order, and the rest elected by countries grouping together. India is among the countries which are entitled to nominate an Executive Director of the Board.

Shri Krishnanand Rai: May I know whether the details of the programmes or schemes are supplied by the countries which want the loans from the World Bank, or whether the nations that receive the loans are free to utilise the money in whatever way they like?

Shri C. D. Deshmukh: The country is free to utilise the loan for the project for which the loan has been applied and sanctioned.

Mr. Deputy-Speaker: The hon. Member perhaps wants to know whether it is open to a country to ask for a loan in general terms or whether the country should specify that the loan is required for such and such project when the application is made?

Shri C. D. Deshmukh: The policy of the Bank has been undergoing gradual modification. In the beginning most of the loans were connected with specific projects; but now a new philosophy is being evolved and it may be that a number of projects would be included among the objects of a loan, and from that it may be that the Bank will proceed to general development loans. I believe one such general loan has recently been sanctioned by the Bank.

Shri Krishnanand Rai: What is the agenda of the coming meeting of the World Bank or I.M.F. which is going to be held on the 10th September?

Shri C. D. Deshmukh: I am afraid I require notice for that question.

Prof. Ranga: May I know what is the procedure to be followed in the case of projects which are undertaken by the State Governments in our country? Is there any committee at the Union level to decide upon these things and make application to the World Bank on behalf of the Union Government, or is it permissible for the State Government concerned which is undertaking the particular project, to send its application directly or indirectly through the Union Government to the Bank?

Shri C. D. Deshmukh: All applications for loans have to go through the Central Government because the Central Government guarantees the loans. As for a coordinating committee, that is represented by the Planning Commission now.

Dr Deshmukh: What amount has so far been borrowed by India from the International Monetary Fund, and during the course of this year, is there any proposal to borrow some more?

Shri C. D. Deshmukh: 64 million dollars, approximately. We are working up certain schemes and have received the advice of the Planning Commission and it may be that some of these projects will be processed and the Bank will be sounded in regard to the possibility of getting loans for them.

Dr. Deshmukh: What is the approximate estimate of this amount?

Shri C. D. Deshmukh: We have not reached the stage of estimation yet.

Shri Amolakh Chand: May I know whether the Indian who has been nominated by India on the Executive Committee is an official of the Government of India or a financier of India?

Mr. Deputy-Speaker: We are going away to some other topic. That is not what is asked in the question, which is about extending the invitation to India. This is not relevant to the main question.

Shri T. N. Singh: Is it a fact that the rate of interest of the World Bank has been revised and raised lately? If so, what is the reason for this revision of the rate?

Shri C. D. Deshmukh: Yes, due to the rise in the interest rate in the U.S.A. The Bank has to float loans in the open market in the U.S.A. and long-term rates have recently gone up in that country.

Shri A. C. Guha: Which projects of the Government of India are now before the International Monetary Fund for loans?

Shri C. D. Deshmukh: I think it would be premature to give the names of the actual projects. Some are in connection with the expansion of our steel production. One is in connection with shipping, one is in connection with river valley project, and one seeks to obtain loans for the private industrial sector through some coordinating agency.

Shri A. C. Guha: What would be the approximate estimate of these loans?

Shri C. D. Deshmukh: I have already said that we have not reached the stage of estimation.

Dr. C. D. Pande: What is the rate of interest for these loans?

Shri C. D. Deshmukh: There is no preconceived rate of interest, it depends on the terms of the loan.

Shri R. Velayudhan: In order to facilitate Indian interests there, may I know whether we have anybody nominated on the World Bank's Directorate?

Mr. Deputy-Speaker: No, no. We are going away from the main question.

Shri A. C. Guha: The hon. Minister stated in reply to another question that some schemes of the private industrial sector were also before the International Monetary Fund. May I know what is the coordinating machinery that the Government has for guaranteeing these loans on behalf of the private industrial sector?

Shri C. D. Deshmukh: There is no coordinating agency to guarantee the loans. There is the Planning Commission which advises on the soundness or otherwise of the projects. The guarantee has to come from the Union Government in all cases.

And if you have no objection, Sir, I would like to satisfy the curiosity of Members with regard to the representative of India, he is Mr. B. K. Nehru who is Financial Counsellor attached to the Embassy in Washington. He is our Executive Director on the Board of the International Bank.

Kaka Bhagwant Roy: What is the net capital of the Bank?

Shri C. D. Deshmukh: There is a great deal of published literature on the subject, Sir.

AGREEMENT WITH TURKEY

*754. **Shri Jnani Ram:** (a) Will the Minister of Education be pleased to state if India and Turkey have signed a cultural relations agreement?

(b) If so, what are the terms of the Agreement?

منسٹر آف ایجوکیشن: (مولانا آزاد)

(اے) ہاں -

(بی) ایجوکیشن کی ایک کاپی

ہاؤس کی ٹیبل پر رکھ دی گئی

- ۴

[See Appendix V, annexure No. 23.]

[The Minister of Education (Maulana Azad): (a) Yes, Sir.

(b) A copy of the Agreement is placed on the Table of the House. [See Appendix V, annexure No. 23.]

श्री ज्ञानी राम : क्या मैं जान सकता हूँ कि इस वक्त दोनों देशों में कितने विद्यार्थियों का आना जाना होगा, और इस आने जाने के लिये और विद्यार्थियों को भेजने के लिये सरकार ने कितने खर्च का अन्दाजा लगाया है।

[Shri Jnani Ram: May I know the number of students that would be exchanged between the two countries for the present and the estimated expenditure that is likely to be incurred on that account?]

مولانا آزاد : آنریبل ممبر نے

گورنمنٹ کی کاپی دیکھ کر اندازہ کر

لیا ہوگا کہ جنرل نمبرس میں یہ

ایجوکیشن ہوا ہے - ان باتوں پر کہ کتنے

آدمی یہاں سے بھیجے جائیں گے اور

کتنے وہاں سے آئیں گے اور ان پر کتنا

خرچ ہوگا ابھی تو نہیں کہا گیا ہے -

ہماری خواہش یہ ہے کہ ہم جلد اسکا

موقعہ پیدا کریں -

[Maulana Azad: The hon. Member might have judged from a perusal of the agreement that it was in general terms. How many persons would be sent from this place and how many would come from there and what would be the total expenditure on that account, these are all things of details which have not been gone into as yet.

It is our desire to speed up the arrangements.]

श्री ज्ञानी राम : क्या मैं जान सकता हूँ कि जो दोनों देशों में स्पेशल कमिशन का चुनाव होने वाला था क्या वह हो गया ?

[Shri Jnani Ram: May I know whether selections to the Special Commissions in both the countries have taken place?]

مولانا آزاد : نہیں ابھی تک اس

بارے میں کارروائی نہیں ہوئی ہے -

[Maulana Azad: No, no action has been taken in this connection so far.]

श्री ज्ञानी राम : क्या मैं जान सकता हूँ

कि यह चुनाव कब तक होंगे ?

[Shri Jnani Ram: May I know when these selections are going to take place?]

مولانا آزاد : خاص ٹائم بتانا اس

وقت مشکل ہے - ہماری طرف سے

پوری کوشش کی جائیگی کہ ان دو

ملکوں میں کلچرل رلشنس بڑھائے

جائیں - حالات دیکھ کر کہ کس وقت

کس حد تک قدم اٹھایا جا سکتا ہے

کارروائی کی جائیگی -

[Maulana Azad: It is difficult to state the exact time at present. On our side every effort will be made to promote the cultural relations between the two countries. Action would be taken keeping in view the particular situation at a particular time.]

श्री कामत : इस एग््रीमेंट के सिलसिले

में जो परिषद् या मीटिंग तुर्की में हुई उसमें

हिस्सा लेने के लिये सरकारजी वज्जारेते तालीम

से कितने नुमाइन्दे गये थे और उन के अलावा

कितने गैर सरकारी मुलाजिम गये थे।

[Shri Kamath: What was the number of official and non-official representatives who went to Turkey in order to participate in the Conference or the meeting which was convened in connection with this agreement?]

مولانا آزاد : کوئی نہیں۔ میں اس وقت خود ترکی میں موجود تھا اس لئے میں نے گورنمنٹ آف انڈیا کی طرف سے دستخط کئے۔

[Maulana Azad: None. I was myself in Turkey at that time and so I signed it on behalf of the Government of India.]

काका भगवन्तराय : क्या हुकूमत के जेरसौर कोई ऐसी तजवीज है कि आपस में तमदनी ताल्लुकात बढ़ाने के लिये कोई कमीशन बनाया जाय ?

[Kaka Bhagwant Roy: Is there any proposal under consideration of the Government that a Commission should be set up for promoting cultural relations?]

مولانا آزاد : کیا ترکی میں؟ ہاں اس ایگریمنٹ کا مطلب یہی ہے۔ لیکن یہ قبیل کی باتیں کہ اس بارے میں کیا کارروائی کی جائیگی اور کسی وقت کی جائیگی یہ چیزیں ابھی صاف نہیں ہوئی ہیں۔

[Maulana Azad: Does he mean in Turkey? Yes, this agreement is designed for just that purpose. But what action would be taken in this connection and when would it be taken, these things have not been clarified as yet.]

सथ गोविन्द दास : एग्रीमेण्ट तो हो गया है। लेकिन क्या माननीय मंत्री जी यह बता सकते हैं कि इस पर कार्रवाई करना शुरू कब तक हो जायगा ? पहला कदम कब तक उठाये जाने की सम्भावना है ?

[Seth Govind Das: No doubt the Agreement has been made. But can the hon. Minister say when would it be implemented, when is the first step in this connection likely to be taken?]

مولانا آزاد : آنریبل ممبر کو معلوم ہے کہ فائنل ایگریمنٹ کی وجہ سے گورنمنٹ کے قدم اس طرح کے کاموں

میں قدرتی طور پر سست ہو گئے ہیں۔

[Maulana Azad: The hon. Member knows that Government's speed in implementing such plans has naturally slowed down because of the financial stringency.]

UNESCO STAFF

*755. Shri Alexander: Will the Minister of Education be pleased to state:

(a) how many Indians there are on the UNESCO Staff in various grades;

(b) whether there is representation proportionate to our contribution and if not, what steps are being taken in the matter; and

(c) whether there is any special agency to recruit staff for the various U.N. Organisations and if so, whether we are being represented therein?

میسٹر آف ایجوکیشن: (مولانا آزاد)

(اے) یونسکو کے دفتر میں اس وقت ہندوستانی کام کر رہے ہیں۔

(بی) گورنمنٹ اس ریپریزینٹیشن کو کافی نہیں سمجھتی۔ اس نے بواب اس پر زور دیا ہے کہ ایشیا کا حصہ یونسکو کے سنٹرل دفتر میں اس سے زیادہ ہونا چاہئے جتنا اس وقت تک ہوا ہے۔ انڈین ڈیپلومکیشن نے پچھلے چار برسوں کے اندر ہمیشہ جنرل کانفرنس کو اس بات پر ترجیح دلائی ہے۔

(سی) نہیں اس طرح کی کوئی اجلاس نہیں ہے۔ یونسکو کے دفتر نے جو ریگولیشنز اس بات کے لئے بنائے ہیں ان کے مطابق وہ اپنا اسٹاف چلتا رہتا ہے۔

[The Minister of Education (Maulana Azad): There are at present, 9 Indian

nationals in various grades on the staff of the UNESCO Secretariat.

(b) The Government consider that the representation of Indian nationals on the UNESCO is not adequate. Government's view is that more Asians should be appointed on the staff of UNESCO consistent, of course, with efficiency. This view is put forward every year at the General Conference of UNESCO by the Indian Delegation.

(c) There is no special agency for the recruitment of staff to the various U.N. Organisations, the work being done by the appropriate Department of the Organisation concerned, in accordance with their Staff Regulations. The question of India's representation on the Agency, therefore does not arise.]

Shri Alexander: When any new posts are created or vacancies arise is it communicated to the Government of India so that they may give sufficient publicity to it and invite applications?

मौलाना آزاد : نہیں یونیسکو کے دفتر کے کام کا تعارف یہ ہے کہ جب کوئی جگہ پیدا ہوتی ہے تو وہ اسکا اپنے طور پر بلندیست کرتے ہیں۔ کبھی کبھی مختلف گورنمنٹوں کو بھی لکھتے ہیں لیکن بطور قاعدہ کے نہیں۔ چنانچہ حال میں انہوں نے ایک جگہ کے لئے گورنمنٹ آف انڈیا کو لکھا ہے اور ہم نے ایک آدمی دیا ہے۔

[**Maulana Azad:** No. The procedure of the UNESCO Secretariat is that whenever any vacancy arises, they arrange about it by themselves. Sometimes they write to various Governments as well but not as a rule. Recently they wrote to the Government of India in connection with a post and we have offered them the services of a man.]

सेठ गोविंद दास : माननीय मन्त्री जी ने अभी यह कहा कि चार वर्षों से इस बात का प्रयत्न हो रहा है कि वहां पर भारतीयों की संख्या बढ़ाई जाय। क्या इन चार वर्षों के प्रयत्न का कोई नतीजा अब तक निकला है और क्या भारतीयों की संख्या जो चार वर्ष पहले थी उससे कुछ बढ़ी है ?

[**Seth Govind Das:** The hon. Minister has just now stated that for the last four years efforts are being made to increase the number of Indians there. Have these efforts fructified in any way and has the number of Indians increased from what it was four years ago?]

मौलाना آزاد : جیسا کہ میں نے ابھی کہا ہمارا ڈیپلیمیشن برابر اس چیز پر زور دیتا رہا ہے۔ اور اسکا ایک حد تک نتیجہ نکلا ہے۔ پچھلی مرتبہ جب ڈائریکٹر جنرل انڈیا میں آئے تھے تو اس بارے میں مدبری بھی ان سے باتیں ہوئی تھیں اور انہوں نے وعدہ کیا تھا کہ جہاں تک ممکن ہوگا وہ کوشش کریں گے۔ پھر اس مرتبہ جب میں خود گیا تو میں نے یہ جاننے کی کوشش کی کہ یونیسکو کے سرکریٹریٹ کے استغاثہ کن تعداد کتنی ہے اور کس کس ملک کے کتنے کتنے لوگ ہیں۔ مجھے معلوم ہوا کہ جہاں تک ایشیا اور افریقہ کا تعلق ہے اس پر سینٹ (per cent) بھی ان کی تعداد نہیں ہے۔ چنانچہ میں نے جب یونیسکو میں تقریر کی تو اس میں خاص طور پر اس بات کا بھی ذکر کیا۔ ایشیا کے دوسرے ڈیپلیمیشن جو آئے ہوئے تھے انہوں نے بھی اس بات کو بہت اپپریشیٹ (appreciate) کیا۔ اور اپنی تقریروں میں اس کا حوالہ دیا۔ اور میں سمجھتا ہوں آئندہ بہتر نتیجہ نکلے گا۔

[**Maulana Azad:** As I have just now stated our delegation has been constantly stressing this point, and this has borne fruit to some extent. Last time when the Director-General of that

Organization came to India, I talked to him in this connection and he promised me that he would do it as far as possible. Again, when I went there myself this time, I tried to know the strength of the UNESCO Secretariat staff and the strength of the various countries represented on it. I came to know that so far as Asia and Africa were concerned, the number was not even ten per cent. of the total strength. I particularly stressed this point in my speech to the UNESCO; other Asian delegations too appreciated it and referred to it in their speeches. I think this would certainly bring forth some better results in future.]

श्री आर० सी० उपाध्याय : मैं यह

जानना चाहता हूँ कि हिन्दुस्तान के अलावा एशिया के और कितने लोग उष में थे ?

[Shri R. C. Upadhyaya: I want to know the number of Asians other than Indians working in that organization.]

मौलाना आज़द : نہیں ابھی - ۱۰۰

پاس یہ اندازہ شمار نہیں ہیں -

صرف ہلدوستان کے متعلق ہیں -

[Maulana Azad: The facts and figures are not available with me at this time. This is only about India.]

पंडित ठाकुर दास भार्गव : हिन्दुस्तान के कंट्रीब्यूशन (contribution) के तनासुब से वहां कितने आदमी हिन्दुस्तान के होने चाहिये और कितने आदमी एशिया के होने चाहिये और इन नौ आदमियों में से सुपीरियर स्टाफ़ (superior staff) के कितने आदमी हैं ।

[Pandit Thakur Das Bhargava: Keeping in view the contribution made by India, how many Indians and Asians ought to have been there? How many out of those nine persons are on the superior staff?]

मौलाना आज़द : اس کا ریشہ

(Ratio) نکالنا اس وقت مشکل

ہوگا - جو ہلدوستانی اس وقت

یونسکو کے دفتر میں ہیں، ان میں

ایک آدمی ہیجٹ آفسر ہے - کچھ

پروگرام اسٹلٹ ہیں - پروگرام

اسپیشلسٹ ہیں - میوری آڈی کوشش کے بعد ایک اونچی ذمہ داری کی - کچھ ڈپٹی ڈائریکٹر کی آفر (offer) کی گئی ہے - اس مہینے کی بھس تاریخ کو ہم یہاں سے ایک آدمی بھیج رہے ہیں -

[Maulana Azad: It would be difficult to work out this ratio at this time. But among the Indians working in the UNESCO Secretariat at present there is one who is a Budget Officer. Some of them are Programme Assistants and Programme Specialists. After my last efforts one high post of responsibility viz. that of a Deputy Director, has been offered to us and for that we are sending a man from here on the 20th instant.]

श्री कामत : वज़ीरे तालीम की उम शानदार तकरीर का जिस का जिक्र शिक्षा मंत्री ने किया, क्या ठोस परिणाम हुआ ?

[Shri Kamath: What have been the concrete results of the grand speech of the Minister of Education to which he has referred?]

मौलाना आज़द : میں نے ابھی کہا کہ

ڈائریکٹر جنرل نے مجھے بھروسہ دالیا

ہے کہ وہ اس بارے میں بوری کوشش

کریں گے - اس کے بعد سے اب تک

نہیں چکھوں کے لئے ہلدوستانہوں کو

آفر آچکے ہیں - جس میں سے ایک

کچھ اچھی ذمہ داری کی جگہ ہے -

ڈپٹی ڈائریکٹر کی -

[Maulana Azad: I have just now stated that the Director-General has assured me that he would try his best in this direction. After that three more posts have been offered to Indians, one of which is the responsible post of Deputy Director.]

Shri Deogirikar: What is our contribution to the UNESCO?

مौلانا آज़द : میں سمجھتا ہوں کہ

تیرہ لاکھ سالانہ دیا جا رہا ہے -

[Maulana Azad: I understand thirteen lakhs of rupees are being given annually.]

USE OF RADIO BY POLITICAL PARTIES

*756. **Shri S. N. Das:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the Government of India have considered and have taken decision regarding the question of allowing political parties to use the radio for propaganda purposes in the coming general elections; and

(b) if not, when this question will be considered?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) and (b). The attention of the hon. Member is invited to the reply given to starred question No. 639 on the 30th August 1951.

Shri S. N. Das: May I know whether the Government is aware that their decision in regard to this question has led the people to believe that Government is not going to act up to the principles of giving equal opportunities to all even in this respect?

Shri Diwakar: That is a misrepresentation of the facts.

Sardar B. S. Man: The previous answers that have been given on various occasions to this question relate entirely to political parties. May I know what is the position of the Government regarding the statements, speeches or other political observations of the Ministers at the Centre?

Shri Diwakar: This question is in connection with election propaganda and the reply was quite relevant to that question. If a new question is asked I am willing to give the reply.

Sardar B. S. Man: During the elections the present Ministry will be functioning. What will be the position of the Radio towards the speeches and statements of the Central Ministers who are party men?

Mr. Deputy-Speaker: This question is only in connection with propaganda for elections. But so long as Ministers are in the Government they are entitled to make observations or use the Radio for their own propaganda purposes.

Shri S. N. Das: May I know what were the points in favour of giving facilities to the political parties and what were the points against it that were taken into consideration by the Government when considering this question?

Mr. Deputy-Speaker: Are we having a debate on it? This is not a Resolutions day. Next question.

RECOMMENDATIONS OF SCIENTIFIC MAN-POWER COMMITTEE

*757. **Shri S. C. Samanta:** Will the Minister of Education be pleased to state:

(a) how many schemes recommended by the Scientific Man Power Committee have been implemented up till now;

(b) how much money has been spent for each scheme each year;

(c) how many are to be taken up in the near future;

(d) whether other schemes have been duly considered; and

(e) if so, whether any priority will be given to any of the schemes?

منسٹر آف ایجوکیشن (سولانا آزاد):

(ا) تین اسکیمیں عمل میں

لائی گئی ہیں۔

(1) ریج ٹریننگ اسکالرشپ

اسکیم -

(2) پریکٹیکل ٹریننگ

اسٹی پلانڈ اسکیم

(3) ریج اور پوسٹ گریجویٹ

ٹریننگ کے لیے

یونیورسٹیوں اور ریج

انسٹیٹیوٹوں کو گرانٹ

(بی) ایک اسٹیٹ منٹ ہاؤس

کے ٹیبلٹ پروڈکٹ کیا ہے -

[See Appendix V, annexure No. 24.]

(سی) نہیں کوئی اور اسکیم ابھی

نہیں منظور کی گئی ہے -

(ٹی) اور (ای) سائنٹفک میں باور

کمیٹی نے دو رپورٹیں تیار کی تھیں -

انڈیم رپورٹ اور فائنل رپورٹ -

انگریز رپورٹ کو سامنے رکھ کر گورنمنٹ نے یہ تین اسکیمیں منظور کر لیں جو چلائی جا رہی ہیں - فائیل رپورٹ نے ان اسکیموں کو اور زیادہ تیزی سے سہ چلانے پر زور دیا - اور فری شپ اور انٹرنل اسکالرشپ کی اسکیموں پر بھی ترجمہ دلائی - گورنمنٹ چاہتی ہے کہ آنے والے برسوں میں ان تین اسکیموں کے لئے کافی روپیہ رکھا جائے - سائٹنگ مہینے میں دوسری کی دوسری جو تجویزیں ہیں ان پر فوراً کرنا گورنمنٹ نے اس وقت ملتوی کر دیا ہے - پلاننگ کمیشن کے پانچ برس والے پلان کے ساتھ ان باتوں کا فیصلہ کیا جائیگا -

[The Minister of Education (Maulana Azad): (a) Three schemes are under implementation viz.—

- (i) Research Training Scholarship Scheme.
- (ii) Practical Training Stipends Scheme.
- (iii) Scheme for grants to Universities and Research Institutions for development of research and post-graduate training facilities.

(b) A statement showing the amounts spent is laid on the Table of the House. (See Appendix V, annexure No. 24.)

(c) No fresh schemes are proposed to be taken up during the next 5 years.

(d) and (e). The Scientific Man Power Committee submitted two reports viz. The Interim Report and the Final Report. The three schemes already mentioned are in pursuance of the recommendations contained in the interim report. The final report recommended the continuance and intensification of these three projects, besides the institution of free-ships and internal scholarships to be awarded on the basis of merit. It is proposed to make larger provision for the continuance of the above three pro-

jects during the coming years. Decisions on other recommendations have been postponed pending the formulation of Five Year Plan by Government on the advice of the Planning Commission.]

श्री एस० सी० सामन्त : क्या मैं माननीय मन्त्री जी से पूछ सकता हूँ कि जिन विद्यार्थियों को स्टैपेंड (stipend) दिया गया है उनमें से कितनों को वैदेशिक शिक्षा के लिये दिया गया है ?

[Shri S. C. Samanta: May I know from the hon. Minister the number of students who have been given stipends for studies in foreign countries?]

مولانا آزاد : اسکا جواب میں ابھی نہیں دے سکتا -

[Maulana Azad: I cannot give this information at this time.]

श्री एस० सी० सामन्त : प्रैक्टिकल रिसर्च के बारे में हम देखते हैं कि ७,२५० रुपये दिया गया है। क्या मैं जान सकता हूँ कि इंडिजिनस सिस्टम आफ़ मैडिसिन के लिये क्या दिया गया है ?

[Shri S. C. Samanta: We find that a sum of Rs. 7,250 has been given for practical research work. May I know how much has been given for the indigenous system of medicine?]

مولانا آزاد : چونکہ سوال صرف اس بارے میں تھا کہ کتنی اسکیمیں چلائی گئی ہیں - اس لئے یہ تفصیلات اس وقت میرے ساتھ نہیں ہیں -

[Maulana Azad: As the question related to the number of schemes only, all these details are not with me at this time.]

श्री एस० सी० सामन्त : मैं देखता हूँ कि ग्रांट्स टू यूनीवर्सिटीज़ एण्ड रिसर्च इंस्टीट्यूट्स (Grants to Universities and Research Institutes) में १९५०

५१ में बहुत कम रुपया दिया गया है ।
क्या मैं इसका कारण जान सकता हूँ ?

[Shri S. C. Samanta: I find that a very little amount has been allotted under the head "Grants to Universities and Research Institutes" during the year 1950-51. May I know the reason?]

مولانا آزاد : اس کے لئے نوٹس کی

ضرورت ہے ۔

[Maulana Azad: I require notice for that.]

RECOMMENDATIONS OF INCOME-TAX INVESTIGATION COMMISSION

*759. Shri S. N. Das: Will the Minister of Finance be pleased to state to what extent and in what form the recommendations of the Income Tax Investigation Commission regarding establishment of cordial relations between the Department and the public have been accepted and implemented by Government?

The Minister of State for Finance (Shri Tyagi): The recommendations of the Income-tax Investigation Commission with regard to the establishment of cordial relations between the Department and the public have been accepted by the Government fully. In important places like Bombay and Calcutta Complaints Sections were opened in 1949 in the offices of the Commissioners of Income-tax in order to deal expeditiously with all complaints of discourtesy, harassment, delay in granting refunds etc. It has now been decided to expand these Complaints Sections into regular offices, each under an officer to be styled as Public Relations Officer'. The officers appointed to these posts will be of the status of Assistant Commissioner of Income-tax. The question of extending this Scheme to Madras and other stations is under consideration.

Shri S. N. Das: May I know the number of Public Relations Officers that are going to be appointed for the purpose?

Shri Tyagi: Two for the present.

ADVANCES BY BANKS

*760. Shri Alexander: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that there is a greater demand for advances on banks in recent times and whether the major Banks are planning to increase the rate of interest for advances:

(b) whether any major Bank has done so; and

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(c) if so, whether it was with the approval of the Reserve Bank?

The Minister of Finance (Shri C. D. Deshmukh): (a) Presumably by 'recent times' the hon. Member is referring to the period covered by the last six or seven months and particularly the December, 1950 to May, 1951, busy season. During this period, there was comparatively greater demand for bank finance than in previous years, but since May last the demand is tapering off. Money rates generally tend to harden during the busy seasons on account of the increased demand for funds, but the rates revert to the old levels after the busy season is over. Government have no information on the subject whether the major banks are planning to increase generally the rate of interest for advances.

(b) During the last busy season the Imperial Bank of India and some other banks increased their discount rates by about $\frac{1}{2}$ per cent. From the 1st July, 1951, the Exchange Banks have raised their minimum rates for almost all classes of advances by $\frac{1}{2}$ to 1 per cent.

(c) The approval of the Reserve Bank is not required for raising the rates of interest charged by banks on their advances.

Shri Alexander: In those months there was an increase in the commodity prices. May I know whether the increase in the rate of interest did not affect adversely the trade and industry at that time?

Shri C. D. Deshmukh: Sir, I did not quite get the point of the question. Did the hon. Member say that during this period there was an increase in commodity prices.....?

Shri Alexander: Yes.

Shri C. D. Deshmukh:and therefore has the increase in the rate of interest affected the public?

Shri Alexander: Affected the industry and trade.

Shri C. D. Deshmukh: I don't know if there is any connection between the two. There has been an increase in commodity prices; that explains the greater advances by the banks and, therefore, the demand for money, and that increases the interest rate; and every increase in interest rate is bound to affect the borrower adversely in some way or the other.

EDUCATION IN STATES

*761. **Shri S. N. Das:** Will the Minister of Education be pleased to state:

(a) which of the State Governments have taken definite steps to enquire into the working of existing system of primary and secondary education;

(b) whether the system of primary and secondary education prevailing in India has been discussed in any of the conferences of Education Ministers of States convened by the Government of India; if so, with what result; and

(c) which of the States have been able to bring about changes in the system of education?

مستتر آف ایجوکیشن: (مولانا آزاد):

(اے) اور (سی) - ایک استیٹ مذمت

ہاؤس کے تھیل پر رقم دیا گیا ہے

[See Appendix V, annexure No. 25.]

(بی) ہاں - ایجوکیشن مستتر

کانفرنس میں جو جنوری سنہ ۱۹۴۸ء

میں ہوئی تھی - کانفرنس نے سفارش

کی تھی کہ یونیورسٹی کمپلٹی

ایجوکیشن کے لئے جو مدت تھرائی

کٹی ہے اسے کم کر دینا چاہئے - اور

سکلڈری ایجوکیشن پر فور کرنے کے لئے

ایک کمیشن بتھانا چاہئے۔

[The Minister of Education (Maulana Azad): (a) and (c). A statement indicating the steps taken by States themselves to enquire into the system of primary and secondary education and the changes brought about is laid on the Table. (See Appendix V, annexure No. 25.)

(b) Yes, at the Education Ministers' Conference held in January, 1948. The Conference *inter alia* recommended that the period of introduction of universal compulsory education should be substantially reduced and also favoured the appointment of a Commission on Secondary Education.]

WRITTEN ANSWERS TO QUESTIONS
PARTY SYMBOLS FOR ELECTIONS

*758. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Law be pleased to state what procedure Gov-

ernment propose to adopt for fixing up the symbols for different parties in view of the keen contest among certain parties for party symbols at the General Elections?

(b) Is it proposed to have symbols on the ballot boxes also?

(c) What steps are being taken to avoid confusion between Parliament and Assembly voting, especially in multi-member constituencies, if the two elections are held simultaneously?

The Minister of Law (Dr. Ambedkar): (a) Under the rules to be made under the Representation of the People Act, 1951, the responsibility for assigning symbols to particular parties and particular candidates is placed on the Election Commission. After discussing the matter with representatives of political parties the Election Commission has already allotted symbols to various all-India parties. It will in due course notify a list of symbols out of which the candidates will make their choice. The Returning Officers will thereafter assign symbols to particular candidates bearing in mind any general directions that may have been issued by the Election Commission. The decision of the Returning Officer will be final.

(b) Yes. The symbol assigned to each candidate will be pasted both inside and outside a ballot box.

(c) Voting for Parliamentary and Assembly elections will take place simultaneously, but there will be separate enclosures at each polling station. A voter will first vote for the Assembly elections and then proceed to the enclosure for the Parliamentary elections to record his vote there. Thus there will be no confusion.

TENDERS FOR CABLES

*762. **Sardar Hukam Singh:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether it is a fact that tenders were invited by Delhi State Electricity Board, New Delhi, for laying Cable and opened on the 21st May, 1951?

(b) Is it a fact that the highest tender of Rs. 67,410 was accepted while others offered to do the same work for Rs. 28,088/8/-?

(c) Were there any special reasons for subjecting the State to suffer a loss of Rs. 40,000?

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

(b) Yes, Sir. The lowest offer was for Rs. 28,087-8-0.

(c) The lowest tender was not accepted for the following reasons:

- (i) The rates tendered were considered unworkable for the satisfactory execution of the work; and
- (ii) The work of the tenderer was found by the engineer-in-charge unsatisfactory on previous occasions.

LOANS TO DISPLACED PERSONS

*763. **Dr. Ram Subhag Singh:** Will the Minister of Finance be pleased to state:

(a) the total number of applications received by Rehabilitation Finance Administration from displaced persons from West Pakistan;

(b) the number of persons to whom loans have been sanctioned;

(c) the total amount of money so far sanctioned as loans;

(d) the total amount of money actually paid as loans; and

(e) whether time-limit for receiving applications has been extended?

The Minister of Finance (Shri C. D. Deshmukh): (a) 16,730 applications were received from displaced persons from West Pakistan upto the 31st July, 1951.

(b) and (c). 5,700 applications were sanctioned for a total amount of Rs. 5.33 crores.

(d) Rs. 2.4 crores.

(e) Yes, Sir. The time limit for receiving applications from all categories of displaced persons, irrespective of the date of their migration, has been extended upto the 30th September, 1951.

FOREIGN VISIT OF INDIAN SHIPS

*764. **Shri Amolakh Chand:** (a) Will the Minister of Defence be pleased to state whether I.N.S. "Delhi" flagship and I.N.S. "Rajput" destroyer were sent towards East African and Madagascar waters for seven weeks?

(b) If so, what was the expenditure incurred thereon?

(c) When did they arrive in India?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) Yes. The two ships were on a regular cruise for training of officers and men.

(b) About Rs. 4.3 lakhs.

(c) I.N.S. "Delhi" arrived in India on the 17th July 1951 and I.N.S. "Rajput" on the 18th July 1951.

NATIONAL SAMPLE SURVEY DEPARTMENT

*765. **Shri Kishorimohan Tripathi:**

(a) Will the Minister of Finance be pleased to state whether the National Sample Survey Department has submitted any report of its survey?

(b) What is the total number of villages surveyed so far?

(c) Is the survey going to be extended to urban areas and if so, when?

The Minister of Finance (Shri C. D. Deshmukh): (a) No formal report has been submitted but a description of the survey and of the results so far obtained has been prepared and is being printed. This will be circulated to the hon. Members when ready.

(b) The number of villages surveyed so far has been 2,960 in two rounds.

(c) The survey has been extended to urban areas from August, 1951.

GOVERNMENT EMPLOYEES PAYING INCOME-TAX

*766. **Shri Kishorimohan Tripathi:** Will the Minister of Finance be pleased to state what is the total number of Government employees both under the Central and State Governments who pay income-tax?

The Minister of State for Finance (Shri Tyagi): The information asked for and a statement giving the incomes from salary and the taxes levied thereon are given below:

	1. No. of employees		
	1948-49	1949-50	±
Central Government.	59,845	39,516	—20,329
State Governments.	32,929	27,039	—5,890
Total Govt. employees.	92,774	66,555	—26,219
Non-Govt. employees	1,36,559	1,31,747	—4,812
Grand Total.	2,29,333	1,98,302	—31,031

2. Income and Income tax.

(In Crores of Rupees)

	1948-49	
	Salaries.	Income-tax.
Central Government	39.49	2.84
States Governments.	16.57	1.33
Total .	56.06	4.17

	1948-49	
	Salaries	Income-tax.
Non-Government employees.	74.28	8.28
Grand Total	130.34	12.45
<hr/>		
	1949-50	
	Salaries	Income-tax.
Central Government	23.82	1.84
States Governments	14.47	1.13
Total	38.29	2.97
<hr/>		
Non-Government employees.	79.58	9.64
Grand Total	117.87	12.61

Figures for the year 1950-51 are yet not available.

RURAL BANKING

***767. Shri Amolakh Chand:** Will the Minister of Finance be pleased to state whether the Government of India have decided to appoint a Committee recommended by the recent informal conference convened by the Reserve Bank of India regarding the rural credit requirements of the country?

The Minister of Finance (Shri C. D. Deshmukh): The Reserve Bank of India have appointed a small committee under the chairmanship of Mr. A. D. Gorwala, to plan, organize and interpret a Rural Credit Survey on an All-India basis.

REPORT ON THE QUAKE AND FLOOD-STRICKEN AREAS OF ASSAM

***768. Shri Amolakh Chand:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the Garg Committee appointed in February 1951 for the reconnaissance of the earthquake and flood-affected areas in North-East Assam has submitted its report; and

(b) if so, whether Government propose to lay a copy of the report on the Table of the House?

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

(b) The Committee was appointed by the Government of Assam and the report has been submitted to that Government. The Government of India are therefore not in a position to place the Report on the Table of the House.

PROTECTION TO BANKS AGAINST DACOITIES

***769. Shri Sidhva:** (a) Will the Minister of Finance be pleased to state whether the Reserve Bank has been approached by the various Banks in Bombay to supply foolproof cabinets to carry cash from place to place?

(b) If so, what steps have the Reserve Bank taken in this direction?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). I would invite the attention of the hon. Member to the reply given by me on the 16th May, 1951, to the Starred Question No. 4188. The Reserve Bank have since worked out a Scheme for affording protection to cash in transit between the Banks' offices and the Reserve Bank in Bombay. The Scheme was introduced on the 1st June, 1951, and 24 banks have joined the Scheme.

TRIBAL CHRISTIANS AND GENERAL ELECTIONS

***770. Shri S. C. Samanta:** Will the Minister of Law be pleased to state:

(a) whether tribal Christians (Adibasis) will be debarred from contesting the coming general elections from Scheduled tribes constituencies as scheduled tribes candidates; and

(b) if there be no bar, whether their elections will be questioned in and taken up as election disputes by the Election Tribunals?

The Minister of Law (Dr. Ambedkar): (a) The hon. Member is in effect asking me for an interpretation of the relevant legal provisions contained in the Representation of the People Act, 1951, and the Constitution (Scheduled Tribes) Order, 1950. A candidate for a seat reserved for the scheduled tribes in any State must be a member of a scheduled tribe as listed in the Scheduled Tribes Order of the President. I cannot say whether the persons referred to in the question as "tribal Christians" are members of any scheduled tribe or not.

As regards part (b) of the question the attention of the hon. Member is invited to section 100 of the Representation of the People Act, 1951, which contains the grounds on which an election may be called in question. In particular, he may see sub-section (1), clause (c).

BROADCAST IN NON-INDIAN LANGUAGES

*771. **Shri Raj Kanwar:** Will the Minister of **Information and Broadcasting** be pleased to state the non-Indian languages in which news is regularly broadcast by the All-India-Radio for the benefit of listeners in foreign countries?

The Minister of State for Information and Broadcasting (Shri Diwakar): All India Radio regularly broadcast news in the following non-Indian languages in the following non-Indian languages: Afghan-Persian, Arabic, Burmese, Chinese (Kuoyu, Cantonese), English, Gorkhali, Indonesian, Persian, Potho'ari (Dialect), and Pushtu.

FOREIGN TOURS OF MINISTERS

*772. **Shri Rathnaswamy:** Will the Minister of **Home Affairs** be pleased to state:

(a) how many Ministers of the Central Cabinet undertook foreign tours during the last six months;

(b) whether these tours were official or otherwise; and

(c) whether any expenditure was incurred by Government on account of these tours and if so, to what extent?

The Minister of Home Affairs (Shri Rajagopalachari): (a) Six.

(b) All Official.

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

STATEMENT

	Rs.
The hon. the Prime Minister ...	3,500
The hon. Minister of State for Information and Broadcasting.	360
The hon. Minister for Food and Agriculture.	1,100
The hon. Deputy Minister for Commerce and Industry.	210
The hon. Minister for Health ...	*
The hon. Minister for Education	45,000

NOTE.—The figures are approximate only as all bills have not been received yet.

* The cost of her passage to Geneva and back has been borne by World Health Organisation. The Government of India have to bear only the cost of her passage from Geneva to London and back and daily and other allowances.

NATIONAL CADET CORPS

*773. **Shri Ganamukhi:** Will the Minister of **Defence** be pleased to state in how many States the air wing of the N.C.C. is functioning?

The Deputy Minister of Defence (Major-General Himatsinhji): Three, viz., Bombay, West Bengal and Madras.

EDUCATION (RECOMMENDATIONS OF CENTRAL BOARD OF EDUCATION)

*774. **Shri M. Naik:** (a) Will the Minister of **Education** be pleased to state whether it is a fact that the Central Advisory Board of Education has recommended that if education is to make quick and satisfactory progress, the State should assume direct responsibility for education?

(b) If so, have Government taken any decision to implement the recommendation?

The Minister of Education (Maulana Azad): (a) and (b). Yes. The Central Advisory Board of Education while dealing with the question of Administration in their Report on Post-War Educational Development in India, recommended that Provincial Governments would be well-advised to resume all educational powers from local bodies except where they are functioning efficiently. The Report of this Board which has been generally accepted by all State Governments was forwarded to them for appropriate action.

HINDI (PROPAGATION)

*775. **Seth Govind Das:** (a) Will the Minister of **Education** be pleased to state what progress has so far been made to implement the decisions of the Conference convened in June, 1951, for the propagation of Hindi in non-Hindi speaking areas?

(b) Has the All-India Board been formed as decided by the Conference?

(c) What will be the functions of this Board?

(d) Will this Board take over all the work that is being done at present by different Hindi institutions e.g. Rashtra Bhasha Prachar Samiti of Wardha, Dakshina Bharat Hindi Prachar Sabha of Madras etc., or will it only help and guide these institutions?

The Minister of Education (Maulana Azad): (a) Formal approval of Government has been obtained for the formation of the All-India Board

(Hindi Siksha Samiti) and the Regional Boards as recommended by the Conference. Steps are being taken to provide the necessary funds in the Budget.

(b) The all-India Board (Hindi Siksha Samiti) is in the process of being set up.

(c) The following will be the functions of the Board:

- (1) Laying down the standards for teaching and examinations, and approving books and syllabuses for examinations and teaching.
- (2) Organising teaching and opening of classes for teaching.
- (3) Organising examinations and giving recognition to awards for proficiency in Hindi.
- (4) Making arrangements for training teachers.
- (5) Making arrangements for training Hindi short-hand writers, telegraphists, typists, persons for Secretariat work, etc.
- (6) Advising States and Universities on matters relating to the teaching and examination in Hindi.
- (7) Coordinating the activities of various official and non-official organisations working for the propagation of Hindi in non-Hindi speaking areas.
- (8) Encouraging and arranging for the preparation and publication of books for teaching and examinations.
- (9) Recommending to Central and State Governments financial assistance for the propagation of Hindi in non-Hindi areas.

(d) No, the Board will help and direct the activities of the institutions working in this field.

TECHNICAL TERMS IN HINDI

*776. **Seth Govind Das:** (a) Will the Minister of Education be pleased to state what arrangements have been made to prepare technical terms in Hindi in the Secretariat of the Ministry?

(b) What Officers have been put in charge of this work?

(c) Have these Officers any previous experience of the work of propagating Hindi?

(d) Do they know Hindi and if so, what are their qualifications in Hindi language?

The Minister of Education (Maulana Azad): (a) The attention of the hon. Member is invited to my reply on 30th August 1951 to his Question No. 670. Of the 10 Committees of the Board, one will deal with 'Social Sciences and Administration Subjects' and will cover, among other things, technical terms in use in the Secretariat.

Another Committee will cover technical terms in use in the Defence Services.

(b) to (d). The official set up for the preparation of technical terms in Hindi is under Government's consideration.

CATEGORIES OF DIFFERENT GRADES OF OFFICERS

*777. **Ch. Ranbir Singh:** (a) Will the Minister of Home Affairs be pleased to state in what manner, categorisation of different grades of officers under the Central Secretariat Re-organisation Scheme has increased the intrinsic worth of the individual officer?

(b) What extra training or education has been imparted to these officers on the basis of which they have been declared fit to hold posts, previously reserved for the I.C.S., with at least ten or twelve years' executive and judicial background knowledge?

(c) In what manner is the Re-organisation Scheme supposed to be beneficial?

(d) Is it a fact that the details of the Re-organisation Scheme as worked out by these junior officers have created many anomalies in service matters and that many deserving persons will suffer a lot in their prospects as a result of the arbitrary decisions of the Special Recruitment Board on their worth and merit?

The Minister of Home Affairs (Shri Rajagopalachari): (a) Grading of officers cannot obviously add to their intrinsic worth. It brings to light relative differences in their merit and suitability for the different grades of posts in the Central Secretariat and thereby facilitates more efficient utilisation of the services of these officers.

(b) I presume the hon. Member is referring to posts of Deputy Secretary. The Scheme referred to by him does not deal with such posts and the gradings effected under this Scheme are not, therefore, meant to be selections for posts of Deputy Secretary.

A misconception has possibly arisen on account of the fact that in assessing the relative merits of officers eligible for appointment to the grade of Under Secretary, account has been taken of their actual experience in holding

posts of higher responsibility in a temporary or officiating capacity and thereby displaying their suitability for holding full charge of, or trial in, such posts.

(c) The circumstances in which the Scheme was framed and the purposes which it was intended to serve were fully explained in paragraphs 1 to 10 of Section III of the Review of the Activities of the Home Ministry for the year 1948, to which the attention of the hon. Member is invited.

The benefits intended to be secured by the Scheme are briefly as follows:

(i) there is an unduly large proportion of officers without permanent appointment. As large a number as possible will receive permanent appointment under the Scheme;

(ii) owing to the manner in which officers were recruited and promoted during the war and subsequently, no uniform standards of merit or suitability could be maintained. The Reorganisation Scheme enables an assessment to be made by a competent and impartial authority on uniform lines of the merit and suitability of all officers of all Ministries in relation to the different grades of posts in the Secretariat; and

(iii) apart from initial readjustments of personnel to posts, the Scheme provides for a systematic arrangement in the future in respect of recruitment, promotion and interchange of officers between Secretariat posts and non-Secretariat posts so as to ensure more efficient manning of all posts up to the grade of Under Secretary and to provide one of the sources of supply of officers required for higher posts.

(d) No. It is not correct to say that the Scheme has been worked out by Junior officers or the decisions of the Special Recruitment Board are arbitrary. It is possible that many persons have not been graded as high as they might have expected but this cannot be regarded as an anomaly or an infringement of legitimate service rights and expectations.

SCHOOLS IN DELHI

*778. **Shri Dwivedi:** Will the Minister of Education be pleased to state:

(a) the number of primary, secondary and other schools in the State of Delhi

in the years 1945, 1946, 1947, 1948, 1949 and 1950;

(b) whether the number of schools is commensurate with the increased population of the State of Delhi as at present;

(c) the steps that are being taken to cope with the situation of affording at least primary education facilities to all children in this State;

(d) whether double or treble shifts are going on in any schools; and

(e) if not, why the shift system is not being adopted for the time being, particularly in view of shortage of school buildings?

The Minister of Education (Maulana Azad): (a) The information is being collected and will be laid on the Table of the House in due course.

(b) No, Sir.

(c) A five-year scheme for free compulsory Junior Basic Education in the rural areas of Delhi State for the children in the age-group 6—11 was introduced in 1948-49 and the scheme is expected to be completed in 1952-53. Primary Education in the urban areas of Delhi is the responsibility of the Local Bodies.

(d) Yes, in the urban areas wherever conditions are favourable.

(e) Does not arise.

EXPENDITURE ON EDUCATION

*779. **Shri Dwivedi:** Will the Minister of Education be pleased to state:

(a) the percentage of expenditure that is being incurred by Part C States on (i) Rural and urban education; (ii) Primary and adult education; and (iii) Primary, Secondary and University education;

(b) whether it is a fact that a very low percentage of expenditure is being incurred on education in Part 'C' States other than Delhi, Ajmer and Coorg;

(c) whether steps are being taken to bring up the levels of these States; and

(d) the time likely to be taken in this direction?

The Minister of Education (Maulana Azad): (a) and (b). The information is being collected and will be laid on the Table of the House in due course.

(c) Yes, Sir.

(d) This will depend upon the money available for education in these areas. What is holding up the progress at present is lack of funds.

ELECTRICITY (PRODUCTION)

*780. **Gisli G. S. Musafir:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the capacity of the Delhi Electric Supply Co. to produce electricity per day; and

(b) the quantity of electricity produced by Delhi Electric Supply Co. consumed per day?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) The installed capacity of the Delhi State Electricity Board—it is presumed the hon. Member is referring to that—is 38,200 k.w. and the effective or safe generating capacity from April 1951, 28,000 k.w. or 0.672 million units per day.

(b) 0.425 to 0.454 million units.

REPORT ON WORKING OF INCOME-TAX INVESTIGATION COMMISSION

*781. **Shri Mohan Lal Saksena:** (a) Will the Minister of Finance be pleased to state whether the attention of Government has been drawn to the case of an assessee referred to on page 7, para. (vi) of the Report on the working of the Income-tax Investigation Commission during 1950 who was acting as an adviser to the Government of India?

(b) If so, has any action been taken against the person for having used his high position to 'feather his own nest' and who also, while pretending to serve Government without remuneration, paid himself with profits made at the cost of Government on transactions he was entrusted with?

(c) How long did this gentleman work as an adviser and in which Ministry was he working?

(d) If no action has been taken so far, what are the reasons?

The Minister of State for Finance (Shri Tyagi): (a) Yes, Sir.

(b) Yes, under the penal provisions in the Income-tax Act and the Excess Profits Tax Act for evasion of tax.

(c) This gentleman worked for a short time during the war in a Department connected with the procurement of supplies. Section 54 of the Income-tax Act and section 8(8) of the Taxation on Income (Investigation Commission) Act debar the disclosure of any further details.

(d) Does not arise.

OXFORD SCHOOL ATLAS (1949)

*782. **Shri Kamath:** Will the Minister of Education be pleased to state:

(a) whether the attention of Government has been drawn to the Oxford School Atlas (1949) *Bharat wa Pakistan ke Mar: Chitra Sahit*, John Bartholomew, 1949, Calcutta, Madras, Bombay, Hindi Edition, published by the Oxford University Press (Indian Branch);

(b) whether on pages 12-13 thereof, the boundaries of Pakistan are shown extended in India, Kashmir is shown divided with Kashmir Valley included in Pakistan, and only Ladakh and Jammu are shown in India; and West Pakistan boundary is shown extended up to 78° Longitude instead of 75.3° in the east, thus covering Thar desert, a big slice of Rajasthan and Gujarat; and

(c) whether the Atlas is prescribed in our schools, and if so, the reasons for not proscribing it?

The Minister of Education (Maulana Azad): (a) Yes.

(b) The matter is under examination.

(c) The necessary information is being collected and a statement in this behalf will be laid on the Table of the House in due course.

MACHKUND PROJECT

*783. **Shri P. Kodanda Ramiah:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the progress so far made in the Machkund Project; and

(b) how long it will take to generate power from that Project?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). The information is being collected from the Madras Government, and will on receipt be laid on the Table of the House.

INDIAN BORDER PERMIT CHECKING STATION

*784. **Shri P. Kodanda Ramiah:** (a) Will the Minister of Defence be pleased to state whether Government are aware that visitors to Kashmir have to appear personally before the checking officer of the Indian Border Permit Checking Station and have to wait for a long time for their turn?

(b) If so, have any arrangements been made for their shelter and seating accommodation?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) and (b). The visitors have to appear personally for the checking of their Kashmir entry permits. No special arrangements for their shelter and seating accommodation have been made at the check post, and the permit holders usually wait in their lorries while check is going on. The check takes 45 minutes to 90 minutes.

SALES-TAX

***785. Prof. K. T. Shah:** (a) Will the Minister of Finance be pleased to state whether Government are aware that some State Governments are not fully adhering to the provisions contained in Clause 3 of Article 286 of the Constitution and are levying Sales Tax on transactions which are outside their respective States, or on sales in the course of inter-state trade and commerce?

(b) Is any Sales Tax levied on bunker oil and stores purchased for consumption by a ship by the State where the ship's voyage begins along the coastal waters of India and ending in another State?

The Minister of Finance (Shri C. D. Deshmukh): (a) Clause (3) of Article 286 of the Constitution does not as yet impose any restriction on the powers of State Governments to levy sales tax. The first part of the question does not, therefore, arise. Government of India have received a few communications from individual parties alleging that certain State Governments are still levying Sales Tax on transactions which are outside their respective States, or on sales occurring in the course of inter-State trade and commerce against the provisions of clauses (1) and (2) of Article 286 of the Constitution. It is not possible to say how far these allegations are correct, as this involves the correct interpretation of the particular provisions in question which can only be done by a Court of Law. The Government of India have, however, pointed out to the State Governments the extreme importance of ensuring that their laws and procedure regarding levy of sales tax conform strictly to the provision of the Constitution.

(b) Government of India have no information. This matter is wholly regulated by the law and procedure prescribed by State Government.

SALES TAX ON SHIPS

***786. Prof. K. T. Shah:** (a) Will the Minister of Finance be pleased to state what is the procedure regarding Sales
240PSD

Tax on ships engaged in the over-sea trade of India for purchase of Bunker oil and stores for the ships concerned with special reference to the consumption of these commodities by the ship outside the Indian territory?

(b) Is coal for ships placed on the same footing as Bunker oil for purposes of Sales Tax?

(c) Are Government aware that States are today levying Sales Tax on the sales of these commodities to ships?

(d) What articles are exempted from the levy of Sales Tax and for what reasons?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). Under the Constitution, Sales Tax falls within the purview of the State Governments and is levied by them, and the Government of India have no information about the particular matters on which information is sought by the hon. Member.

(d) These vary from State to State. Here again, the Government of India have not got complete information.

EPIDEMIC AT BOKARO THERMAL SITE

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

(a) the number of attacks of Cholera and Small-pox at Tilaiya, Kenar Bokaro Thermal site in the years 1950 and 1951; and

(b) the number of deaths?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). A statement giving the required information is laid on the Table of the House. [See Appendix V, annexure No. 26.]

OFFICERS IN MINISTRY OF FINANCE

168. Prof. K. T. Shah: Will the Minister of Finance be pleased to state:

(a) the number of (i) Gazetted, and (ii) non-Gazetted officers, clerks and class IV servants in his Secretariat on: (i) 15th August, 1947; (ii) 31st March, 1948; (iii) 31st March, 1949; (iv) 31st March, 1950; and (v) 31st March, 1951; and

(b) the number of the officers, clerks and class IV servants appointed temporarily in the first instance and subsequently (i) made permanent; (ii) retired or (iii) retrenched, during each of the years 1947-48 (Post-partition) 1948-49, 1949-50, and 1950-51?

The Minister of Finance (Shri C. D. Sharmukh): The particulars are as follows:

(a)

Date	Number of Gazetted Officers	Number of non-gazetted Officers, clerks and Class IV servants
15-8-47	208	1,457
31-3-48	193	1,535
31-3-49	194	1,633
31-3-50	200	1,679
31-3-51	204	1,682

(b) (i) Number of temporary persons made permanent.

Years	Gazetted Officers	Non-Gazetted Officers, clerks and Class IV servants
1947-48 (Post-partition).	..	12
1948-49 . . . . .	..	84
1949-50 . . . . .	..	12
1950-51	1	18

(ii) Number of temporary persons retired.
NIL.

(iii) Number of temporary persons retrenched.

1947-48 (post-partition)	..	10
1948-49 . . . . .	..	..
1949-50 . . . . .	..	..
1950-51 . . . . .	..	..

BODIES SUBORDINATE TO HEALTH MINISTRY

169. **Shri S. N. Das:** Will the Minister of Health be pleased to state:

(a) the number and names of statutory and non-statutory bodies of permanent nature functioning under the administrative control of her Ministry giving the following information in each case:

- (i) the year of their constitution;
- (ii) the recurring annual expenditure incurred by them;
- (iii) the provision for the audit of their accounts; and
- (iv) the method of submission of the report of their activities;

(b) the number and names of such *ad-hoc* committees as were appointed by the Ministry since after the 15th of August, 1947 and which have finished their work; and

(c) the number and names of *ad-hoc* committees which are still functioning, giving the date of their appointment and the time by which they are expected to finish their work?

The Minister of Health and Communications (Rajkumari Amrit Kaur): (a) A statement giving the requisite information is placed on the Table of the House. [See Appendix V, annexure No. 27.]

(b) The number of these committees is eight and their names are:

- (1) Homoeopathic Enquiry Committee,
- (2) Ayurvedic and Unani Research Committee,
- (3) Local Finance Enquiry Committee,
- (4) Delhi Improvement Trust Enquiry Committee,
- (5) Mulgaokar Committee for the Government Housing Factory,
- (6) Technical Committee for the Government Housing Factory,
- (7) Environmental Hygiene Committee, and
- (8) Central Leprosy Teaching and Research Institute Committee.

(c) The number of these Committees is two and they are the Indian Pharmacopoeia Committee (appointed on 23rd November, 1948) and the Rural Medical Relief Enquiry Committee (appointed on 19th November, 1948). The first mentioned Committee has been created for a period of 5 years in the first instance and may eventually be made permanent. Its functions are to prepare and keep up-to-date the Indian Pharmacopoeia. The second Committee has completed its work and its report is expected shortly.

BODIES SUBORDINATE TO N. R. AND S. R. MINISTRY

170. **Shri S. N. Das:** Will the Minister of Natural Resources and Scientific Research be pleased to state the recurring annual expenditure incurred by statutory and non-statutory bodies of permanent nature functioning under the administrative control of his Ministry and the provision for audit of their accounts?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): A statement giving the required information is laid on the Table of the House. [See Appendix V, annexure No. 28.]

U.S. TECHNICAL AID UNDER POINT FOUR PROGRAMME

171. Shri S. N. Das: (a) Will the Minister of Finance be pleased to state the total number of technicians that the Government of India have asked from the U.S.A. under the President Truman's Point Four Programme?

(b) How many of them have already arrived and are working in their allotted spheres?

(c) How many of those that have arrived are experts in agriculture and how many are experts in other subjects?

The Minister of Finance (Shri C. D. Deshmukh): (a) Eighty-eight.

(b) Twelve.

(c) Six are experts in agricultural subjects, two in applied geology, one in the manufacture of biological products, one in hydro-electric construction, one in the manufacture of sulphuric acid from gypsum and one in social education.

USE OF AEROPLANES BY OFFICERS OF DEFENCE MINISTRY

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

(a) the number of officers in the Ministry of Defence and armed forces who travelled by special aeroplanes other than the scheduled aircrafts during the year 1950 and up to date in 1951;

(b) whether all of them travelled official business and whether any members of the officials also accompanied them;

(c) the objects of their utilisation of special aircrafts instead of utilising scheduled aircrafts; and

(d) whether the present arrangement is likely to be continued?

The Deputy Minister of Defence (Major-General Himatsinghji): (a) Si

(b) No one is authorised to use these aircraft except on official business. Two of the Service Chiefs were accompanied by their wives on some occasions; because of the welfare duties they perform, such journeys are permissible under the rules.

(c) It is not possible to explain in respect of each journey why the scheduled aircraft could not have been used and why the V.I.P. aircraft was used. In some cases the necessity for using the special aircraft arose from the fact that no scheduled service existed; in some other cases the necessity arose from the fact that the journeys had to be undertaken and completed within a fixed period of time; on yet other occasions the necessity presumably arose on account of service requirements. In all cases the journeys were in accordance with the existing rules.

(d) The present arrangements will continue until they are modified as a result of the review which is now being carried out.

Tuesday, 4th September, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

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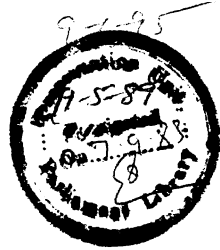
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(30th August, 1951 to 22nd September, 1951)

Fourth Session
of the

PARLIAMENT OF INDIA

1951



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PARLIAMENT OF INDIA

Tuesday, 4th September, 1951

The House met at Half Past Eight of
the Clock

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-30 A.M.

MOTIONS FOR ADJOURNMENT

**ACCIDENT ON SHAHDARA-SAHARANPUR
LIGHT RAILWAY**

Mr. Deputy-Speaker: I have received notice of an adjournment motion from Mr. Guha relating to "the serious accident that occurred yesterday on the Shadara-Saharanpur Light Railway which is due to the failure of the Government to take over all private owned railways."

The Minister of State for Transport and Railways (Shri Santhanam): It is unfortunate that there should have been this serious accident, but I do not see any connection between it and the management. Recently, there was an accident on the Assam Railway. Is it argued therefore that we should transfer that railway to private management? And then it is stated that this accident is due to the failure of Government to take over all private owned railways. There is no obligation at all on the part of Government. It is a question of major financial and other policies.

Mr. Deputy-Speaker: Whatever may be the form in which the adjournment motion has been put, it is the seriousness of the accident that is brought to the notice of Government.

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Shri Santhanam: If it is an accident, it will be enquired into by the Government Inspector and there is no further responsibility of the Government in the matter. So, I do not see how any adjournment motion will serve the purpose.

Mr. Deputy-Speaker: The Bill relating to Railways is under consideration. The hon. Minister can gather all materials and information about this accident and place it before the House. The hon. Member who has given notice of the adjournment motion has got an opportunity to debate it when the Bill comes up today.

Shri A. C. Guha (West Bengal): Yesterday also, that Bill was debated. According to me, this Bill is quite inadequate to serve the purpose. It was pointed out yesterday by another hon. Member that in this particular Railway there is no level crossing; there are no doors in the bogies; there is no measure of security taken. It is a very serious matter indeed. Government have been neglecting this matter and allowing a private party to run this railway to the detriment of the travelling public and permitting it at the same time to make profits out of it. According to the Constitution, Railway is No. 22 in the Union List. In view of that, I do not see why these Light Railways should be allowed to be run by private parties.

Shri Sidhva (Madhya Pradesh): The hon. Member just now referred to me as having stated yesterday that this railway is not working satisfactorily. True, but at the same time I stated that it is not worth Government's while taking over these wretched and ramshackle lines at very heavy cost. I am not in favour of Government taking over these lines and incurring a loss to the State.

Shri A. C. Guha: Does that mean that the Government should allow these 'wretched and ramshackle' lines to be run by private parties, resulting in the death and discomforts of so many persons?

Mr. Deputy-Speaker: We are now having a regular discussion on this motion. Before I make up my mind whether to allow or to disallow this adjournment motion, I would like to state that this is a very serious matter. The hon. Minister of State for Railways cannot easily say, 'It is not my business to take over these railways'. Railways are the monopoly of the Government. It is for them to allow or not to allow such useless railways to carry on in the interests of public safety. Since this accident has occurred only recently, the hon. Minister will gather sufficient information and place it before the House. But I do not think that on that ground Government can say that it is not their duty to attend to this matter. I think it is the duty of the Government to safeguard the interests of all concerned. I cannot accept that statement.

The Minister of States, Transport and Railways (Shri Gopaldaswami): May I say a word, Sir? I think that the notice of the adjournment motion has been given because of an accident on a particular railway. The facts relating to that accident are coming in and if the House wants to be possessed of the information as regards the details of the accident, we shall certainly collect all the facts and give them to the House either in answer to a short notice question or in the form of a statement. But what this adjournment motion seeks to do is to tack on to a request for information and discussion of the particular accident a statement of policy on the part of the Government to the effect that they should take over all privately owned railway undertakings. That, I submit, cannot be the subject of an adjournment motion. I certainly will be prepared to discuss that matter on a proper motion. If for instance that issue is raised in the course of the debate on the Bill which my hon. colleague is now piloting, by all means let the mover raise it and we will discuss that question.

Mr. Deputy-Speaker: In view of the statement made by the hon. Minister that he is willing to give sufficient details particularly with respect to this accident, and also his statement that the policy will be discussed on the bigger issue that is pending before the House, if it is relevant there, I do not think it is necessary to allow this adjournment motion. A short notice question may be put or the hon. Minister of his own accord may gather sufficient information in view of the importance and seriousness of the accident and then place it before the House.

MADRAS HIGH COURT DECISION re. NOTIFICATION UNDER COTTON CONTROL ORDER OF 1951

Mr. Deputy-Speaker: I have received notice of another adjournment motion. Unfortunately, it was not placed before me in time. It was given notice of at 8-25 A.M. It seeks to discuss "the decision of the Madras High Court declaring unconstitutional and void the notification under the Cotton Control Order of 1951 prohibiting purchase and sale of cotton in certain specified areas except to the nominees specified in the notification and the grave situation arising therefrom." The motion consists of two parts. One is the decision of the Madras High Court, over which we have no control. This House cannot sit in judgment over the decisions of High Courts.

Dr. Deshmukh (Madhya Pradesh): But the notification has been issued by the Government of India.

Mr. Deputy-Speaker: Whatever that may be both the Government and the people are bound by the decisions of High Courts.

Now, to come to the second part of the adjournment motion, namely, the "grave situation arising therefrom", I do not know what is the grave situation.

Dr. Deshmukh: I can explain.

The Minister of Commerce and Industry (Shri Mahtab): I will explain, Sir. This Cotton Control Order restricting the sale of cotton to the nominees of the Textile Commissioner in the respective regions has been issued by the Textile Commissioner in the various local State Gazettes.

Dr. Deshmukh: Under directions from the Central Government.

Mr. Deputy-Speaker: No interruptions please. Let him proceed.

Shri Mahtab: In this particular case, the notification which was issued in the Madras Gazette was called in question in the Madras High Court and the High Court has given a judgment that that notification is unconstitutional and void. The result of this judgment would be that that region would be open now. Anybody can go and purchase cotton in that region, thus accentuating the rise in the price of cotton in that area. We cannot control the price of cotton if the Madras High Court judgment has its own way. The effects of that order and the legal aspect of the matter are now being examined not only in our Law Ministry here, but by the Cotton Control Committee. That Committee is examining it with all cotton interests and if neces-

sary that order will be modified to meet the exigencies of the law. If necessary, we may even move the Supreme Court in order to seek a revision of the High Court judgment. All these steps will be taken after due consultation. But today there is not going to be any so-called harmful effect because the cotton season is over. Whatever effect this judgment will have, it will have only when the next harvest comes in.

Dr. Deshmukh: That is not very far.

Shri Mahtab: The next harvest will come in in October or November. Steps will be taken in time, so that the price of cotton will be kept under control. That is the main object.

Dr. Deshmukh: If I may say so, this is a very serious situation because not only the interests of the millions of farmers are affected but this also raises a constitutional issue. The House and the country would like to know what steps Government are going to take to solve the particular situation that has arisen. For a long time in Madras and the other cotton growing areas like Madhya Pradesh and Punjab these orders have been in existence and so all these people are likely to be affected. I would hence request the hon. Minister to place before the House as early as possible a statement showing what steps he proposes to take so as to protect the interests of the farmers in these areas.

Prof. Ranga (Madras): Farmers would be benefited.

Mr. Deputy-Speaker: When was the judgment delivered?

Dr. Deshmukh: On the 1st of this month.

Shri Mahtab: As a matter of fact, we have written for a copy of the judgment. We have read from the newspapers that it has been delivered.

Mr. Deputy-Speaker: The judgment is said to have been delivered on the 1st of this month, and the Government is not at all remiss. It is taking every step possible. It does take time to consider whether an appeal or a revision has to be filed and what other steps have to be taken. Therefore, I do not think there is any remissness on the part of Government. It is not necessary to pursue this matter in view of the statement that has been made by the hon. Minister.

Dr. Deshmukh: Let us make one departure at least by admitting this motion.

Mr. Deputy-Speaker: I do not allow the motion.

We shall now proceed to other business.

PAPERS LAID ON THE TABLE

REPORT OF INDIAN DELEGATION TO FOURTH WORLD HEALTH ASSEMBLY

The Minister of Health and Communications (Rajkumari Amrit Kaur): I beg to lay on the Table a copy of the Report of the Indian Delegation to the Fourth World Health Assembly held in Geneva in 1951. [Placed in Library. See No. IV.E.D.(19)]

GANESH CHATURTHI FESTIVAL

Shri Kamath (Madhya Pradesh): Before the House proceeds to other business, will you permit me to invite your attention to the fact that tomorrow is a very important festival—Ganesh Chaturthi—and it is a closed holiday in South India, Western India and Central India. May I therefore submit that the House may not sit tomorrow and the business of tomorrow may be transferred to some Saturday or some other day convenient?

The Prime Minister and the Leader of the House (Shri Jawaharlal Nehru): May I suggest to the hon. Member and the House that the best way to observe a festival is to work hard for the service of the nation.

Shri Kamath: Will that apply to all festivals on which holidays have been declared by Government?

Shri Jawaharlal Nehru: It will not apply to all holidays because a sudden change in this direction might have an upsetting effect on many people's minds. But I should like a gradual adoption of that principle, so that ultimately it might apply to most holidays.

Mr. Deputy-Speaker: It is true that it is a very important festival—I can speak from my experience of the South.

Dr. Deshmukh (Madhya Pradesh): And also in Maharashtra.

Mr. Deputy-Speaker: What I would only suggest is that the coming Saturday is a free day for us—we are not sitting on that day. I do not think the House will have any serious objection to have the work of tomorrow being postponed to Saturday—unless Saturday has been earmarked for some other more important work.

Shri Kala Venkatarao (Madras): The All-India Congress Committee will be meeting on Saturday.

Mr. Deputy-Speaker: As the meeting of the All-India Congress Committee was fixed some time back and several hon. Members will be engaged in it I

[Mr. Deputy-Speaker]

can only suggest this alternative. As we did on the Shraavan Day the House can sit in the afternoon instead of in the morning.

Shri Jawaharlal Nehru: There are important engagements tomorrow afternoon concerning all the Members—not official in the sense of the business of the House. Nevertheless all the Members are supposed to meet and listen to a distinguished guest who is expected today.

Mr. Deputy-Speaker: I am sorry that in spite of my best efforts I am not able to accommodate.

Shri Kamath: The A.I.C.C. is meeting only in the afternoon on Saturday.

Shri Sidhva (Madhya Pradesh): Yesterday was my New Year festival and I worked without a holiday.

Shri Kamath: You could have asked for a holiday.

DELHI SPECIAL POLICE ESTABLISHMENT (AMENDMENT) BILL

The Minister of Home Affairs (Shri Rajagopalachari): I beg to move for leave to introduce a Bill further to amend the Delhi Special Police Establishment Act, 1946.

Mr. Deputy-Speaker: The question is:

“That leave be granted to introduce a Bill further to amend the Delhi Special Police Establishment Act, 1946.”

The motion was adopted.

Shri Rajagopalachari: I introduce the Bill.

INDUSTRIES (DEVELOPMENT AND CONTROL) BILL

The Minister of Commerce and Industry (Shri Mahtab): I beg to move:

“That the Bill to provide for the development and regulation of certain industries, as reported by the Select Committee, be recommitted to a Select Committee consisting of Shri Hari Vishnu Kamath, Shri Khandubhai K. Desai, Shri Arun Chandra Guha, Pandit Thakur Das Bhargava, Prof. K. T. Shah, Shri R. K. Sidhva, Dr. Panjabrao Shamrao Deshmukh, Shri T. A. Ramalingam Chettiar, Shri Ramnath Goenka, Shri Jaspal Roy Kapoor, Shri B. L. Sondhi, Shri Prabhu Dayal Himatsingka, Shri

Tribhuvan Narayan Singh, Shri R. Venkataraman, the hon. Shri C. D. Deshmukh, Shri Dattatraya Parashuram Karmarkar and the mover, with instructions to report by the 17th September 1951.”

The House will remember that this Bill was committed to a Select Committee in 1949. The Select Committee made its report to the House in February 1950. From that point of view, this Bill happens to be perhaps the most ancient one in this House.

The Minister of Law (Dr. Ambedkar): Not more ancient than the Hindu Code.

Shri Alexander (Travancore-Cochin): The notice of introduction of this Bill was received by us only yesternight and Members had not had the time to look into it.

Mr. Deputy-Speaker: It has been in the agenda just somewhere below for a number of days. Notice of this motion was given only yesterday. The hon. Minister evidently finds that after such a long interval, it is necessary that the Bill must be looked into once more. Therefore I waived notice.

Shri Mahtab: The original Bill as was introduced in 1949 was completely changed by the Select Committee, which submitted its report in February 1950. The whole structure of the Bill was completely changed. For some reason or other that report of the Select Committee was not brought before the House for a number of months. Subsequently the Planning Commission came into being and they also applied their mind to the private sector of industry as well. Hon. Members would have read the report of the Planning Commission on this subject as well as the opinion expressed by Government. Now controlled economy has been accepted as a feature of our plan. Therefore, whatever law we may have to pass in that connection must be within that scope.

Now the Bill as it emerged out of the Select Committee does not fit in with the scheme which has been put forth by the Planning Commission. We tried our utmost to fit the Bill as it was originally introduced in Parliament in 1949 with the plan of the Planning Commission. While doing so we found out that a large number of amendments would have to be made. When the notice of this Bill was given, there were two alternative courses open to Government. One was to straightway place the report of the Select Committee and move a number of amendments which Government considered necessary and ask the House to con-

sider the report of the Select Committee along with the amendments moved. The other alternative was, in view of the largeness of the number of amendments, to recommit it to another Select Committee and to discuss the pros and cons of those amendments and to come to a certain agreed conclusion, so that the House will have an opportunity of knowing the considered views of the Select Committee and also coming to a quick decision.

Since there is much pressure on time at the present moment the intention of Government is to have this Bill accepted by the House as quickly as possible. The House will remember that the Prime Minister has on more than one occasion expressed his great concern over this Bill and he attaches considerable importance to this measure. It is therefore in the fitness of things that the Bill should be passed this session, as it is proposed by Government, after discussion.

I need not at this stage go into the amendments which Government want to propose to the report of the Select Committee. I did not, therefore, think it worthwhile to give notice of the amendments. I would on this occasion simply request the House to accept this proposal so that the Select Committee newly constituted may go into those amendments along with the report of the Select Committee, so that they may be able to report to the House by the 17th of September.

I should however like to say that besides the Members of the Select Committee I have thought that some other Members who are interested in this measure may also be informally invited to attend the meetings of the Committee, so that we may put our heads together and find out the best solution. I have included in the Select Committee Shri C. D. Deshmukh, our Finance Minister, for the definite purpose of associating the Planning Commission in the discussion right from the beginning so that we may know their views also.

I need not say anything more. I humbly request the House to pass this measure without much discussion.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the development and regulation of certain industries, as reported by the Select Committee, be recommitted to a Select Committee consisting of Shri Hari Vishnu Kamath, Shri Khandubhai K. Desai, Shri Arun Chandra Guha, Pandit Thakur Das Bhargava, Prof. K. T. Shah, Shri R. K. Sidhva, Dr. Panjabrao

Shamrao Deshmukh, Shri T. A. Ramalingam Chettiar, Shri Ramnath Goenka, Shri Jaspal Roy Kapoor, Shri B. L. Sondhi, Shri Prabhu Dayal Himatsingka, Shri Tribhuvan Narayan Singh, Shri R. Venkataraman, the hon. Shri C. D. Deshmukh, Shri Dattatraya Parashuram Karmarkar and the mover, with instructions to report by the 17th September 1951."

I have received notice of an amendment by Shri A. C. Guha that the Bill be circulated for eliciting opinion thereon. What in his attitude?

Shri A. C. Guha (West Bengal): I would like to explain my position.

Mr. Deputy-Speaker: There is no question of that. Does he want to move his motion or not?

Shri A. C. Guha: With a short speech I would like.....

Shri Kamath (Madhya Pradesh): On a point of clarification. The other day the Prime Minister stated that the Hindu Code Bill would be taken up on the 10th irrespective of any other business.....

Mr. Deputy-Speaker: There is no good going into those matters. (*An Hon. Member:* On a point of information.....) No information please. In the midst of a motion which has been made it is not right to interrupt the business by some extraneous matters.

Shri Kamath: But this Select Committee is to report by the 17th. Then will not the Hindu Code Bill be interrupted?

Mr. Deputy-Speaker: This is the motion. Let us not go into other details.

Shri Goenka (Madras): I would like the hon. Minister to tell us the salient features of the changes which the Government wish to propose on the Select Committee Report which was already presented to the House. He only said that to fit it in with the plan of the Planning Commission they are referring this Bill back to the Select Committee. I would like him to tell the House now as to how their mind is working in regard to the Select Committee's Report and in what material particulars they would like the Report to be changed, and what is being remitted to the present Select Committee. We have heard nothing as to the reasons in regard to the particular matters concerned that have made them to refer this Bill back to the Select Committee. Therefore I would request the hon. Minister to enlighten the House in regard to the working of the mind of the Government in this respect.

Mr. Deputy-Speaker: I understood him to mean that he would like to stand by the Bill as opposed to the recommendations of the Select Committee. That is what he gave.

Shri Mahtab: I think there is an amendment. I will listen to what goes on and speak at the end.

Mr. Deputy-Speaker: Possibly the debate might be avoided if the hon. Minister came forward with his own suggestions.

Shri Mahtab: I am thankful to you for suggesting that I should take the House into confidence in regard to the working of the mind of the Government in this matter. The original Bill did not contemplate the Central Industries Board as was evolved by the Select Committee later on. The original Bill contemplated that the Government themselves would issue licences whenever any new industry came into being. The power was vested with the Government to take over any industry when the necessity arose. That was the original conception. The Select Committee introduced many changes. First of all they introduced the Central Industries Board. The power of issuing licences vested with this Board but the power of appeal vested with Government. If any party was dissatisfied with the decision of the Central Industries Board, then an appeal lay with the Government. Then, with regard to the taking over of industries also, a number of conditions were laid down before any such step could be taken. So these are all new provisions and they completely changed the character of the original Bill.

So far as the plan of the Planning Commission goes, after prolonged discussion with the Planning Commission Government have come to this conclusion that there is no necessity for the introduction of the scheme of the Central Industries Board. But at the same time there is necessity for introducing Development Councils with regard to each category of industries. The Planning Commission drew pointed attention to the fact that as the running and development of the industries would to a very great extent be by private enterprise, the aim should be to adapt private enterprise to the needs of the development of the country. It has to be ensured that private industry is efficient, with emphasis on productivity and that it is so conducted that it meets social needs adequately and avoids misdirection of national resources and exploitation and generally fits into the scheme of national

planning. It was pointed out that at present there is no machinery to enable private industry as such to play its part as envisaged above, and the development and regulation of industries has therefore to be considered, not so much from the point of view of how Government should exercise certain powers in relation to industry, as of the kind of machinery which can work from within each industry and help to bring about steady improvement in the industry. The machinery suggested by the Planning Commission is the establishment of Development Councils for each industry or a group of allied industries. The constitution and functions of the Development Council have been given in the Government amendment No. 3 of which I did not give notice because I thought this could better be discussed in the Select Committee first. The Development Councils, according to the amendment, will consist of persons representing the employers and workers and those having special knowledge of the technical and other aspects. Provision has also been made to levy a cess on industry to keep the Development Councils going, for the purpose of promoting scientific research, improvement in design, training, etc. The amendment which Government will propose gives a statutory status to these Development Councils. They can sue and be sued against. It gives them more or less a statutory status to have full power for the purpose of effecting improvements in the industry itself. Whenever any particular unit of an industry is found by the Development Council as not abiding by the conditions imposed upon it, or not abiding by the instructions issued to that unit then, and then alone, they will tender advice to the Government that such a unit might be taken over or some arrangement may be made to effect a change in the management there. Now, practically in the present scheme Government do not visualize any administrative interference in the industries, but certainly they visualize some internal machinery which will look after the day-to-day working of these industries and bring about changes internally so that ultimately all these industries in the private sector will serve a social purpose and will fit in with the plan of the country as a whole. That is the whole object and that is the main difference. In view of the formation of these Development Councils the original idea of having a Central Board of Industries has been eliminated, because it will have no purpose to serve in those circumstances. But there will be a Central Advisory Council in order generally to advise the Government with regard to all industries but they will have nothing to

do with the issuing of licenses or taking over of industries. That will be a sort of a General Advisory Council for the Government. But so far as the running of industries is concerned, and so far as measures taken for bringing the private sector industries into a common plan the Development Councils will be there to regulate the working of the industries internally and as I have already stated they will consist of representatives of the industries, the representatives of labour and technicians also and the intention further is with the help of these Development Councils to build up certain personnel who will be competent to run Government industries also. These Development Councils when they go on for years continuously looking after industries, certainly they will produce certain personnel who will be competent to take charge of industries whenever necessary or to run Government industries also when they are put in charge of them. This is the whole conception.

10 A.M.

Shri S. N. Das (Bihar): May I refer to rule 80 of the Rules of Procedure and Conduct of Business in Parliament?

Clause (b) of Rule 80 reads as follows:—

“(b) that the Bill as reported by the Select Committee be re-committed either—

- (i) without limitation, or
- (ii) with respect to particular clauses or amendments only, or
- (iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill; or etc.”

I want to know what are those particular clauses or what are those amendments. All that should be mentioned here.

Mr. Deputy-Speaker: That is without limitation.

Shri S. N. Das: Does the hon. Minister want the Bill to be re-committed without limitation or with respect to certain amendments or considerations to the Committee to make an additional provision?

Mr. Deputy-Speaker: The hon. Minister wanted to take advantage of sub-clause (ii) of clause (b). On the other hand this is a motion without any limitation regarding the subject matter of the clause and therefore this comes under sub-clause (i) of clause (b). It is quite in order.

Shri Goenka: Under rule 80 (1) (b) (iii) it can only be submitted to the sense of the Committee which considered the original Bill and not to another Select Committee. I find that there are new Members in the Select Committee and the Select Committee has been changed.

Shri Sidhva (Madhya Pradesh): This has not been the same Committee?

Shri Goenka: It has therefore to be referred back to the Select Committee which considered the Bill in the first instance according to the rules. I find the names of Members who were not there in the first instance when they considered the Bill and therefore, I feel that this Bill cannot be referred and if it is going to be re-referred to the Select Committee, it must be referred to the very committee which had considered the Bill in the first instance.

Mr. Deputy-Speaker: There is nothing in the rules specifically to lay down that it shall be referred to the same Select Committee. That word is not used.

Shri Goenka: The words are “to the Select Committee”.

Mr. Deputy-Speaker: I know. I have understood the point of order raised by the hon. Member, but whatever interpretation there might be, there has been a continuous practice of allowing a Select Committee to be reconstituted. In the original Assembly itself on the 19th February 1926 when the Hindu Religious and Charitable Trusts Bill was discussed a point of order was raised by one Mr. Kumar Ganganand Sinha on the same lines, namely can the House recommit this measure to another Select Committee, or should it refer it to the same Select Committee. The President replied that the House had the power to reconstitute a Select Committee and recommit the Bill to it. The rules then in existence are not different from the rules that are now in practice. Now the House has always got a right to send it to some other Select Committee. A different purpose would not be served if the Government thinks in view of changed circumstances or in view of the recommendations of the Planning Commission some other proposals will be better. There is no good asking the same people to decide once again a certain issue and if the same thing is recommended to the House once again, there will not be any advantage gained. Under these circumstances, I do not see any point in this point of order.

Shrimati Durgabai (Madras): May I also submit that if the Bill is referred to the same Select Committee, the very purpose of recommitting to another

[Shrimati Durgabai]

Select Committee will be defeated? Therefore I think a different Select Committee should be had.

Mr. Deputy-Speaker: The matter is already over. I have decided against the point of order.

Shri Shiv Charan Lal (Uttar Pradesh): I raise a point of order and it is this. When a Bill is referred to a Select Committee, the Government puts before the House a definite Bill which the Government wants to sponsor. But here is a Bill which the Government itself says does not fit in with the Commission's report. I do not know what the Government intends to do. If Government thinks that the Bill which was put forward before and which was referred to the Select Committee does not fit in with the Commission's report, then they should bring in a new Bill which will fit in with the Commission's report and then ask the House to put it before the Select Committee. If the Government itself does not agree to the Bill, then it is no use putting it before the Select Committee.

Mr. Deputy-Speaker: It is one thing to say that no useful purpose will be served in reconstituting the Select Committee and another thing to say that this House has no right and that no such motion can be moved. The hon. Minister stated that such changes as are envisaged—some of the indications have been given just now—in accordance with the recommendations of the Planning Commission can fit into this framework. If the hon. Minister wishes to introduce a new thing altogether which was not originally contemplated at the time of consideration, then it will be outside the scope and he would certainly be well advised to withdraw it but when the previous Select Committee itself made a recommendation that a licensing Board may be constituted for various purposes. In its place the hon. Minister feels as suggested by the Planning Commission, that some industrial councils may be constituted which will have not merely the power to license, which is not so important in his view and in the view of the Planning Commission but to increase production from within and advise Government. This is only another method of securing a greater benefit within the ambit of the framework or within the framework of the Bill as originally introduced. I do not therefore find any force in this point of order. The hon. Minister has given sufficient indications. It is for the Select Committee to accept or not to accept. Government is one of the Members of the Select Committee.

An Hon. Member: I find that unfortunately under the rules the hon. Minister's motion is out of order.

Mr. Deputy-Speaker: The rule says: "After the presentation of the final report of a Select Committee on a Bill, the member in charge may move etc." Then I come to clause (2) which reads: "If a member in charge moves that the Bill be taken into consideration any member may move as an amendment that the Bill be recommitted or be circulated or re-circulated etc." Unfortunately the hon. Minister has now moved that it may be recommitted and hence no further amendment can be moved. That is expressly the meaning of the rules. I do not think that the hon. Member would press his motion, which is apparently against the rules and ask me to stretch a point in his favour. I do not think any purpose will be served.

Shri A. C. Guha: In fact I gave notice of this motion even before the Government motion was received and I hope you will allow me some time to speak a few words.....

Mr. Deputy-Speaker: No.

Shri A. C. Guha: It is altogether a new Bill which requires some discussion in this House before it goes to another Select Committee. I welcome the suggestion that the Bill should be re-committed to another Select Committee and not to the old Select Committee.

Mr. Deputy-Speaker: This takes me to another point which it is necessary for me to refer. I am not going to allow a general discussion on the Bill at this stage. There was a general discussion already and the principles of the Bill have been accepted and the Bill was sent to the Select Committee for such changes as the Select Committee might consider necessary. Therefore, once again going into the objects and principles of the Bill is out of order. The scope for discussion is limited on this motion for re-committal to a Select Committee which is a different Select Committee. Whether that is necessary or not, that is the only question. The general objects of the Bill cannot be discussed here. So far as Mr. A. C. Guha or any other Member whose name appears in the list of Members for the Select Committee is concerned, it has been the practice for a long time now that they ought not to be allowed to take part in the debate. Any other hon. Members can speak on the limited scope of the further discussion in the Select Committee as envisaged by the hon. Minister. I hope it would not take a long time.

Shri Harihar Nath Shastri (Uttar Pradesh): When the hon. Minister made his first observations regarding the recommitment of the Bill to another Select Committee, I was inclined to oppose the motion. The reason for my contemplated opposition was that, in my opinion, the motion amounted to delaying still further a question of urgent national importance that has already been unduly delayed. I would like to take this opportunity to refer to the fact that it was in the year 1949, as has been stated by the hon. Minister, that the Bill was originally placed before this House. Prior to that, the Government of India came out with their declaration of industrial policy. As a matter of fact, it was with a view to implement that industrial policy that this Bill was prepared and placed before this House. The Select Committee to which this Bill was referred took about a year's time after which the report of the Select Committee was placed before the House. Of course, no discussions took place thereon. But, when the report of the Select Committee came, it simply astounded a large section of this House and the people of this country because the report of the Select Committee, if I may say so, was to a large extent in contradiction of the aims and objects as defined in the original Bill, and also against the policy enunciated in the year 1948 when the Government declared their industrial policy. That industrial policy was the same as has been enunciated by the Planning Commission. It was a policy of controlled economy and it was in that spirit that the Bill was prepared. But, the Select Committee made drastic changes against the spirit of the original Bill and the declaration of the Government. At that time, there was a feeling among a large section of the Members that when the Bill comes up for discussion, it may undergo radical change as a result of amendments that may be moved in this House. But, since then, the question has been delayed from time to time. It was placed on the agenda papers of this House from time to time about half a dozen times; but it never came up. A serious impression in the country was that the Government have gone back upon their policy of controlled economy and that they want the country to stick to the old policy of capitalist economy. When this matter was placed before the House in the present session, some of us were thinking of moving necessary amendments with a view to improve the Bill and bring it in line with the original Bill. This morning a new motion was brought before the House by the hon. Minister and I was inclined to oppose it, as I said, because, my feeling was that it would again delay

matters and there may be no chance of discussing it in the present Parliament. But, the subsequent explanation that the hon. Minister has given has caused a sigh of relief and in pursuance of the direction that you have given us, I would at this moment conclude only by hoping that the new Select Committee would so re-shape the Bill that it comes in line with the original motion and also in line with the policy of the Government of India as defined in 1948 and as reiterated by the Planning Commission.

चौधरी रनबीर सिंह : उपाध्यक्ष महोदय, मैं इस प्रस्ताव का समर्थन करने के लिए खड़ा हुआ हूँ। वह इस लिए कि मैं समझता हूँ कि एक बोर्ड (Board) जो तीन आदमियों का या तीन से ज्यादा का भी हो सकता था, उस की निम्न डेवलपमेंट कौंसिल (Development Councils) जो है वह इन्डस्ट्रीज (Industries) के साथ भी ज्यादा न्याय कर सकेंगी। जितनी इन्डस्ट्रीज शेड्यूल (Schedule) में दी हुई हैं उस में हमारे देश की तकरीबन सारी इन्डस्ट्रीज आ जाती हैं और देश की इन्डस्ट्रियल पालिसी (industrial policy) भी आ जाती है। जो बोर्ड होगा वह इन्डस्ट्रियल पालिसी का एक अहम हिस्सा होगा। हो सकता था कि इस बोर्ड के पास शायद इतना समय न होता कि वह हर एक इन्डस्ट्री के साथ न्याय कर सके। इस लिये मैं यह समझता हूँ कि यह जो डेवलपमेंट कौंसिल है जैसी कि गवर्नमेंट की नीति है यानी गवर्नमेंट चाहती है कि इन्डस्ट्रियल बोर्ड (Industrial Board) के बजाय डेवलपमेंट कौंसिल बने हर एक इन्डस्ट्री के लिए, या ग्रुप आफ इन्डस्ट्रीज (group of industries) के लिये, यह इन्डस्ट्री के लिये भी ज्यादा अच्छा होगा और देश के साथ भी ज्यादा न्याय होगा।

एक बात और इस सिलसिले में मैं कहना चाहता हूँ वह यह है कि आनरेबल मिनिस्टर साहब ने हमें बताया कि डेवलपमेंट कौंसिल के ऊपर जो रिप्रेजेंटेशन (representa-

[चीधरी रनबीर सिंह]

tion) मिलेगा वह लेबर (labour) और इन्डस्ट्री को मिलेगा। तो अगर आप यह चाहते हैं कि यह प्लान्ड एकानामी (planned economy) के अन्दर पूरी तरह से फिट इन (fit in) करे तो इस के लिए जरूरी है कि कन्ज्यूमर्स (consumers) का इस बोर्ड के ऊपर रिप्रेजेंटेशन हो। और इस के साथ साथ जो रा मॅटीरियल (raw material) प्रोड्यूस (produce) करते हैं उन का भी रिप्रेजेंटेशन इस बोर्ड पर हो। मिसाल के तौर पर कपड़े की इन्डस्ट्री है, उसके अन्दर जो कपास के पैदा करने वाले हैं उन का रिप्रेजेंटेशन भी उतना ही जरूरी है जितना कारखाने वालों का। या जैसे शूगर (sugar) की इन्डस्ट्री है, या और कोई और दूसरी इन्डस्ट्री है जिन के अन्दर कास्तकार उन का रा मॅटीरियल प्रोड्यूस करते हैं, उन का भी इस बोर्ड पर होना उतना ही जरूरी है। जैसा कि आज डा० पंजाब राव देशमुख ने एक काम रोकने के ज़रिये हाउस को यह बताना चाहा कि जितने आपस के मफ़ाद हैं, उन इन्टरेस्ट्स (interests) में कितनी टक्कर है, तो यह कोई नई बात नहीं है, बल्कि सच्ची बात है। मैं नहीं जानता कि गवर्नमेन्ट का क्या इन्टेंशन (intention) है, इस के ऊपर आया इन दोनों को यानी कन्ज्यूमर्स और रा मॅटीरियल के प्रोड्यूसर्स (producers) को भी रिप्रेजेंटेशन मिलेगा या नहीं, लेकिन सब के साथ न्याय हो सके इस के लिये मैं चाहता हूँ कि अगर गवर्नमेन्ट अभी इस स्याल की तरफ़ नहीं सोच पाई है कि इन लोगों को रिप्रेजेंटेशन दिया जाये तो उस को ऐसा करना चाहिये। और जो सेलेक्ट कमेटी (select committee) रिकान्स्टिट्यूट (reconstitute) की जा रही है उस से भी मेरी यह प्रार्थना है कि वह इस चीज़ पर ध्यान दे।

(English translation of the above speech)

Ch. Ranbir Singh (Punjab): Sir, I rise to support this motion. It is because I feel that as compared to a Board, which might consist of three Members or more, development councils would be doing more justice to the industries. The schedule includes practically all the industries of our country and it also indicates our industrial policy. The Board that might be formed would be a very important adjunct of the industrial policy of our country. It is possible that that Board might not have enough time to attend to each category of industries. Hence I feel that the development councils, which the Government proposes to set up—the Government desires that there should be a development council for each industry or group of industries in place of an Industrial Board—would prove more beneficial to the Industry and would be more in the interests of the country.

I would like to submit one thing more in this connection and it is that the hon. Minister told us that the development councils would be having representatives of labour and industry. But, if you want that this set-up should fit in completely with planned economy, it is essential that consumers should also have their representative on the Board and along with it, those who produce raw materials should also be represented thereon. For instance, take the textile industry. The representation of cotton-growers in the council of this industry is as important and essential as that of the mill-owners and mill-workers. Similar is the case with the sugar industry or other industries where raw material is produced by the cultivators. It is equally necessary to have the representatives of the cultivators on the Board. As Dr. Deshmukh wanted to point out to the House today through an adjournment motion, there is a growing clash between the interests of one section and the other. He did not say anything new in it but it is certainly a fact. I do not know what the Government's intention is, whether they would afford representation to the consumers and producers of raw materials or not? But with a view to do justice to everybody, I want that if the Government have not thought of giving representation to those people as yet, it should do it now. I also request that this point should be fully considered in the Select Committee that is going to be reconstituted.

Shri Barman (West Bengal): I was about to stress a certain point which I now find has already been mentioned

by my hon. friend Ch. Ranbir Singh. So I will not take up the time of the House by repeating that point, namely that there should be representation of all interested in the development of industries, including the consumers.

I would only like to add that our government is anxious to give as much of self-determination or self-government to the several industries that exist in our country. The hon. Minister has said that Government propose to set up Development Councils by means of this present Bill in place of the Central Industrial Board. I am not opposed to that. But it is a contentious matter whether such industries should be under the absolute control of the Government or whether there should be some sort of regulation only and the different industries should be allowed to develop on their own lines. One point of view may be that a Central Development Board to control all matters connected with industries in our country where industrial development has been lopsided, would be better. The other view is whether the machinery that we have at present, having no experience about the industries in the practical field, will be quite competent to deal with such vast fields of industries. That is a debatable point and it may be felt that from that point of view, it is better to leave industries to govern their own fields, with at the same time, a national outlook in all their activities. Therefore, I would not oppose the suggestion of regulation of the industries, instead of their control by the Government.

As my hon. friend Ch. Ranbir Singh has said I am also much concerned to see that Government, when they are quite cognisant of the importance of industries regulating and controlling their own affairs, should give primary producers and consumers adequate representation on the Development Councils. They have recognised the importance of labour and it is proposed to give them representation on the Development Councils. But I do not find from the statement of the hon. Minister that there has been sufficient recognition of the other two factors also which are no less important for the proper development of industries in our country, namely the producers of raw materials and the consumers. I would request the hon. Minister to give some thought to this matter also. It is human nature to look to one's own interest first and so the industries when deciding things in the Development Councils will think of their own interests first, the interests of the industries. The representatives of labour will look to the interests of

labour, but who is there to safeguard the interests of the producers of the raw materials and the consumers?

Shri Harihar Nath Shastri: Labour is also a consumer.

Shri Barman: Yes, but only part of the general consumers. The consumers on whose economic health the development of all our industries depend have not been given any representation on the Development Councils. In my opinion there should be the consumers' representatives and also the representatives of the producers of raw materials on these councils. This does not affect the interests of the other two parties, that is to say, labour and the industrialists.

The other points I will not touch upon as you, Sir, have ruled them out. I would only say that industries should be so developed in our country that they serve the best and meet interests of the country and in the most economic way. Now that the Central Industrial Board is to be dropped I hope the Councils that will be set up now will fulfil the same purpose for which that Board was set up, namely, to see that there is proper distribution of the industries throughout the country and that these industries are developed in the most economic way.

With these words, Sir, I support the Motion.

बाबू रामनारायण सिंह : उपाध्यक्ष महोदय, इस विधेयक के सम्बन्ध में आप से एक बात जानना चाहता हूँ। जब कोई विधेयक संसद् में उपस्थित किया जाता है तो प्रस्तावक महोदय के विचार में वह सर्वांग सुन्दर होता है और यह दूसरे लोगों के लिये है जो उस पर विचार करते हैं और उसमें संशोधन करते हैं कि उसकी बुराई निकालें। लेकिन जब प्रस्तावक महोदय हमारे कहते हैं कि वह विधेयक उन के मन के लायक नहीं है, इसमें बहुत कुछ त्रुटियाँ हैं, तब इस विधेयक का क्या मोल है और यह संसद् इस पर क्यों विचार करे?

[**Babu Ramnarayan Singh (Bihar):** Sir, I want to know one thing from you in connection with this Bill. When a Bill is introduced in the House, the mover of the Bill thinks that it is perfect in all respects. It is for others who examine and modify it to point

[Babu Ramnarayan Singh]

out its defects. But when the mover himself admits that the Bill does not come up to his wishes and that it contains many defects, of what value is such a Bill and why should the Parliament at all consider it?]

Shri R. K. Chaudhuri (Assam): The hon. Minister will please answer this question.

Shri Harihar Nath Shastri: He will do so in the end.

बाबू रामनारायण सिंह : मैं उपाध्यक्ष महोदय से पूछ रहा हूँ।

[Babu Ramnarayan Singh: I am asking Mr. Deputy-Speaker.]

Mr. Deputy-Speaker: I have not been able to follow the hon. Member fully.

Babu Ramnarayan Singh: I shall speak in English. Sir, when a Bill is submitted to the House, so far as the Mover of the Bill is concerned, it is perfectly all right. It is for the House and the Members of the Select Committee to examine it and to modify it wherever they think it necessary to do so. But when the Bill is brought in which even according to the Mover is defective, of what value is that Bill and how is the House to proceed with such a Bill?

Mr. Deputy-Speaker: According to the hon. Minister the Bill as it was originally placed before the House was not defective. But he takes exception to certain provisions that have been recommended to be made in it now by the Select Committee. Therefore he wants another Select Committee to look into this. The Select Committee has suggested modifications relating to Advisory Councils and the Central Industries Board. It wants the Central Industries Board which will be assigned the function of granting or refusing licences under this Act. The hon. Minister did not want to come to decisions on his own, but wants another Select Committee to examine the points. It is not as if he has put before the House something in which he has no confidence or in which he does not himself trust. He wants an opportunity to be given to another Select Committee to go into the matter.

Shri Shiv Charan Lal (Uttar Pradesh): But there are certain defects in the Commission's Report and therefore the Bill has to be redrafted now.

Mr. Deputy-Speaker: Assuming that it is so and that after the Bill has been before the House here and there, some modifications are suggested by the

Planning Commission, is it not open to Government to modify it? Instead of modifying it by amendments here and there, the hon. Minister wants a select committee to examine the recommendations made and if the committee does not find that the recommendations are in the best interests of the country, these recommendations will be dropped. It is only for the purpose of getting an opportunity of discussing the questions across the table that this suggestion is made. Instead of rushing with the measure, as he could have done, the hon. Minister has given another opportunity to the Select Committee to go into the matter in view of the altered circumstances, and this should be welcomed and not criticised.

श्री एस० ऐन० दास : उपाध्यक्ष

महोदय, हिन्दी में कहावत है देर आये दुरुस्त आये। देर से ही सही, लेकिन सरकार ने एक सही रास्ता पकड़ा है। सन् १९४८ में जब सरकार ने अपनी औद्योगिक नीति की घोषणा की, उस समय इस की आवश्यकता महसूस हुई कि इस प्रकार का कोई बिल संसद् के सामने लाया जाये और औद्योगिक विकास के लिये सरकार जो नियंत्रण जरूरी समझे उन को जारी करे।

इस उद्देश को सामने रखते हुए उस समय सरकार ने यह बिल उपस्थित किया था और जब सन् १९५० में संसद् की पहली बैठक हुई उस समय यह बिल मेम्बरों के पास पहुँच गया और आज्ञा की गई कि सरकार की जो नीति अभी औद्योगिक विकास के सम्बन्ध में हुई है उसके नूतनाबिक काम करने के लिए इस बिल को जल्द से जल्द पास किया जायगा। जिन लोगों को औद्योगिक विकास के सम्बन्ध में दिलचस्पी है, और मैं समझता हूँ कि संसद् के सभी सदस्यों की इस में काफ़ी दिलचस्पी है, वे सभी इस बात की प्रतीक्षा कर रहे थे कि जल्द से जल्द सरकार इस बिल को संसद् के सामने विचारार्थ उपस्थित कर क इसे पास करायेगी और उस के अनुसार उद्योगों का नियंत्रण करेगी लेकिन न मालूम क्यों और किन कारणों से और किस के प्रभाव से प्रभावित हो कर सरकार ने उस

को उस समय उपस्थित करना किसी भी रूप में मुनासिब नहीं समझा। लेकिन खुशी की बात है कि इसी बीच में प्लानिंग कमीशन (Planning Commission) की नियुक्ति हुई और प्लानिंग कमीशन ने सरकार द्वारा घोषित नीति को अपने सामने रखते हुए, देश की भलाई का ख्याल करते हुए और साथ ही साथ देश की वर्तमान औद्योगिक विकास की जो स्थिति है, उस को देखते हुए उस ने यह मुनासिब समझा कि एक ऐसे कानून की जरूरत है जिस के द्वारा देश के अन्दर जो उद्योग व व्यवसाय चल रहे हैं, उन को नियंत्रित ढंग से चलाया जा सके और उस को चलाने के लिए कोई एक मशीनरी क्रायम की जाये। आज मुझे अपने मंत्री महोदय को बधाई देते हुए आनन्द होता है कि देर से ही सही लेकिन उन्होंने उस दिशा में एक सही कदम उठाया है और अब आशा की जाती है कि औद्योगिक विकास के सम्बन्ध में सरकार ने जिस नीति की घोषणा की है, उसे सफल बनाने में तत्पर हो जायेगी। इस समय में उस नीति की अच्छाई या बुराई के सम्बन्ध में ज्यादा जानना नहीं चाहता, हालांकि मैं उस के सम्बन्ध में कुछ दूसरे विचार रखता हूँ, लेकिन जो कुछ भी नीति सरकार ने दुनिया और देश की स्थिति को सामने रख कर तय की है, एक नियंत्रित नीति, कंट्रोल्ड इकोनामी (controlled economy) की उस नीति को सामने रखते हुए प्लानिंग कमीशन ने यह मुनासिब समझा है कि इस बिल को आगे बढ़ाया जाये। जो बिल आज हमारे सामने उपस्थित है, उस बिल को कोई भी देशवासी, जो इस बात में विश्वास करता है कि आज की दुनिया में आज की स्थिति में कुछ प्राइवेट लोगों के हाथ में ऐसे साधनों का देना देश के लिये हानिकारक है, पढ़ कर खुशी नहीं होगी और इस बिल में सिलेक्ट कमेटी (Select Committee)

ने जैसा परिवर्तन किया है, वह परिवर्तन देश की भलाई के लिये नहीं था, वह परिवर्तन किसी व्यक्ति विशेष या समूह विशेष की भलाई के लिये हो सकता था। इसलिये आज जब हमारे माननीय मंत्री ने इस बात को उठाया है कि जो बिल हमारे सामने है सिलेक्ट कमेटी से आया हुआ वह हमारे काम के लिये उपयुक्त नहीं है उस में हमें बहुत से परिवर्तन करने हैं वर्तमान बिल के द्वारा जो अधिकार बोर्ड को दिये गये हैं उन्हें अब सरकार के हाथ में देना चाहिये। आज की स्थिति में देश की भलाई के लिये यह उचित है कि कम से कम उद्योग धन्धे व्यक्तिगत लोगों के हाथ में हों, और आज आवश्यकता इस बात की है कि ज्यादा से ज्यादा उद्योग समाज के हाथ में हों और सरकार उनका नियंत्रण करे सरकार के इस प्रस्ताव से उन को जो समाजीकरण में विश्वास रखते हैं। आज खुशी होगी कि सरकार इस दिशा में प्रयत्नशील है।

एक बात जो मैं इस के सम्बन्ध में कहना चाहूंगा वह यह है कि जहां औद्योगिक विकास में सरकार की मदद और सहयोग की आवश्यकता है और जहां पूंजी के लिये व्यक्ति या समूह-विशेष की आवश्यकता है, वहां यह भी जरूरी है कि हमें श्रम भी अत्याधिक मात्रा में उपलब्ध हो, श्रम के सहयोग की भी अत्याधिक आवश्यकता है। लेकिन जहां तक मैं ने इस बिल को देखा है जो औद्योगिक विकास और उस के नियंत्रण के लिये हमारे सामने उपस्थित है, उस को देखने से मालूम होता है कि श्रम का इस में कोई स्थान नहीं है। इसलिये मैं माननीय मंत्री से अनुरोध करना चाहूंगा कि इस बिल में ऐसी व्यवस्था होनी चाहिये ताकि जितने भी फ़ैक्टर्स (factors) जो उद्योग के विकास में मदद दे सकते हैं उन सब का सहयोग प्राप्त हो सके और इसलिये मैं अनुरोध करूंगा कि जहां तक इस बिल में

ऐस० ऐन० दास]

श्रम की सहायता की बात लार्ड जा सकती है, उस को लाने की कोशिश करनी चाहिये।

एक बात और कह कर मैं खत्म करूंगा कि अभी जो बिल हमारे सामने है, उसमें व्यक्ति या समूह विशेष द्वारा संचालित उद्योगों को सरकारी नियंत्रण में लेने के लिये जो विधि रखी गई है वह सही नहीं मालूम पड़ती। जब सरकार किसी लेना उद्योग का प्रबन्ध अपने हाथ में चाहियी तो वह ऐसा कर सकती है वरना बंसा करने के बाद वह उसकी जांच करने के लिये बोर्ड के पास भेज देगी। बोर्ड जैसा मुनासिब समझेगा वही रिपोर्ट देगा और उस की रिपोर्ट आने के बाद सरकार उस पर फिर विचार करेगी। मैं समझता हूँ कि आज की अवस्था में और सरकार की जो औद्योगिक नीति है, उस को सामने रखते हुए यह उरूरी है कि सरकार को विशेष अधिकार मिलने चाहियें कि जब वह मुनासिब समझे समाज के हित के लिये और देश के हित के लिये वह उद्योग को अपने हाथ में तुरन्त जल्द से जल्द ले सके। हां यह बात मैं कहे बिना नहीं रह सकता कि जहां इस तरह के कानून बनाने की आवश्यकता है वहां सरकार के लिये यह भी मुनासिब है कि वह उद्योग चलाने के लिये जिस संगठन की आवश्यकता है, जिस टेकनिकल नौलिज (technical knowledge) की आवश्यकता है, उस के लिये भी जल्द से जल्द सरकार को इन्तजाम करना चाहिये, नहीं तो देश की जो वर्तमान स्थिति है उस में जो व्यक्तिगत या समूह विशेष द्वारा उद्योग धंधे चलते हैं, उन में और समाज के हित में बराबर संघर्ष होता रहेगा। व्यक्तिगत उद्योग धंधे वाले यह चाहेंगे कि हम को क्यादा से क्यादा नफा हो और समाज चाहेगा कि उस को कम से कम दाम में चीज मिले,

इस सम्भावित संघर्ष को रोकने के लिये सिवा समाजीकरण के और कोई दूसरा उपाय नहीं है। दुनिया के और देशों में जहां व्यक्तिगत रूप से उद्योग धंधे चलाये जाते हैं, वहां भी इस बात का अनुभव प्राप्त कर लिया गया है कि व्यक्ति विशेष या समूह विशेष हमेशा यह नीयत रखते हैं कि उन्हें ज्यादा से ज्यादा नफा कैसे हो, जिस के फलस्वरूप नियंत्रित कन्ट्रोल या नियंत्रित व्यवस्था है वह ठीक तरह से नहीं चलती है और इसलिये दुनिया ने देख लिया और अनुभव कर लिया कि व्यक्ति विशेष या समूह विशेष के हाथ में उद्योग धंधे रहने से समाज का कल्याण उतना नहीं हो सकता है जितना कि उन का समाजीकरण करने से हो सकता है। ऐसा समझते हुए १९५१ में हम अधिक से अधिक उद्योगों को व्यक्ति विशेष के हाथों में रहने दें, यह मुनासिब नहीं है। मैं इस बिल का इसलिये भी स्वागत करता हूँ कि यह अधिकार अधिक से अधिक सरकार के हाथ में हो और अधिक से अधिक उद्योग अब समाज के हाथ में रहना चाहिये और उन उद्योगों को जल्द से जल्द बिना किसी रुकावट के बिना जांच के जब समाज के लिये वह उरूरी समझे अपने अधिकार में कर ले। आज सरकार वर्तमान प्रजातंत्रात्मक संसद् के प्रतिनिधि के रूप में है, उस को इस की पूरी जानकारी होगी कि कौन से उद्योग धंधों को किस प्रकार चलाया जाये। इसलिये मैं मुनासिब समझता हूँ इस बिल को किसी सिलेक्ट कमेटी के सुपुर्द किया जाये — जिससे वह इन तमाम बातों को ध्यान में रखते हुए इस बिल को इस रूप में उपस्थित करे जिस से सरकार द्वारा घोषित औद्योगिक नीति सफल और कारगर हो और समाजीकरण की ओर हम क्रमशः आगे बढ़ते जायें। एक बात मुझे और कहनी है, यद्यपि अभी वह उपयुक्त नहीं मालूम पड़ती है, तो भी मैं यह कहे बिना नहीं रह

सकता कि समाजीकरण के करने के रास्ते में विधान बहुत बड़ी रुकावट हमारे सामने रख दी है और वह मुआविजा देने की बात है। और इस मुआविजा देने की बात से हमारी जितनी योजनायें हैं, वह सारी इस से टकरा जाती हैं। फिर भी मैं समझता हूँ और आशा करूँगा कि हमारे माननीय मंत्री महोदय और जो सिलेक्ट कमेटी इस बिल के सम्बन्ध में अभी बनने जा रही है, उस के सदस्य भी इस बात का पूरा ध्यान रखेंगे कि जहाँ तक संभव हो सके एक नियंत्रित नीति जो समाज के हित में हो और समाज के लिये कल्याणकारक हो उसे सफल बनाने के लिये उपयुक्त मशीनरी को इस कानून के द्वारा कायम करें, ताकि जल्द से जल्द समाज व्यक्तिगत लाभ की प्रवृत्ति से उत्पन्न स्थिति का शिकार होने से बच जाये।

(English translation of the above speech)

Shri S. N. Das (Bihar): Sir, there is a proverb in Hindi which means that a thing which comes late is always better. So, let it be late, but I must say the Government has chosen the right course. In 1948, when the Government declared its industrial policy, it was felt that some such Bill should be brought forward in Parliament and that the Government should control the industries in a way they think best for the industrial development of the country. With this object in view the Government introduced the Bill at that time and in 1950 when the first sitting of the Parliament took place, this Bill reached the Members and it was hoped that the Bill would be carried through as early as possible in order to implement the policy of the Government that was enunciated with regard to industrial development at that time. All those persons who are sufficiently interested in industrial development, and I believe every hon. Member is interested in it, were waiting that the Government would bring forward the Bill as early as possible for the consideration of the House and that after getting it passed would control the industries accordingly. But I do not know what reasons and what factors led the Government to think that it was not proper to bring forward the Bill at that time. But, fortunately, the Planning Commission was appointed in the meanwhile. And the Planning Commission, keeping in view the policy

declared by the Government, and keeping in view the well-being of the country as also the present stage of the industrial development in the country, thought that there was the necessity of a legislation by which the existing industries and commercial activities in the country could be controlled and regulated and that a machinery should be set up for that purpose. While thanking the hon. Minister I feel happy that though late, he has taken a step in the right direction and we now hope that the Government would make earnest efforts to carry out successfully the policy which they have declared with regard to the industrial development of the country. I do not propose to discuss the merits and demerits of this policy, this policy of controlled economy—although I have some divergent views on the subject—but whatever policy the Government have arrived at after giving due regard to the situation as it exists in the world and in the country today, it has been fully considered by the Planning Commission and the latter has come to the decision that this Bill should be carried through. No one, who believes, that it is harmful for the country to entrust such an important factor of economic life as industries to certain private individuals, would welcome this Bill. The changes or modifications which have been brought about in that Bill by the previous Select Committee can prove beneficial only to a particular individual or a particular class. Therefore, the hon. Minister has raised the point that the Bill as it has emerged from the Select Committee cannot serve our purposes well. It requires change. The powers that are sought to be given to the Board by the present Bill should now be given to the Government. In the context of the present situation, the most appropriate course would be to leave the minimum number of industries in the hands of private persons. The need of the day is to place more and more industries in the hands of the community as a whole and to make the Government responsible for controlling and running them. This motion by the Government would be welcome to those who believe in socialisation of industries and they would be convinced that the Government is making efforts in this direction.

One thing to which I would like to make a reference is that while the assistance and co-operation of the Government are necessary for the development of industries and while particular individuals or a particular class is essential for the flow of capital, it is also necessary that labour is available in sufficient quantity because the co-operation of labour is equally important. But so far as I have

[Shri S. N. Das]

studied this Bill which provides for the development and control of industries I find that labour has not been given any place in it. Therefore I would like to urge the hon. Minister that a provision should be made in this Bill whereby co-operation of all factors, which can assist in our industrial development, may be enlisted. I would, therefore, emphasize that efforts should be made to provide as far as possible for the co-operation and help of labour.

I would finish after making one more submission. The method provided in this Bill for taking over those industries under the control of the Government which are run by private individuals or a particular class of persons does not seem to be proper. When the Government likes to take over any industry, it would do it but soon after taking it over, it would have to refer it to the Board for examination. The Board would submit the Report after careful and proper investigation and the Government would have to reconsider the matter after the Report is received. I feel that keeping in view the present situation and the industrial policy of the Government it is essential that the Government should be vested with special powers so that whenever it thinks it proper to take over any industry in the interests of the society and the country, it might do so without the least delay. Of course, I must say that while there is need of such a legislation, it is also proper for the Government that it should make arrangements as early as possible to set up the necessary machinery or organisation and make technical knowledge available both of which are so essential to run the industries, otherwise in the present circumstances of the country, there will continue a regular struggle between the industries run by individual persons or classes and the interests of the society. The private industrialists would try to make as much profit as possible and the people in general would wish to get the commodities at the lowest prices. There is no way out of it except socialisation of industries if such a clash of interests is to be avoided. In other countries of the world also where industries are run by private enterprise it has been realised by experience that the private individuals or classes have a tendency and inclination to reap maximum profits with the result that controlled or planned economy does not work well. Thus, the world has seen and felt that the welfare of the society lies more in the socialisation of the industries than in keeping them in the hands of a few individuals or a particular class. In view of all this, to leave a large number of our industries in the hands of a

few individuals, as late as 1951, does not seem proper. Hence, I welcome this Bill all the more because I want that more and more powers should be vested with the Government and the maximum number of industries should remain in the hands of the society, and the Government should be able to take over any industry which according to their opinion must be taken over in the interests of the society without any sort of obstruction and investigation. The Government today, which is the representative of the present democratic Parliament, must be knowing fully well as to how different industries should be administered and run. Therefore, I think and suggest that this Bill should again be referred to a Select Committee which may consider the Bill keeping in view the above factors and present it in such a form so that the declared policy of the Government may be duly and successfully given effect to, and we may gradually progress towards complete socialisation. I have to submit, one thing more, although it seems rather premature at this stage. Even then I must say that the Constitution has placed a very big obstacle in the way of socialisation and that obstacle is the payment of compensation. This question of compensation has acted more or less as a rock against which all our plans and schemes have got wrecked and shattered. But even then I feel and hope that the hon. Minister and also the hon. Members of the Select Committee, which is shortly going to be appointed, would bear it in mind that as far as possible a suitable machinery should be set up by law in order to implement successfully a policy of controlled economy which is in the interests of the common people and which is beneficial to society so that society might be saved from being a victim of the situation that may arise out of this inclination towards personal profit and gain.

Shri Mahtab: I am thankful to hon. Members for having generally agreed to the motion which I have made in this House. It is true that when the Government of India's resolution on industries was announced on the 6th April 1948 the picture then was not very clear as to what part the public sector will play and what part the private sector will play. Subsequently when this Bill was introduced in 1949 even at that time, if I may say so, the picture was not very clear; that is to say it was not clearly known as to how the nationalised industries will function and what part the private industries will play in the economic life of the country. There was a lot of criti-

cism in those days, and a lot of controversy also, as to what the clear attitude of the Government, or the clear attitude of the political party to which the Government belonged, was in this matter. Subsequently, gradually as the Planning Commission developed its own plan, the situation became very clear. Some times that loose phrase "mixed economy" also was used. I remember many a time that particular expression has been subjected to very severe criticism and it was asked as to what it actually meant. The policy of Government was said to be a sort of "mixed economy"; what that "mixed economy" actually meant was not clear. Now after the publication of the Planning Commission's draft report the position is clear; particularly after the acceptance of the election manifestos by the various political parties the position is very much clear as to the conception of "mixed economy", or socialised economy, or private economy in this country.

Shri Kamath (Madhya Pradesh): But the Planning Commission's report is not yet final—so there is no finality about "mixed economy" at all.

Shri Mahtab: Since the draft report has been published we can safely presume that the final report will not be something completely different from the draft report.

Mr. Deputy-Speaker: The hon. Minister seems to say that the Planning Commission's report supersedes the Industrial Policy Resolution of 8th April, 1948.

Shri Mahtab: No, the Planning Commission's report explains that Resolution. The Commission took that Resolution as the basis. They have explained the whole position; they have placed the full picture before the country and the Government have accepted that full picture. That full picture is that while there would be scope for nationalised industries, there would be plenty of scope for private industries also, but the private industries will not be left free to have their own way; they must submit to a certain plan, they must submit to a certain regulation which will lead to the fulfilment of the plan which the Planning Commission has placed before the country. We must frankly say that the free economy system, that is to say, that any private industry will have its own way irrespective of its social utility, irrespective of the social service it will be called upon to render, that old, *laissez faire* system is gone. The new system which is being evolved is that although there

is plenty of scope for private industries they must be regulated according to a certain plan.

That is the basic position, and that being the basic position the picture is complete. We will have to think out measures and we will have to readjust the Bill which was introduced in 1949 and the report of the Select Committee accordingly so that the private industries may be regulated for the purpose of the social plan which has been accepted by Government and which has been evolved by the Planning Commission. Now, how that will be done is a very great problem. So far as the Select Committee report goes, we as Government came to certain decisions as to how that report could be amended to suit the purpose of the plan which Government have adopted. That could have been done by moving a number of amendments to the report of the Select Committee. That course I thought would not be better than the course that I am about to suggest. The course I suggest will enable the Select Committee Members of this House to go into the merits of these amendments and to know the picture as a whole and then come to certain conclusions. When their conclusions will be made available to the House the House will be in a position to assess the respective merits or demerits of the report of the Select Committee and also the amendments which will be placed before the Select Committee by the Government which will be discussed and settled by the Select Committee as such. All these steps will enable the House to dispose of this Bill as quickly as possible. The idea behind this motion for Select Committee is not to delay it as is usually the case whenever a motion for Select Committee is made. Here the idea is to expedite the matter. As a matter of fact, I took into confidence several prominent Members of this House and sought their advice as to how best to expedite this measure which has long been before the House—for at least two years now. They suggested that the best course would be to refer it to the Select Committee and to discuss it informally first and then to place it before the House. In that event the House would take very much less time to dispose of it than it would otherwise do if the whole matter were new to the House and the Members are not in a position to grasp the full picture that is before them; it might also be confusing in certain cases. Therefore, the step which I have taken is intended to expedite the pace; I can assure the House that the intention is to pass this measure in this session itself. I am sure the report will be submitted by the Select Committee by the 17th September; if that is done

[Shri Mahtab]

then as soon as possible it will be brought before the House. Top priority has been given to this measure; many a time it has been repeatedly said on the floor of the House by the Prime Minister that we attach great importance to this measure. Therefore, I would suggest that this motion may be accepted and the Select Committee may submit their report by the 17th September so that by the end of the session this Bill may become law to the satisfaction of all concerned.

Shri Kamath: Is it too much to ask the Finance Minister, as a member of the Planning Commission, to throw some light on the grounds on which the Planning Commission suggested changes in the Bill which the Government have apparently adopted by way of amendments to the Bill?

Shri Mahtab: May I suggest that we may discuss these things in the Select Committee, in the first instance, of which the hon. Member is a member?

The Minister of Finance (Shri C. D. Deshmukh): I would refer my hon. friend to page 155, paragraphs 21, 22 and 23, of the draft report of the Planning Commission in which they explain some of their recommendations. I wonder whether the hon. Member has seen that.

Shri Kamath: Has he nothing to add to that?

Shri C. D. Deshmukh: Has the hon. Member seen this?

Shri Kamath: Not those particular paragraphs.

Shri C. D. Deshmukh: Well, he will probably find most of his difficulties answered there.

Shri B. K. Das (West Bengal): In view of the statement made by the hon. Minister that when the industrial policy was formulated in 1948 the picture was not very clear but the Planning Commission has subsequently interpreted that policy, may I know whether it is in the mind of the Government to re-state the industrial policy, or does the policy as it was formulated then stands?

Shri Mahtab: I have made it clear that the policy announced in April 1948 has been given flesh and blood by the Planning Commission and it is now a full picture before us: it was in the abstract then, it is now in a concrete shape today.

Mr. Deputy-Speaker: There is no change in the policy?

Shri Mahtab: No.

Mr. Deputy-Speaker: I will now put the motion to vote.

Shri Harihar Nath Shastri: Before you put it to vote may I suggest, the addition of the name of Mrs. Renuka Ray to the list of Members?

Shri Mahtab: I accept that.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the development and regulation of certain industries, as reported by the Select Committee, be recommitted to a Select Committee consisting of Shri Hari Vishnu Kamath, Shri Khandubhai K. Desai, Shri Arun Chandra Guha, Pandit Thakur Das Bhargava, Prof. K. T. Shah, Shri R. K. Sidhva, Dr. Panjabrao Shamrao Deshmukh, Shri T. A. Ramalingam Chettiar, Shri Ramnath Goenka, Shri Jaspat Roy Kapoor, Shri B. L. Sondhi, Shri Prabhu Dayal Himatsingka, Shri Tribhuvan Narayan Singh, Shri R. Venkatraman, the hon. Shri C. D. Deshmukh, Shri Dattatraya Parashuram Karmarkar, Shrimati Renuka Ray, and the Mover with instructions to report by the 17th September 1951."

The motion was adopted.

RAILWAY COMPANIES (EMERGENCY PROVISIONS) BILL—contd.

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the following motion moved by the hon. Shri Santhanam on the 3rd September 1951:

"That the Bill to make provision for the proper management and administration of railway companies in certain special cases, be taken into consideration."

Shri R. K. Chaudhuri (Assam): I felt very much honoured when my name was mentioned as one of the members of the Select Committee on this Bill. It is very rarely that I get such honours. All the same, I have to oppose the motion. I consider that it is extremely irresponsible on the part of my hon. friend Mr. Guha to move any kind of a dilatory motion. Only yesterday, there was a serious accident on a light railway in which eleven persons were killed and several injured. I really admire the soundness of the principle behind this Bill as also the good sense of the hon. Minister in bringing it forward. Had this Bill been in existence five years ago, many lives

would have been saved. In my own Province of Assam, many lives might have been saved on the famous T.B. Railway and many goods which were consigned to different unknown places might have reached the consignees correctly. I am very grateful to the hon. Minister of Railways for the kindness which he has shown towards Assam. Comparison is invidious, but I cannot help saying that the Railway Department is comparatively merciful towards my province, save and except that they do not consider any Assamese fit for holding a post of responsibility in their Department.

The Minister of State for Transport and Railways (Shri Santhanam): Our Financial Commissioner is an Assamese.

Shri R. K. Chaudhuri: Very little credit can be taken by the Railway Department for the appointment of Mr. Chanda, who perhaps got his somewhat responsible position in connection with another Department—not the Railway Department—and subsequently he was taken to the Railway Department as his services were found indispensable and valuable for the Railways. But be that as it may, I think that the Railway Department has always been merciful to Assam, and I hope my hon. friend the Finance Minister will emulate that example by giving greater grants to that poor province. Government have built the Assam Rail Link but for which we would have had very little connection with the rest of India. It was done at considerable cost, and all care and attention are being bestowed to improve the speed and comfort of this Link. So far as the famous T.B. Railway is concerned, (and I have been speaking about it from the year 1946), it has become already very notorious if not famous. T.B. does not really mean T.B. It means Tspur-Balipara. Perhaps it can even be called a Tubercular Railway because so far as railways are concerned this particular region is tubercular.

Mr. Deputy-Speaker: Is it contagious also?

Shri R. K. Chaudhuri: It is contagious also, because Bengal has also got the contagion. There are many such accidents in Bengal as there are in the light railway of Assam to which I have referred. When the attention of the Bengal Government was drawn to this matter, they have taken this strong measure and I am glad that they have done. Now, Sir, I should like to proclaim it from the housetops that our Government have been pleased to take over the T.B. Railway, instead of giving

it to another managing agent. We hope that within a short time we shall have better transport in that area.

So far as the railways in general are concerned, my opinion is that the Railway Ministry should not hesitate to spend money in the beginning wherever they find that a railway is necessary. After all, they will be able to recover all that money, although at first it may not yield profit. In the end they will be profitable concerns.

Before I conclude, Sir, I again repeat that it will be folly for us not to accept this Bill. Not a single moment should be wasted in its being brought into operation. This Bill should be enforced immediately so that passengers who are bound to travel and cannot help travelling in these railways may get immediate benefit.

Pandit Thakur Das Bhargava (Punjab): So far as this particular railway is concerned, I have nothing to say. I do not know the circumstances under which this railway was working nor the difficulties of the administration or the difficulties of the Bengal Government in taking it over. Therefore, whatever comments I have to offer will not apply to this railway. On the contrary, after having a talk with the hon. Minister of Railways I am convinced that his view that this particular railway may not be taken over by Government may be perfectly correct. All the same, the principle involved in the Bill is one which does not appeal to me at all. I think there is a great difference between an ordinary company and a railway concern, which can be called a utility concern. In cases where the railway system has failed to give convenience to passengers or where the service has broken down, I should think that the general policy should be that the Government should acquire the railway concerned. If there is any justification for Government acquisition, this should be the best justification. Under Article 31 of the Constitution, the law allows the Government to acquire such railway concerns, so that in my humble opinion instead of substituting another company or making over the management to another managing agent, it is much more desirable that Government should themselves take over a public utility concern like this. It is the settled policy of this Government that railways shall be Government concerns. In the Union List we find that railways are the special concern of the Government of India, and rightly so. But I do not understand how the Government policy differs from one place to another in respect of the very same matters. I understand that the policy of the Gov-

[Pandit Thakur Das Bhargava]

ernment is to take over the railway concerns in India. So far so good. Even if there are certain concerns to which leases have been given, I do not know whether there is not a provision in the lease contracts by which if the railway does not run well or its management is not run well, Government can take over those concerns.

If there is no such provision, I think we should be well advised in seeing that such a provision exists. If nationalisation is applicable to any sector, it is to communications. When a railway is not run efficiently and people are denied the right of communication from one place to another, Government has a right to step in and take over the management. So far as the principle underlying this Bill is concerned, we accept it whole-heartedly. I can well understand that there may be railways which it may not be possible to run efficiently. It may be a sort of liability on Government—just as this one. When Government is committed to the rehabilitation of railways, it is but right and proper that first of all money should be spent on the railways already existing.

11 A.M.

But at the same time I do not like that Government should be committed to a principle that in regard to railways mismanaged, Government should have the right to put another company and make over the management to that company. After all I do not know, Sir, how many other companies are there in this country which can manage or run the railways efficiently. I should think in regard to railway management our Government is an expert. They have got such a vast system of railways that they can certainly find the personnel and materials and all those things which go to make a good management. I should, therefore, think that in cases of mismanagement of railways, the ordinary course should be for Government to take over the administration and not substitute other companies in their place.

Now in regard to substitution of companies, it may be that in particular cases such provisions of a sweeping nature as we find in this Bill may perhaps be applicable. But ordinarily I would be very loath to agree to provisions of such a sweeping nature as would affect third parties. For instance, I find in clause 11 these words:

“(1) Notwithstanding anything contained in the Companies Act or in any other law for the time being in force, no managing agent shall

be entitled to any compensation for the premature termination under this Act of any contract of management entered into by him with the railway company, and no person shall be entitled to compensation in respect of the cancellation or variation under this Act of any other contract or agreement.”

In the first place, I do not know as I submitted earlier, the circumstances under which the affairs of this company went so bad, so far as management is concerned. It may be that the Directors may be at fault; maybe the managing agents may be at fault; maybe some other persons may be at fault. They may not have done their duty. But if A is at fault why should B be punished for it? If the Directors are at fault they should have been changed; if the Managing Agents are the defaulters their agency should have been terminated. There may be other men who may be in a position to manage it. But such a sweeping provision that as soon as an order is notified the result of it would be that all those persons mentioned in it would come to grief is not fair.

What would happen to the third persons? Supposing some persons had some contracts with this company—what would happen to them? They may be in a position to perform their part of the contract. Why should all of them be affected by this provision? In such cases I do not see how we can take the law into our own hands.

Even in the matter of substitution of another company you feel some compunction in that you say that after the lapse of some time, the original company, if its affairs are put in order, will be given an opportunity to manage the company again. That only shows your anxiety not to injure any party. This is very good. But in regard to utility concerns this principle does not apply. When there is a necessity of acquisition, the over-riding consideration is the convenience of the public, as against the ordinary rights of certain people. Of course ordinary rights will not be tampered with. Whatever compensation is deemed fair will be given. They will not be obliged to part with their properties for a song. They will get fair and full compensation. If you just take hold of a company and its management, nobody loses, whereas if you pass a law of this nature, not only those persons who are absolutely innocent, but even third persons who have nothing to do with the management will suffer badly. My humble submission is that even if it were necessary in this particular case to substitute another company there is no ground for throwing to the winds

the sanctity of contracts. So far as these provisions go, they are of such a sweeping nature that it will be difficult for us to agree to some of them.

We know that when the Sholapur Mill case went to the Supreme Court the view was taken that if there was a law which applied to all the companies no Fundamental Right was violated. But at the same time I do not think that all the companies are bad, or all the companies should be taken over. If there are good companies which are working well, I do not think that the sword of Damocles should be kept hanging over their heads.

I was rather surprised at the speech of Dr. M. M. Das. He accepted this principle and he was very eloquent to say that in a case of this nature, nationalisation is the only remedy. But when it came to the matter of Mr. Guha's amendment he was opposed to it. I would like that this Bill were referred to a Select Committee where this principle could be thrashed out. I do not want that this principle should be accepted as of universal application that whenever there is mismanagement, the company responsible should be substituted by another one. In this particular instance it may be perfectly right and I do not dispute that. But I do not want this principle to be accepted for all time to come and for all railways. Nothing will be lost by referring it to a Select Committee, with instructions to report early. If the hon. Minister wants that this measure should be passed in regard to this particular railway we have no objection. But we are not prepared to accept a principle of universal application like this.

Shri B. K. P. Sinha (Bihar): I welcome this measure. I welcome it for the reasons advanced by the hon. the Mover of this Bill and welcome it more for the weightier reasons advanced in its favour, by Mr. Sidhva, who is not here to receive this encomium.

The speech of Pandit Bhargava rather surprised me. He started by saying that he supported the principle of this Bill. But towards the end of his speech he criticised the one and fundamental principle underlying this Bill. That principle is that where public utility enterprises like railways are concerned, if they are not run on proper lines it is the duty of the State to step in and safeguard the interests of the people affected by those enterprises.

Pandit Thakur Das Bhargava: I never controverted that principle. I am one with you in that respect.

Shri B. K. P. Sinha: I am glad about that. That is the only principle involved in this Bill.

There are near about a dozen or more small lines in this country, which are managed by private enterprise and in certain cases by local bodies. It is our common experience that barring a few lines most of these are not run on proper lines. They do not give as satisfactory a service as we expect of such enterprises. They are not run as well as government railways. I have scanned the list of such lines and I find that their number exceeds a dozen by a few more—they are nearly fourteen or sixteen in number. I feel that in the interests of the country, in the interests of trade and industry, in the interests of people who use these railways the only permanent solution of this problem is that all these railways should be taken over by the State and incorporated in the various regional systems that are proposed to be set up or have been set up in different parts of the country. That is the only solution, in my opinion, of this problem. But so long as that solution is not before us, so long as due to financial considerations Government are not prepared to go that far, I think the only solution before us is the solution which has been advanced by the mover of this Bill.

Government while taking over a particular railway have come forward with a Bill of a general nature. But it seems Government's intention for the present is only to confine themselves to that railway, or to confine themselves by and large to railways managed by companies. There are certain railways which have passed under the control of local bodies as well. I feel that Government should take over those railways as well. I have nothing so far against railways managed by local bodies. But then, if affairs of local bodies and if conditions prevailing in local bodies are an indication of things to come, it is my fear that under the local bodies there will not be one Manager of the railways but so many. In company managed railways there are three, four or five directors and one Managing Director or Managing Agent. That is, the masters are few in number. When the control passes to local bodies the number of masters increases. I know of a certain railway in my State which is at present under the control and operation of a local body. So far the management is satisfactory, but there are certain tendencies which create a suspicion in my mind that in the near future conditions may not be as satisfactory as they are today, because in the local body there are forty members.

[Shri B. K. P. Sinha]

The railway, instead of serving one master, has to serve forty masters, they have to obey the orders of forty masters. And it is a wise saying that too many cooks spoil the broth. I therefore feel that in the interests of good management and efficiency of railways, Government should lose no time in taking over all railways, especially railways which are at present being managed by local bodies.

Coming to the provisions of this Bill, I find that the provisions in certain respects need some improvement. Clause 3 of the Bill which empowers Government to take over the administration of these railways comes into operation only after a breakdown. Evidently Government proceed on the assumption that cure is enough. But it is a well recognised principle of sanitation that prevention is better than cure. I would therefore urge that Government should find out ways of having a constant watch over the affairs of these companies or railways and as soon as they discover that these companies or these railways are not going on the right way they should intervene and interfere, in the interests of the public and of trade and industry in this country.

Then again I find that Government are pathetically clinging to a child which has now been disowned by everybody, I mean the managing agency system. In this Bill there is a provision that if Government so desire they can, in addition to the Board of Directors, have Managing Agents for these railway companies. I do not know what special reason there is for Government to have this love for the managing agency system. In private concerns managing agents are supposed to serve some good purpose; they supply the know-how, the capital in some cases—at least they are supposed to do all this. But in an enterprise which would be taken up by Government what useful purpose would a managing agent or a managing agency system serve? I do not think that it would be serving any useful purpose. In the Bill relating to the Sholapur Weaving Mill also such a provision was incorporated, and this question of the managing agency system was raised in the debate on that Bill: Then the Minister in charge of that Bill was pleased to make the concession that though the provision was there it would not be carried out in practice and that no managing agents would be appointed. And Government have kept their promise. I feel that in this Bill we should do away with the provision which empowers Government to have

Managing Agents or the managing agency system. If not a verbal assurance from the Minister is necessary.

Coming to the penalties prescribed in this Bill, in my opinion the penalties are very, very lenient. With regard to companies whose gross earnings sometimes run to Rs. 50 lakhs—in some cases it is Rs. 25 or 30 lakhs—a penalty of Rs. 500 or a short imprisonment would not be enough. I think the penalties should be harsher.

Then again, I find that when conditions improve and Government are prepared to hand over the management to the shareholders there is a provision which empowers Government either to appoint a new Board or to re-vest the management of the enterprise or the railway in the old Board. This is a principle which goes against the practice prevalent in this country so far as superseded bodies are concerned. In the case of local bodies, district boards and municipalities also there are provisions in every State Act dealing with these bodies that in cases of flagrant mismanagement they would be superseded, and there is a provision that after a certain period that supersession will be over. But when the supersession is over, those bodies are not surrendered and re-vested in the hands of the old executive. New elections are held and the management is handed over to that newly elected executive.

The old is discredited. Why should Government then reserve in the Bill the power to re-vest the management in a discredited body? I think that that provision should go. This is all I have to say. I am in general agreement with the principles of this Bill. Last year when the Sholapur Mill was being discussed here, constitutional doubts were raised but then as the hon. Mover yesterday pointed out those doubts have been set at rest by the judgment of the Supreme Court. This Bill is constitutionally proper and valid and it adumbrates a good principle and I think that instead of referring it to the Select Committee we should pass it here.

The Minister of Finance (Shri C. D. Deshmukh): I wish to make a few observations on the question of taking over privately managed railway lines to which reference was made during the speeches of the last two speakers. So far as the administrative aspect of this matter is concerned, I have no doubt that a reply will be given when my hon. colleague replies to the debate, but there are financial implications of the policy which I had occasion recently to study in connection with a specific proposal to take over a private line.

I found that apart from the actual cost of taking over, in such cases expenditure has almost always to be incurred over the improvement of the line. The cost of running is also likely to increase owing to the replacement of low scales which might be given by private companies to their employees by the standard Government scales. So, on a study of the general issue involved, I came to the conclusion, although I agreed to that particular proposal, that the financial burden will be sufficiently large to make it necessary to spread this process over a considerable number of years and that all one could do was to keep in the background this general desirability of taking over private lines, wherever public interests demanded such a step. A relevant consideration in such cases is whether running the line would be manifestly uneconomic. In this connection, it must be remembered that although very large resources are at the disposal of the Railway Administration, the requirements are still larger and that is a point on which the Planning Commission has also made certain recommendations. According to them, these resources should be applied in the main to rehabilitation of the existing Government lines in the first instance. I should like to refer in this connection to paragraph 9 which summarizes the conclusions of the Planning Commission in the Draft Report, on page 171.

Shri A. C. Guha (West Bengal): I want some clarification from the hon. Minister. The hon. Minister has stated about the financial implications but as far as I have been able to gather, the total capital invested is Rs. 6.5 crores and in this Bill the Government is practically taking over the management and handing it over back to some private agencies. Instead of doing that, if Government can hand it over to some Government agency, I do not think there will be any more financial burden than now. Moreover, the total capital expenditure invested in all these 16 Railways is only Rs. 6.5 crores.

Shri C. D. Deshmukh: I should like to say that in addition to the capital involved, there is this potential expenditure.

Mr. Deputy-Speaker: The hon. Member says that instead of taking over and transferring the administration to private agencies, as is envisaged in the Bill, the Government may manage it on behalf of the private company.

Shri C. D. Deshmukh: I have no observation to make on that. That is a matter of administrative policy. All I said was that if the suggestion is that Government should take over all these by acquiring and purchase, then the

expenditure involved would be much more than what is required by the capital invested.

Shri Santhanam: I shall reply to that in detail but here I may just point out that so far as this Bill is concerned, it leaves it open for us to appoint only our own officials as directors. It does not say that it must be only a private company or private persons. It is a question of expediency in a particular case.

Shri A. C. Guha: But you are not going to do that and that is our apprehension in the present case.

Shri Santhanam: That will be a question for the Bengal Government in the present instance.

Dr. M. M. Das: The Planning Commission has allotted about Rs. 500 crores during the next few years for the rehabilitation and improvement of Railways. May I ask the hon. Minister whether with this 6 or 7 crores out of a total of Rs. 480 crores it will be possible to expand and take over these narrow-gauge railways?

Shri Santhanam: I shall reply to that in detail.

Mr. Deputy-Speaker: It is not so much capital expenditure as the apprehended loss from year to year on account of higher standard of wages etc.

Shri C. D. Deshmukh: And certain non-recurring expenditure on necessary improvements, the cost of which might easily be very much more than the capital cost of acquiring the Railways. As regards the Rs. 100 crores that might be spared for rehabilitation this is what the Planning Commission says: "With the additional Rs. 100 crores provided in the second part of the plan, it will be possible to undertake some of the more urgent schemes of expansion". In other words they give priority first to rehabilitation, secondly to the more urgent schemes of expansion and then thirdly to applying capital for acquisition of private lines.

श्री. शेट्टी : माननीय उपाध्यक्ष महोदय,
रेलवे कम्पनियों का बिल चल रहा है और उस का एक मसौदा शंटिंग (shunting) भी हो गया है, क्योंकि देश के हित के लिये दूसरा बिल विशेष जरूरी था इसलिए इस को दूसरी लाइन पर ले लिया गया था। अब हमारे सामने जो बिल आया है उस को

[श्री भट्ट]

हमें दो तीन निगाह से देखना चाहिये । एक तो यह है कि जिस लाइन को हम ले रहे हैं याने जिस का मैनेजमेंट (Management) ले रहे हैं उस से लोगों को फ़ायदा पहुंचने वाला है या नहीं । दूसरी बात यह है कि वह फ़ायदा तत्काल पहुंचेगा या कई साल के बाद पहुंचने वाला है । तीसरी बात यह है कि जो सन्देश प्रकट किया गया है कि जिस रीति का कारोबार आज चल रहा है उस में कोई सुधार होने की सम्भावना है या नहीं इस को माननीय मंत्री जी मिटावेंगे । इन बातों में जाऊँ इस से पहले मैं यह चाहूँगा कि माननीय मंत्री जी हमें यह बतायें कि किस निमित्त से यह बिल आया है, उस लाइन में क्या क्या ख़राबियां थीं । क्या उस लाइन पर चलने वाले मुसाफ़िर कम हो गये थे ? क्या उस लाइन से जो माल ले जाया जाता था वह कम हो गया था ? क्या उस लाइन के डब्बे और एंजिन वगैरह सब रद्दी हो गये थे ?

Shri Santhanam: The line had stopped running, I said, for three months.

श्री भट्ट : वह तो इस स्ट्राइक (Strike) की वजह से हुआ है । स्ट्राइक से बहुत सी चीज़ें हो सकती हैं । क्या गवर्नमेंट के रेलवे इंस्पेक्टर ने जो रिपोर्ट की है उस में यह चीज़ें आई थीं । अप्रैल के स्ट्राइक के बाद ठेठ जुलाई में एक अध्यादेश राष्ट्रपति की तरफ़ से निकला । उस के पहले की क्या हालत थी और जुलाई के बाद आज की हालत क्या है ? इन सब बातों के बारे में माननीय मंत्री जी हमें कोई पूरी जानकारी नहीं दे सकते हैं । कल मैं ने एक सवाल पूछा था और यह चाहा था कि माननीय मंत्री जी पश्चिमी बंगाल गवर्नमेंट की जांच की जो रिपोर्ट है उस पूरी रिपोर्ट को हमारे सामने रखेंगे ताकि हम समझ सकें कि इस लाइन को हम क्यों लेना

चाहते हैं या यह कि इस का मैनेजमेंट इस रीति से इस बिल के जरिये हम क्यों देना चाहते हैं ?

Shri Santhanam: It has been placed in the Library, as promised.

श्री भट्ट : माननीय मंत्री जी को बताऊँगा, क्योंकि खुद उन्होंने कल कहा है कि मालूम नहीं कि उस की रिपोर्ट है या नहीं ।

उपाध्यक्ष महोदय : अब है ।

Shri Santhanam: I promised to make enquiries, and if the report was there, promised to place it in the Library. I found the report was available in the Railway Board and I had immediately placed copies in the Library.

उपाध्यक्ष महोदय : अब है, अब आप देख सकते हैं ।

श्री भट्ट : मैं ने तो अभी क़रीबन साढ़े नौ बजे तक देखा, लेकिन वहां कोई रिपोर्ट नहीं आई । और मैं ने कल रेलवे बोर्ड में तलाश की और जानकारी चाही लेकिन उन्होंने भी मुझे कुछ नहीं दिया है । अब माननीय मंत्री जी बतला रहे हैं कि रिपोर्ट आ गयी है तो हम को उस को देखने का पूरा मौक़ा दिया जाना चाहिये । तब हम कह सकेंगे कि क्या बात है, क्योंकि बिना रिपोर्ट को देखे हम आप के सामने कोई बात नहीं कहना चाहते हैं, उस में कोई ग़लती हो जाय ।

अब मैं इस मौक़े पर माननीय मंत्री जी को उस भावना की याद दिलाना चाहता हूँ जो उन्होंने सन् १९४८-४९ में जब वह एक साधारण सदस्य थे उस समय रेलवे बन्द पर प्रकट की थी । उन्होंने उस समय यह कहा था :

"Is this House in a position to obtain a grip and offer constructive criticism from the facts placed

before it and from the explanations offered to it? Secondly, is the Railway Standing Finance Committee in a position to be a reliable watchdog of this House?"

फिर आगे चल कर उन्होंने कहा :

"Has the Railway Minister placed before the House sufficient material to get a grip over the Railway finances as well as the Railway administration? My own feeling is that he has not."

श्री कामत : अब जमाना बदल गया है ।

श्री भट्ट : मैं माननीय मंत्री जी के शब्दों में ही कहूंगा कि जो चीज हमारे सामने नहीं है उस के विषय में हम कोई बहस भी नहीं कर सकते हैं । मैं इस को प्वाइंट ऑफ आर्डर (point of order) की दृष्टि से भी उठाना चाहता था कि जब तक हमारे सामने सारा मसाला ना आ जाय तब तक इस चीज पर बहस न हो । लेकिन अब चूंकि माननीय मंत्री जी कह रहे हैं कि रिपोर्ट उन्होंने पेश की है तो अच्छी बात है । उस को देखने का हमें मौका दिया जाना चाहिये और तब तक इस बिल की दूसरी पढ़त, क्लॉज बाई क्लॉज [clause by clause], नहीं लेनी चाहिये, वह बाद में लेनी चाहिये, यह मेरा एक सुझाव है ।

मैं दूसरी एक बात यह सुझाना चाहता था कि क्या ऐसी चीजें रेलवे की स्टैंडिंग फ़ायनेन्स कमेटी के सामने नहीं लाई जाती हैं? ऐसी चीजें सेंट्रल एडवाइज़री काउन्सिल ऑफ़ रेलवेज़ (Central Advisory Council of Railways) के सामने क्यों नहीं लाई जाती हैं, यह मैं पूछना चाहता हूँ । दूसरे बिल जो लाये जाते हैं वे स्टैंडिंग एडवाइज़री कमेटी (Standing Advisory Committee) के सामने लाये जाते हैं, लेकिन हमारे रेलवे बोर्ड का क्या तरीका है, क्या रवैय्या है, कि वह इस प्रकार के बिल

यहां ले आये हैं और हमें कुछ भी मालूम नहीं होता कि क्या हो रहा है, रेलवे बोर्ड जाने या हमारे माननीय मंत्री जी जानें । हम को एकदम अकस्मात् ही मालूम होता है कि यह चीज आई है । तो मेरी प्रार्थना है कि इस प्रकार की चीजें आवें तो अगर आप चाहते हैं कि रेलवे स्टैंडिंग फ़ायनेन्स कमेटी हाउस की तरफ से निगरानी करने वाला मंडल हो, वाचडाग (Watchdog) हो, तो यह इस प्रकार के बिल पहले बंधा आने चाहिये ।

अब मैं इस बिल के मुताल्लिक थोड़ा सा कहूंगा । जब तेज़पुर-बल्लीपाड़ा लाइन लेने की बात पिछली फ़ायनेन्स कमेटी में आई थी तो यह बेचारी टी० बी० रेलवे है, उस के फोफड़े करीब करीब खत्म हो गये हैं । लेकिन रेलवे बोर्ड ने और हम ने यह सोचा कि इस को लेने की ज़रूरत है । यह आर्थिक दृष्टि से किसी तरह से स्वावलम्बी नहीं हो सकती है, चाहे इस के ऊपर कितना ही खर्च करो । माननीय अर्थ मंत्री जी ने कहा कि हम को खर्च करना पड़ेगा । हमारे दूसरे मेम्बरों ने भी कहा कि खर्च करना पड़ेगा, तो भी हमें यह नफ़ा देने वाली चीज साबित नहीं होगी । किन्तु फिर भी हम देखते हैं कि जनता के हित में और वहां के लोगों के हित में यह लाइन लेना बहुत ज़रूरी है । इसलिये उस लाइन को लेना हम ने तय किया और तय किया कि जो कुछ खर्चा आवेगा वह बर्दाश्त करने को रेलवे तैयार हो ।

अब इसी तरह मैं आज यह नहीं कहना चाहता हूँ कि सब की सब छोटी लाइनें जो कम्पनियां चला रही हैं उन सब को आप आज ही ले लीजिये । लेकिन इस बिल में कहा गया है कि :

"Of late, Government have been receiving complaints regarding mismanagement by some of these

[श्री भट्ट]

companies thereby causing a great deal of inconvenience to the normal life of the community."

तो मैं जानना चाहता हूँ कि कौन सी लाइनों के बारे में इस प्रकार की शिकायतें आई हैं और सिर्फ़ एक ही लाइन लेने के बारे में यहाँ क्यों सोचा गया है। दूसरी लाइन के मैनेजमेंट के बारे में क्यों नहीं सोचा गया है? इस की जानकारी में माननीय मंत्री जी से चाहूँगा।

मैं आप का ध्यान उस तरफ़ दिला रहा था कि किस तरह हम ने वह टी० बी० रेलवे लाइन लेने का निश्चय किया। मैं मानता हूँ कि भाई गुहा वगैरह जो वहाँ के रहने वाले हैं उन की बात समझनी चाहिये और हमें मानना चाहिये कि वहाँ के प्रतिनिधि जो कुछ कह रहे हैं वह दर्द के साथ कह रहे हैं। वह कहते हैं कि इस लाइन को रेलवे बोर्ड को ले ही लेना चाहिये, उस के सिवाय और कोई चारा नहीं है। कल माननीय मंत्री जी ने अपने भाषण में कहा था :

"We considered and considered over this question and we came to the conclusion that it is not worth while taking over this line."

मैं कहता हूँ कि जो चीज निकम्मी है जिस को आप नहीं ले सकते हो, जिस से आप को कोई फ़ायदा नहीं है, तो फिर आप एक दूसरी सरकार के माथे पर क्यों थोपते हो। वेस्ट बंगाल की गवर्नमेंट हो या कोई दूसरी गवर्नमेंट हो वह भारत का ही एक अंग है। रुपया उन को लगाना है, वहाँ वह पैसा खर्च करेगी। जब आप के एक्सपर्ट कहते हैं कि इस से कोई फ़ायदा नहीं होने वाला है, इस के बजाय चाहे वहाँ आप रोड ट्रांसपोर्ट (Road Transport) अच्छा बना दें, तो फिर आप इस को चलाते क्यों हो, इस को बन्द क्यों नहीं कर देते हो? और वह आज भी बन्द पड़ी है, इस को बन्द रहने दीजिये, कम्पनी

लिक्विडेशन (Liquidation) में चली जायगी, उस के शेयरहोल्डर्स (Shareholders) जो हैं वे अपने पैसों के नुक़सान को बरदाश्त कर लेंगे। आज एक जिम्मेवारी हम सम्भाल नहीं सकते हैं और उस को हम इस क़ानून से वेस्ट बंगाल गवर्नमेंट को सौंपना चाहते हैं। और वह क्या करेगी? उस ने अभी तक कुछ नहीं किया। अभी तक माननीय मंत्री जी को मालूम नहीं कि वह रेल अब फिर से चलने लगी है या नहीं। यह बात उन को नहीं मालूम है, तो फिर पता नहीं किस रीति से इस का अच्छा इन्तज़ाम होने वाला है। मैं मानता हूँ कि एक्सपर्ट ओपिनियन (expert opinion) यह है कि वह लाइन नहीं चल सकेगी और लाखों और रुपयों की इस में बर्बादी होने वाली है। तो फिर अच्छा है कि रोड ट्रांसपोर्ट को ही आप अच्छा बनाइये और उस के ज़रिए जितना काम है उतना कीजिये। लेकिन इस के साथ ही मेरी जो जानकारी है वह मैं समझा देता हूँ। सन् १९४७, १९४८, १९४९ और १९५० की रेलवे बोर्ड की रिपोर्टों से यह नहीं मालूम होता है कि इस रेलवे को नुक़सान ही नुक़सान हुआ है या फ़ायदा हुआ है और माननीय अर्थ मंत्री जी को मालूम होना चाहिये कि सन् १९४९-५० की जो रिपोर्ट है उस में ८८ हजार फ़ायदा इस को हुआ है, यह इस की नेट इनकम (net income) है। तो यह फ़ायदा कहाँ से हुआ? उस में मुसाफ़िर भी ज्यादा गये हैं, मुसाफ़िरों की संख्या में भी बढ़ोतरी हुई है। जो माल ढोया गया है उस में भी बढ़ोतरी है। तो मैं नहीं समझ सकता कि यह रेल किस रीति से निकम्मी बन गयी, इत के क्या कारण हैं। अगर उस की खिड़कियाँ ठीक नहीं हैं, डब्बे ठीक नहीं हैं तो हमारे रेलवे के इंस्पेक्टर क्या करते हैं, क्योंकि रेलवे ऐक्ट के मुताबिक

हम को यह सब देखने का अधिकार है। सब चीजों को हम दुरुस्त करवा सकते हैं और अगर वह दुरुस्त न करें तो रेलवे को हम बन्द भी कर सकते हैं। यह अधिकार हम को है। तो इतने दिनों से जो चीज अब तक चल रही है उस में आज क्या चीज आ गयी, कौन सी चीज ऐसी हो गयी कि जिस से सन्तोष नहीं होता है? आप उस को ले नहीं सकते, और आप जिन को कारोबार सौंप रहे हो वह भी इस को नहीं सम्भाल सकेगे। क्योंकि अभी तक क्या था? इस रेलवे को मदद देने वाला या चलाने वाला चौबीस परगना का डिस्ट्रिक्ट बोर्ड भी था। वह कितना रुपया देता था वह मालूम नहीं है। और मालूम नहीं होने से मैं नहीं बोल सकता और आप का ध्यान नहीं खींच सकता हूँ। लेकिन अगर वह भी गवर्नमेंट का एक अंग था तो जो वैस्ट बंगाल गवर्नमेंट ले रही है वह भी गवर्नमेंट का एक अंग है। जब हमारी बड़ी सरकार यह कह रही है कि इस को लेने में कोई फ़ायदा नहीं है तो मैं मानता हूँ कि इस पर सोच विचार और किया जाना चाहिये। इसलिये पहले में जरूर इस हक में नहीं था कि श्री गुहा जी की बात मान ली जाय। लेकिन अब मैं इस को इसलिये चाहता हूँ कि माननीय मंत्री जी थोड़े दिन इस पर और गौर कर लें और इस चीज को ठीक ढंग से विशेष विचार कर के अच्छी बचाने की कोशिश करें। इसलिये इस सिलेक्ट कमेटी के प्रस्ताव को मान लिया जाय। लेकिन यह मैं नहीं मानता कि आर्डीनेन्स जो जारी किया गया है वह खत्म हो जाय। वह २० सितम्बर को खत्म हो रहा है, उस के पहले यह बिल पास हो जाना चाहिये:

लेकिन मैं चाहता हूँ कि जो कारोबार जैसा चलना चाहिये वैसा चलाना ही चाहिये। और कुछ नहीं होता है तो जिस रीति का कारोबार आप चलाना चाहते हैं, इस बिल में जैसी मंशा है, उस के अनुसार चलना चाहिये। इस चीज को मान लेने से हमें इस को अपने हाथ में लेना होगा, चाहे यह नुकसान की हो, चाहे नफे की हो, क्योंकि यह लाइन पाकिस्तान से सम्बन्ध रखने वाली चीज है। यह लाइन शरणाथियों के साथ सम्बन्ध रखने वाली है। इस लाइन को हम छोड़ नहीं सकते। इस के लिये हम यह नहीं कह सकते कि इस में कुछ करने की जरूरत नहीं है। यह ५४ मील का छोटा सा टुकड़ा है। मैं ने तो यह नहीं कहा है कि बारसी लाइन को, इतनी बड़ी लाइन को ले लीजिये। यह तो छोटा सा ही टुकड़ा है। मैं इस को मानता हूँ कि यह जरूरी हो तो इस को लेने को सोचा जाय और यह जो बीच का रास्ता निकाला जाता है कि इस कम्पनी से निकाला जाता है तो उस में मैं ऐतराज नहीं उठाऊंगा। लेकिन इस से सन्तोष नहीं होने वाला है। दो महीने या एक महीने के बाद आप को सोचना ही होगा और इस टी० बी० लाइन को जिस तरह आप ने ले लिया इसी तरह आप को दूसरी लाइन भी लेनी होगी। इस में चाहे जितना खर्चा हो, और मेरी समझ में शायद उस में २० लाख से ज्यादा खर्चा नहीं हो सकता है। इस को मन्जूर करने में रेलवे बोर्ड को हिचकिचाहट नहीं होनी चाहिये जब कि वैस्ट बंगाल का एक हिस्सा इस से लाभ उठावेगा।

माननीय उपाध्यक्ष जी, मैं शोलापुर मिल के बारे में जो ऐक्ट है उस में और इस बिल की तुलना नहीं करना चाहता हूँ। वह अलग अलग चीज हैं और जत्र संतोषों के विषय में बोलना होगा तब मैं जरूर कहूंगा। लेकिन अभी मैं यह अर्ज करना चाहता हूँ कि एक

[श्री भट्ट]

तो माननीय मंत्री जी हमारे सामने सब मसाला रख दें जिस से हम उस को पढ़ सकें और सब बात मालूम कर सकें। और वह हम को मौका भी दे सकते हैं। अगर सिलैक्ट कमेटी की बात वह मान लेते हैं तो उन को भी समय मिल जायगा और हम सबों को समय मिल जायगा और कुछ ज्यादा अच्छा तरीका, आरवासन देने का चाहेंगे तो उस का भी तरीका वह निकाल सकेंगे।

इतना कहते हुए मैं इस बिल का जो मूल उद्देश्य है कि इस लाइन को हमें ले लेना चाहिये उस का समर्थन करता हूँ। लेकिन इस के लिये जो तरीका अस्तित्कार किया जा रहा है उस से हमें सन्तोष मिलने वाला नहीं है।

(English translation of the above speech)

Shri Bhatt (Bombay): Sir, the Railway Companies Bill now before us has already once been shunted off in favour of another Bill which was of greater importance in the country's interest. It was, therefore, put aside for the time being. The Bill that has now come up before us should be viewed from two or three angles. The first thing is whether the public is going to be benefited or not if we take over the management of the line in question. Secondly, we have to see whether the benefit will accrue immediately or it will take some years before anything comes out. Thirdly, the hon. Minister should clear off the doubts that prevail with regard to any improvements to be effected in the existing management of that railway. Before going into these points, I should like the hon. Minister to tell us what is the aim of this Bill, what were the defects in that line, whether the number of passengers travelling on that line had gone down or the amount of freight carried on the line had decreased or the engines, bogies and wagons had become worn out.

Shri Santhanam: The line had stopped running, I said, for three months.

Shri Bhatt: That was due to the strike. A strike can cause many things to happen. Have these things appeared in the reports submitted by the Inspector of Railways? After the

strike in April, an Ordinance was issued by the President in July. What were the conditions prior to that and what are the conditions now? The hon. Minister is unable to give us information with respect to all these matters. Yesterday I put a question asking the hon. Minister to place before the House the complete report of the enquiries made by the West Bengal Government so that we might be in a position to understand why the line was sought to be taken over or why the management proposed in the Bill was expedient.

Shri Santhanam: It has been placed in the Library, as promised.

Shri Bhatt: I would remind the hon. Minister that only yesterday he said that he did not know whether the report was there or not.

Mr. Deputy-Speaker: It is there now.

Shri Santhanam: I promised to make enquiries, and if the report was there, promised to place it in the Library. I found the report was available in the Railway Board and I had immediately placed copies in the Library.

Mr. Deputy-Speaker: It is there now; he can see it.

Shri Bhatt: I looked for it today till nearly 9.30, but no report had come there. Yesterday, I tried to find it in the Railway Board and wanted to have some information; but they did not supply me any. But since the hon. Minister now says that the report has come, I have to request him to give us a full opportunity to study it for without looking into the report we do not want to say anything in the matter before you because we are then prone to mistakes.

Now, I will take this occasion to remind the hon. Minister of his comment on the Railway Budget in 1948-49 when he was an ordinary Member. His words were:

"Is this House in a position to obtain a grip and offer constructive criticism from the facts placed before it and from the explanations offered to it? Secondly, is the Railway Standing Finance Committee in a position to be a reliable watchdog of this House?"

A little onward he observed:

"Has the Railway Minister placed before the House sufficient material to get a grip over the Railway finances as well as the Railway administration? My own feeling is that he has not."

Shri Kamath (Madhya Pradesh):
Times have changed now.

Shri Bhatt: In the words of the hon. Minister himself I have to say that we cannot give consideration to a matter the material of which is not before us. I also wanted to raise the issue on the point of order that no discussion should take place until we have all the material before us. However, now since the hon. Minister says he has placed the report in the library, I would suggest to him to give us enough time to go through it and until such time the second reading, its clause by clause consideration, should be deferred.

Another suggestion I wanted to make was in regard to bringing up of such things before the Standing Finance Committee for Railways or the Central Advisory Council of Railways. I want to ask why is it not being done. Other Bills are brought before the Standing Advisory Committee; but our Railway Board has adopted a strange attitude that such Bills are brought here without our prior knowledge of them. Only the Railway Board or the hon. Minister may know why it is so. We come to know all at once of its coming before us. Therefore, I say that when such things are proposed to be brought forward, then, if the Government really want the Railway Standing Finance Committee to serve as our watchdog, such Bills must go to them before coming here.

I now come to the Bill itself. When the subject of taking over of the Tejpur—Ballipara Railway line came up last time before the Finance Committee, it was found, as the hon. Minister and other members said, whatever expenditure may be incurred on it, it could not become self-sufficient and could not be a gainful proposition, for the lungs of this poor T.B. Railway were badly affected. In spite of that, however, we and the Railway Board decided to acquire it in the wider public interest and agreed that the expenses should be borne by the Railway Ministry.

I do not want to suggest that all the light railways should be acquired by the Government and it has been said in the statement of Objects and Reasons that:

“Of late, Government have been receiving complaints regarding mismanagement by some of these companies thereby causing a great deal of inconvenience to the normal life of the community.”

I would, therefore, like to know what are the railway lines about which such complaints have been received and why the Government have taken such decision with regard to one line only leaving others aside. I hope the hon. Minister will throw light on this point.

I was drawing your attention to our decision to acquire the T. B. Railway line. Our friends Shri Guha and others hail from that place and must try to understand their viewpoint and realize that the representatives of that place are voicing their grievance with a feeling. They say there is no other remedy save taking over of it by the Railway Board. Yesterday the hon. Minister declared in his speech:

“We considered and considered over this question and we came to the conclusion that it is not worth while taking over this line.”

But when the Government consider it a worthless thing for acquisition which would not yield any profit, why should they impose its burden over another Government? Whether it be West Bengal Government or any other Government, that State is a part of India. It will have to spend money over it. When the experts of the Government are of the opinion that there is no profit in running it and that it would be better if road transport is started there instead, why should it be run at all and not closed down? At present too it is not operating. Let it be closed down; the company will go into liquidation and its share-holders will bear the loss. We want to entrust to the West Bengal Government a work of responsibility that we ourselves cannot carry out. What would that Government do? So far they have done nothing. The hon. Minister is still not aware whether the Railway has yet started functioning or not. I, therefore, do not understand how its affairs would be improved. When the expert opinion says that the line cannot operate and a loss of lakhs of rupees is bound to occur, the better course is to improve the road transport and do all business through it. However, I would like to tell you what is in my knowledge. The reports of the Railway Board for the years 1947, 1948, 1949 and 1950 do not show that this Railway has suffered any loss. On the other hand, it has earned a profit. The hon. Minister should know that according to the Report for the year 1949-50, it has earned a profit of Rs. 88,000. This is its net income. Wherefrom did this income accrue? The number of travellers who travelled on this line

[Shri Bhatt]

as well as the amount of freight carried by it have also shown an increase. I am, therefore, unable to understand how did this railway become unfit. If the windows or the carriages are not in proper condition, I wonder what our Inspector of Railways does; for the Railway Act provides for inspection of these things. He can get them repaired; and if they are not repaired, the railway line could even be suspended. We have got that power. When that railway line was operating till recently what happened suddenly to create this unsatisfactory condition? You cannot take it over and those to whom it is being entrusted would also not be able to manage it. So far the position was that the District Board of the Twenty-four Parganas was also rendering financial assistance to this railway although I do not know the amount it gave. Therefore, I cannot go into detail and claim your attention on this point. But if that was a part and parcel of the Government, so also is the West Bengal Government which is taking over the Railway. But when the Central Government see no point in taking over this railway, it is necessary that we give sufficient thought to this subject. At first I was not favourably inclined towards Shri Guha's suggestion. But now I am so inclined, for the reason that the hon. Minister might have some more time to consider it and improve matters. So the proposals of the Select Committee should be accepted. But at the same time I do not adhere to the view that the Ordinance that has been issued should be repealed. It terminates on the 20th September and this Bill must pass before that date. But I want that the work should be done in the right manner. If anything more cannot be done, this line should at least function as indicated in the Bill. And this aspect is to be borne in mind that since this line has a bearing in relation to Pakistan, it must be acquired whether it be profitable or not. It has a close relationship with the refugees. So we cannot leave it alone and think that we need not do anything with it. It is a small line nearly 54 miles long. I am not asking the Government to take over Barsi line which is a big line. I am asking them to acquire what is only a small line. I would not raise any objection to the middle way that is adopted in the Bill for taking over the line from the Company. But it would not be a satisfactory solution. After a month or two you will have to think over again and just as the T. B. line has been taken over so this line would also have to be acquired, whatever the

expenditure involved. And I suppose it would not require more than Rs. 20 lakhs. So the Railway Board should not hesitate to take such an action when a part of West Bengal is going to be benefited by it.

Sir, I do not want to make a comparison between the Act relating to the Sholapur Mills and the present one at this stage. They are different subjects and I shall express my views in that connection when amendments are taken up. But at present I want to request the hon. Minister to give us all the relevant material so that we may go through it and probe into the real situation. He may also give us an opportunity by agreeing to the proposals of the Select Committee. He would then get some time to ponder over it and we also would have more time for its consideration and probably he would then be in a position to find out a better way.

With these words I support the basic principle of the Bill envisaging taking over of this line. But the method that is being adopted for this purpose is not satisfactory.

Shri Ghule (Madhya Bharat): The House must be thankful to the company in Bengal which inspired the Government to bring this Ordinance and thereby this Bill into being. Sir, when it was the policy of the Government to nationalise the transport systems in the country, it was incumbent on them to see that all the company-managed railway lines in the country were properly controlled, and so this Bill should have been brought much earlier. But as it is, we know that it is the general practice with us that unless we see that things have gone wrong completely, we do not make any move. Therefore I say that we must be thankful to this particular company which was responsible for the promulgation of the Ordinance and for the subsequent drawing up of this Bill that has come before the House now.

I support the principle underlying this Bill, not because it is the best course today, but because it is the second best. The best course, in my opinion, is to take over all the railways run by companies and completely nationalise the railway system in the land. It is not a happy thing to contemplate that in this vast country where we have nationalised almost all the railways, these small narrow gauge railway lines should be allowed to be run by private companies and the people there allowed to suffer. Sir, it is envisaged under this Bill to appoint directors under three conditions. And these conditions also

strengthen the point that I have just placed before the House. These conditions are—

(1) that a situation has arisen which has prejudicially affected the convenience of persons using the railway administered by the railway company.

(2) has caused serious dislocation in any trade or industry using the railway, or

(3) has caused serious unemployment amongst a section of the community.

And that means, that the Government wants to wait till all these things come about. They want to see that there is unemployment amongst a section of the community, or that there is inconvenience caused to the persons using the railway, or there is serious dislocation in trade and industry. I would, however, request the Government not to wait till these things actually take place, but to anticipate them where they are likely, and if there is sufficient reason to believe that such things are likely to take place, the Government should take over the lines. They should not wait for accidents to take place of which we had one experience only this morning. One hon. Member asked the question whether there were no accidents on the Government-managed railway lines. Sir, all these questions were fully discussed when we dealt with the Bill for the nationalisation of our Transport systems. The same answer that was given then could be given to the question now put. As I was saying, this Bill in itself, would be a very good corrective. This Bill would have a good effect on these companies managing the railways and many matters which are going wrong today would be set right. This threat of being taken over by the Government would act as a good corrective. And for this reason also I think this Bill is a good piece of legislation and it should be enacted as soon as possible.

The point was put forward by my hon. friend Shri Bhatt that all the information necessary for dealing with this matter has not come before the House and for this reason, I am inclined to think that there is no harm if the Bill is referred to a Select Committee and the report called for within a few days. Nothing would be lost if we refer this Bill to a select committee and call for their report within a fortnight, because the ordinance would not expire before then. Nobody in this House is against the principle of the Bill and Government should not hesitate to refer the Bill to

a select committee. If anything there would be improvement in the provisions of the Bill by its being referred to a select committee. I therefore support the motion moved by Mr. Guha, at the same time supporting the principles underlying the Bill.

Dr. Ram Subhag Singh (Bihar) : The Bill under discussion shows that at long last the Government has come to realise that all is not well with private companies operating the narrow gauge railways. Coming from a district where two or rather three narrow gauge railways, Arrah-Sasaram; Dehri-Rohtas; and Sasaram-Dumarkhar lines are in operation I know a little of the difficulties to which the public using these railways either for travel or for transport of goods are put to because of the mismanagement of the railways.

From the point of view of convenience to passengers there is hardly anything like passenger amenities such as drinking water or lavatory facilities. Although the Arrah-Sasaram Railway runs for a distance of 60 miles there is neither safety nor security arrangements for passengers.

In regard to allotment of wagons discriminatory treatment has been complained of. In some cases this matter has come to the notice of the Government. But to my knowledge no step has been taken by the Government to remove this discrimination. Because of this the growth of trade and industry in that region has been very much hampered.

It is thus obvious that neither from the point of view of convenience to passengers nor from the point of view of the growth of trade and industry in that area is the management of those railways satisfactory or up to the mark. That was why the other day this matter was discussed in the Bihar Legislative Council in the form of a private member's resolution, which recommended to the Government that those railways should be taken over by the Government.

To meet such eventualities this Bill provides for the appointment of new directors and the creation of new management. Though it is a definite improvement, it is not a permanent cure of the problem which those railways are faced with. Clause 12 of the Bill is in the nature of restoring the *status quo* after certain conditions have been fulfilled. It says :

"If at any time it appears to the Central Government that the purpose of the notified order appoint-

[Dr. Ram Subhag Singh]

ing directors has been fulfilled or that for any other reason it is unnecessary that the notified order should remain in force, the Central Government may, by notified order, cancel the appointment of directors made under this Act."

This clause 12 will undo what the appointment of directors will do. It further says:

"On the cancellation of any such appointment as is referred to in sub-section (1), the Central Government may—

(a) direct that all the property, effects and actionable claims of the railway company shall revert in the persons in whom they were vested before the issue of the notified order under section 3;....."

So this clause will bring back the railways to the same position in which they were several years ago.

In the situation despite the Finance Minister's statement to the contrary, the best course would be for the Government to take over those company railways. The Finance Minister said that it would be a costly affair to replace the existing staff which are given low pay by the company. In this connection the Finance Minister also referred to the Planning Commission's report. But I think that it should not be the duty of the Planning Commission to perpetuate inequalities in this country.

In the past when the demand was made that those railways should be taken over by the Government, it was argued by the Government that the right of purchasing them was vested in the district boards. Actually seven out of ten light railways are assisted by district boards. However, even if the management of those railways were to pass into the hands of district boards not much improvement would be effected. I would therefore ask that keeping all this in mind some suitable changes should be made, if necessary by referring the Bill to a select committee.

चौधरी रनबीर सिंह : उपाध्यक्ष महोदय, मैं श्री अरुण चन्द गुहा के प्रस्ताव का समर्थन करता हूँ। लेकिन क्या मैं यह चाहता हूँ कि इस आर्डिनेन्स (Ordinance) की मियाद गुजर जाने के बाद इस का इन्तजाम फिर पहले वाली कम्पनी के हाथ में चला जाय ? जाती तीर

पर मैं इस ख्याल का हूँ कि अगर एक दफा एक कम्पनी गलती करती है तो उस को दुबारा चान्स (chance) देना ही नहीं चाहिये। लेकिन यह प्रश्न एक प्रिंसिपल (Principle) का प्रश्न है। जैसा अभी कई दोस्तों ने कहा कि आखिर में इस का जो हल है वह इन कम्पनियों को नेशनलाइज (nationalise) करने में ही है, और उसी ढंग से हमें करना चाहिये और सोचना चाहिये। श्री अरुण चन्द्र गुहा जी ने बताया कि यह सिर्फ साढ़े छः करोड़ का सवाल है। इस देश में जिस का इतना बड़ा बजट है साढ़े छः करोड़ कोई बहुत बड़ी चीज नहीं है।

पंडित ठाकुर दास भागंब : साढ़े चार करोड़, क्योंकि दो करोड़ स्टेट रेलवेज का है।

चौधरी रनबीर सिंह : माननीय भागंबजी कहते हैं कि साढ़े चार करोड़ ही है। मैं यह इसलिये भी कहता हूँ कि हमारे देश ने अपने निजाम के लिये एक डिमाक्रेटिक सेट-अप (Democratic set up) माना है। इस का कुछ पोलिटिकल (political) असर भी होता है। जिन इलाकों के अन्दर यह रेलवे लाइनें चल रही हैं वहाँ के आदमियों से पूछिये तो उन की समझ में नहीं आता कि बीकानेर की लाइन ले ली, मैसूर की लाइन ले ली, और बड़ी बड़ी रियासतों की लाइनें ले लीं, लेकिन यह क्या कारण है कि छोटी छोटी कम्पनियों की लाइनें उन्हीं के पास हैं और जो उन के इन्तजाम करने वाले हैं उन से जो लोग मिलने जाते हैं तो उन से वह ऐसी अहकी बहकी बातें कहते हैं कि कुछ पूछना ही नहीं। आप खुद चले जाइये। कहते हैं कि उन की रेलवे कोई ले ही नहीं सकता। वह उन को यह ख्याल देते हैं कि उन का किसी बड़े आदमी से या बड़े

अफसर से वास्ता है, या यह कि उन का हमारे साथ एक क्रिस्म का समझौता हो गया है जिसे हम कभी तोड़ ही नहीं सकते, या यह कि वह गवर्नमेंट या कान्स्टिट्यूशन (Constitution) के बस से बाहर की चीज़ है। तो ऐसी हालत में उन का जो पोलिटिकल एफ़ेक्ट (Political effect) होता है वह बहुत बुरा होता है जहाँ तक उन के टोटे या नफ़ा का सवाल है, जैसा कि आज ही ज़िक्र था ग़हादरा सहरनपुर लाइट रेलवे के बारे में जो कि आप के बहुत नज़दीक है, जब वहाँ कोई जाता है तो देखता है कि उस गाड़ी पर बैठ कर लोग सफ़र करते हैं, उस से लटक कर सफ़र करते हैं और छत पर भी बैठ कर सफ़र करते हैं। अगर इस के बावजूद भी वह टोटे वाली लाइन है तो मैं यह समझता हूँ कि या तो सरकार को उस टोटे को मन्बूर करना चाहिये, या सरकार को यह फ़ैसला देना चाहिये कि वह लाइन बिल्कुल न चलाई जाय। इस के बीच का कोई दूसरा रास्ता नहीं हो सकता है। यह कभी नहीं हो सकता है कि कोई ठेकेदार बन जाय और तमाम लोगों को इधर उधर छत पर बैठा कर सफ़र कराता फिरे। वह भी एक ऐसे देश में जिस देश की सरकार सिर्फ़ एक ला एंड आर्डर (Law and order) मेन्टेन (maintain) करने वाली सरकार नहीं है बल्कि जो यह मानती है, और जिस ने कान्स्टिट्यूशन में यह माना कि जितनी पब्लिक यूटिलिटी सर्विसेज़ (Public utility services) हैं उन सब को नेशनलाइज़ (Nationalise) होती चाहिये। तो इस में कोई कारण नहीं मालूम होता कि क्यों इन लाइनों को किसी दूसरे रास्ते पर चलाया जाय।

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दूसरे एक और भी बात है। कुछ दोस्तों ने कहा कि जिनका इन्तज़ाम कुछ
288 PSD

अच्छा है उन्हें शायद कुछ देर के लिये छोड़ दिया जाय। मैं तो इस को बिल्कुल उल्टा समझता हूँ। मैं तो यह मानता हूँ कि उन को क्यों छोड़ दिया जाय। क्या हम ने घाटा ही लेने का ठेका लिया है। क्या देश का सब टोटा हमारे ही जिम्मे आयेगा, क्यों न हम मुनाफ़े वाली लाइन भी लें। यह तो सवाल ही नहीं पैदा होता चाहिये कि कोई शिकायत लाये तब हम उस पर विचार करें और फ़ैसला करें। यह तो एक आम फ़ैसला करने वाली चीज़ है और वह साफ़ है कि इन सब को नेशनलाइज़ कर दिया जाय। यह कोई बहुत बड़ी बात नहीं है। मैं एक ऐसे इलाक़े से आता हूँ जिस इलाक़े की रेलवे लाइन डिस्मन्टल्ड (dismantled) है, मेरा मतलब रोहतक-पानीपत लाइन से है जिस को १९५३-५४ में दुबारा बिछाने का प्रोग्राम है। हो सकता है इस में कुछ देर हो, लेकिन मैं नहीं समझता कि सरकार के पास देर करने का कोई कारण है। लेकिन फिर भी मैं समझता हूँ कि जैसी मेरी लाइन है ऐसी ही दूसरी लाइनें हैं और उन लोगों को भी हज़क है। तो इन हालात में हम क्यों सोचें कि लम्बा चौड़ा प्रोग्राम बने और तब कार्फ़ी दिन के बाद हम उन क्रो लें। इस के लिए आप के पास कोई कारण नहीं है चाहे आप इस के लिए कितनी ही कोशिश करें और कितने और एकानमिक रीज़न्स (economic reasons) बतायें। आप की मदद के लिये फ़ाइनेन्स मिनिस्टर (Finance Minister) साहब भी आयें तो भी लोग इस को समझने वाले नहीं हैं। उन को कोई समझा नहीं सकता है। अगर आप चाहें कि जो हमारे देश के आम वोटर्स (voters) हैं, जो हमारी एलेक्टोरेट (Electorate) हैं वह इस को समझ लें और आप के आर्ग्यू मेन्ट (argument) में आ जायें तो वह आने वाले नहीं हैं और न कोई एकानमिक कारण

[चाबरा रनवार सह]

मालूम देता है। तो ऐसी हालत में आवश्यकता यह है कि आप श्री अरुण चन्द्र जी गुहा का जो प्रस्ताव है उस को मंजूर फरमायें और एक फ़ैसला दीजिये ताकि उस के बीच में आप की जो पालिसी (policy) है वह बिल्कुल सामने आ जाय कि आप उन को लेना चाहते हैं और आप इस कम्पनी को एक महीने के लिये या पांच महीने के लिये और समय देते हैं और इस का कारण कोई और ही है अर्थात् फ़ाइनेन्शल (financial) या ऐडमिनिस्ट्रेटिव (administrative) कारण है तो वह लोगों की समझ में आये आखिर आप कोई काम धीरे धीरे ही कर सकते हैं। हिन्दुस्तान के अन्दर ६०० स्टेट्स ली गई, लेकिन सारी एक दिन में ही नहीं ली गई धीरे धीरे ली। कभी कोई बड़ी आई कभी कोई छोटी आई। यह होता रहे तो लोगों को यकीन बनेगा कि हमारी भी बारी आने वाली है। तो मैं यह समझता हूँ कि इस प्रस्ताव के अन्दर जो सब से अच्छी बात है वह यह है कि लोगों का स्याल ऐसा बनेगा कि आप के रास्ते में कुछ रुकावटें हों तो आप को भी कुछ मौका देना चाहिये, अगर यह बात निकलेगी तो हम उस को समझा पायेंगे।

(English translation of the above speech)

Ch. Ranbir Singh (Punjab): Sir, I support the motion moved by Shri Arun Chandra Guha. But I do not want that after the expiry of the period of this Ordinance, the management of a particular Railway should again be handed over to the former Company. Personally, I am of the opinion that if once a company neglects the management of a railway it should not be given a second chance. But this is a question of principle. As some of my hon. friends here said, the solution of this question ultimately lies in the nationalization of these companies and we should think and proceed in terms of this solution. Shri Arun Chandra Guha told us that it was only a question of six and a half

crores of rupees. In my opinion, six and a half crores is not a very big figure in the context of the huge budget of this country.

Pandit Thakur Das Bhargava (Punjab): It is four and a half crores, because two crores belong to the State Railways.

Ch. Ranbir Singh: My hon. friend Shri Bhargava says that it is only a question of four and a half crores. I am submitting this also because our country has chosen and adopted a democratic set-up for its administration and this has its political reactions on the people. The people of those areas where these railways are working simply do not understand why the railways of Bikaner, Mysore and other big States were taken over by the Government while the light railways belonging to small companies have still been left with them. When some people go to the persons who manage these railways, they talk to them in an ill-conceived manner. You yourself can go and see how they behave. They claim that no one can acquire their railways and want to impress upon them somehow that they have the support of persons in high authority or that they have entered into an agreement with us on which we could never go back or that such a step is beyond the powers of the Government or the scope of the Constitution. Under the circumstances, the political effect of these things is very unhealthy. So far as the question of profit and loss is concerned, I can only refer to the Shahdara Saharanpur Light Railway which is just next door and of which mention was also made this morning. One can see and realize the difficulties under which people are made to travel on this railway. People travel on foot-boards and even on the roof-tops of trains. If, despite such overcrowding, it is running at a loss, I can only suggest that either the Government should accept that loss and take it over or it should decide and order the closure of that line altogether. There cannot be any middle course. It can never be that a person or a company is left undisturbed and uninterrupted while it continues making thousands of our people travel precariously on foot-boards and roof-tops, more so in a country, the Government of which is not a mere custodian of law and order but which believes in and which has accepted in the Constitution the principle that all public utility services

should be nationalized. So, there does not seem to be any reason why these railway lines should be managed in a different manner.

Then, there is another point. Some of my hon. friends were of the opinion that those railway lines which are managed better should be left over for some time. But I think this is just the reverse of what should be done. I ask why should they be left over? Are we to bear losses alone and shall we always be responsible for all the losses in the country? Why should we not take over those lines as well which are running at a profit? The question of waiting till some complaints are received and then considering and acting upon them should not arise at all. It is a matter of policy and it is quite clear that they should be nationalized. This is not something difficult or complicated. I come from a place where the railway line has been dismantled. I mean the Rohtak-Panipat line, which, according to the present programme, is to be laid again in 1953-54. It is possible that it might be further delayed but I do not think there is any reason for the Government to delay it. But, even then, I feel that there are other lines also as this one and the people of those places have a right to demand better management and amenities on those railways. Under the circumstances, why should we try to chalk out long-term programmes for taking them over? You have no reason for this though you may try your best and advance a number of economic reasons in your support. People are not going to listen to any of these reasons, even if the hon. Minister of Finance comes to your help. None can convince the reactions of the people. If you think that the general voters in our country, that is to say the electorate might believe what you say and be convinced by your argument, it would be a mistaken idea and in fact there does not seem to be any economic reason vindicating your standpoint. Under such circumstances, it is necessary that the motion of Shri Arun Chandra Guha should be adopted and a decision made so that in the meantime, the policy of the Government that they are going to take them over, might be made known, and that a further period of one month or five months is given to that company and that this is being done on account of different reasons namely, financial and administrative. All this would convince the people that after all the Government can do a certain thing only gradually. Six hundred states were integrated with India but that was not done overnight. It took

time and only gradually both big and small States were taken over. If a gradual step is taken, people would feel assured that some day their turn would also come. So, I think the best part of the motion is that it would make people realise that if there are difficulties in the way of the Government it should be conceded more time and if a particular point is made we would be able to make them understand.

Shri S. C. Samanta (West Bengal): We are happy that this Bill has been brought before the House for its consideration. A measure like this was urgently necessary; Railways being a utility concern, our Central Government has the bounden duty of looking after the company-run lines which are being mismanaged. But the remedy which has been prescribed in this Bill is a temporary one which will not cure the disease: the radical cure can only be the nationalisation of those lines. Government have put forward reasons of economy for not nationalising these lines. But when we find that the facilities which ought to be given to the people in those areas are being denied to them, Government should not hesitate to take the step of nationalisation.

Let us see why these companies are not running in order. Many reasons have been advanced by several friends; I would like to put forward one more reason. All these are narrow gauge lines, between 50 to 100 miles in the case of each company. Now, when one of these companies places orders for materials like lines, etc., on any workshop, say on our own Central Workshops, or even on workshops outside the country, those workshops are reluctant to supply the small quantities of materials which these companies require. Even if they are supplied it is not done in time. Our own workshops are so heavily worked that they cannot supply these requirements in time. Therefore, if Government cannot at present nationalise these lines and they just pass this Bill, I think it would not achieve the purpose. Sir, my friend, Shri Guha has moved a right amendment for reference to Select Committee; there are other things to be considered in dealing with this question, and other things which we should achieve through this Bill. If we pass the Bill as it is, we will not be helping those lines to the extent we would have if they were nationalized. Even if management is taken over under the Bill and our men are put in charge, yet the present difficulties will continue. My Government's men will be there in

[Shri S. C. Samanta]

management of each unit, but the requirements of each unit will be ordered separately on different firms. Therefore, I say that if we can succeed in uniting these various units through this Bill then this measure will be somewhat fruitful. Sir, I wholeheartedly support the motion for reference to Select Committee.

Shri J. N. Hazarika (Assam): I welcome this Bill and request this august House to pass it as early as possible. The existence of these privately-owned railway companies is nothing but an anachronism. All these railways must be owned by the State so that they may be managed and directed properly. Government should provide facilities for their nationalisation and no room should be left for private persons to run or own any of the railways. We have not only taken over the railways from private companies, we are now taking over road transport in various States. Therefore, it is a welcome sign that our Railway Ministry has brought forward this Bill to effect gradual nationalisation of these private railways.

[SHRIMATI DURGABAI in the Chair]

In regard to the T. B. Railway, the simple taking over of this Railway by the Government will not be enough to meet the transport needs of this area. In the northern side of the Brahmaputra river, there is no railway communication from Tezpur. It is desirable that this railway should be gradually extended up to North Lakkimpur in the northern bank of the Brahmaputra, so that the whole of Assam may be closely knitted. We are told that the Assam Rail Link is for the purpose of defence, and not a commercial concern. For the same purpose of defence, I submit that as far as possible this railway should be extended to the north bank of the river. During the last earthquake as well as the floods, it was felt very difficult to take relief to the sufferers due to lack of transport. The existing bus transport is quite inadequate to meet the demands of the people in this area during times of emergency. In the end, I once again express my thanks for the hon. Minister for taking over the T. B. Railway and I hope it will be extended to the places where it is needed.

Shri Sonavane (Bombay): I rise to support the provisions of this Bill. At the same time, I feel that some of its provisions should not have found a place in it. I refer particularly to the delegation of powers to State

Governments to take over private owned railways. The State Governments have got no experience of running railways. They have very limited financial resources and would be unable to find funds. Lastly, the Central Government is the monopolist owner of all railways and these light railways must ultimately come to the Central Government and therefore management by State Governments during the transitory stage is not a welcome thing.

From the Statement of Objects and Reasons, we are surprised to find that it is not the Central Government but the State Government that instituted an enquiry into the affairs of the Baraset-Basirhat Railway. Why did not the Central Government rush in the first instance and institute the enquiry, when it had its own sources of information through the Inspector? Why did the Railway Ministry sleep when the West Bengal Government instituted the enquiry and found so many acts of mismanagement in this railway? Further, how many enquiries have been caused to be made into the affairs of similar light railways which are not running well? In how many cases have our inspection revealed mismanagement?

In my own State, there is the Barsi Light Railway running over 200 miles from Latur to Miraj. This Railway uses wagons for carrying human beings. It is strange that in these democratic days human beings should be carried in wagons. In reply to my enquiry the hon. Minister stated that third-class ordinary fare is charged for this comfort. And then no other facilities are afforded? There are no latrines. There is only one door. They are as if locked up. There is no ventilator. If my hon. friends want to see things for themselves, they should take a trip to Pandharpur, which is a place of pilgrimage, and they will get a chance to travel in the wagon. This Barsi Light Railway makes a huge profit, because pilgrims flock there three or four times in a year. Yet the Company does not effect improvements. Once I enquired as to what was the dividend paid by the company and what were the minimum and maximum salaries of its employees, and I was informed that being a private concern I had no right to ask. The Railway Ministry has taken over the Matheran Light Railway which is only 15 miles, whereas they have not taken over this Barsi Light Railway which runs over 200 miles. What is the reason for this inconsistency; this half-hearted attitude in the acquisition of small railways, which cater for the rural

people? My suggestion would be that as the period of contract closes, the Ministry should take over these railways. Their attitude should be consistent.

Finally, I would say that the measure is a welcome one, particularly clause 18 which gives power to Government to acquire railways. This provision should be made full use of by Government as the contracts of these private owned railways expire.

With these remarks, Sir, I support the measure. As I said, I do not approve of some of the provisions. I would, therefore, request the hon. Minister to refer the Bill to a Select Committee where these things can be set aright.

श्री भट्ट : सभानेत्री जी, एक ख़ुलासे का नौक़ा दीजिये। मैं चाहता था कि यह रिपोर्ट मुझे पहले मिल जाती लेकिन वह अब पीने बारह बजे मिली है। मैं उस में से एक वाक्य पढ़कर मुनाना चाहता हूँ। मैं ने कहा था कि अगर यह रिपोर्ट पहले मिल जाती तो हम ज्यादा अच्छी तरह से बहस कर सकते। सभानेत्री जी ने बतलाया है :

"All of us came to the one conclusion that it was not desirable or worthwhile for the Government of India to take over this line."

फिर जब श्री गुहा ने कहा "why" तो उस के जवाब में कहा

"It cannot be improved. Sometime or other the line has to be dismantled."

फिर इस रिपोर्ट में जो रेलवे एक्सपर्ट्स की राय है उस में लिखा हुआ है :

"The Railway Experts in the Committee are quite unanimous in their opinion that with reasonably efficient management this Railway can be set on its feet in no time as there is sufficient traffic—passengers, goods, market produce and perishables—to Calcutta and there is no reason for the railway with the traffic available and offering to run at a loss. So what is really needed is sound management."

(English translation of the above speech)

Shri Bhatt: Madam, may I just explain one point? I wanted that this report should have reached me earlier but I got it now when it is quarter to twelve. I would like to read out a sentence from that report. I said that we could have discussed the issues better had the report reached us earlier. The hon. Minister has pointed out:

"All of us came to one conclusion that it was not desirable or worthwhile for the Government of India to take over this line."

And when Shri Guha asked "why", the hon. Minister stated in reply, "It cannot be improved. Sometime or the other the line has to be dismantled."

Then this report, which forms the opinion of the Railway Experts, says:

"The Railway Experts in the Committee are quite unanimous in their opinion that with reasonably efficient management this Railway can be set on its feet in no time as there is sufficient traffic—passengers, goods, market produce and perishables—to Calcutta and there is no reason for the railway with the traffic available and offering to run at a loss. So what is really needed is sound management."

Shri Santhanam: It is better to start with the last point. I shall simply read the concluding paragraph of the report, just continuing what the hon. Member read:

"The Committee agree, same as in the case of B. P. Railway, that Railway communication should be maintained in the area until replacement can be adequately effected by development of road transport, which involve in the present case construction of new roads over 17½ miles and improvement of existing road-ways which runs parallel to the railway for nearly 39 miles."

It is true that for immediate restoration what my hon. friend read did apply. But this committee did not envisage the permanent continuation of this railway. They envisaged the replacement of it by road as soon as possible and they wanted this railway to be continued during the interval. That is exactly what I stated. In fact, if it could not be run at all, there was no question of bringing the Bill. But the purpose of the Bill is to

[Shri Santhanam]

enable this railway to be continued for the minimum period necessary till alternative communication arrangements could be perfected. That is the sole purpose of the Bill.

The discussion took the form of a general policy discussion. I do not suggest that it was not relevant. But I do not know if in a limited Bill like this, I should embark on an exhaustive exposition of the policy in the case of the light railways. As the Finance Minister has stated, as a long term principle, we are not against acquisition of these light railways. Probably in the course of two or three decades. . . .

Shri A. C. Guha: Decades!

Shri Santhanam: ...We shall acquire all the light railways which are considered necessary and essential in the interests of the country and which form a coherent unit with the other railways. It is not as if every light railway is worth maintaining or preserving. There are some light railways which it is better for the country to scrap and convert into motorable roads. There are some light railways which it may be necessary to convert into broad gauge or meter gauge and integrate with the other railways. There may be some light railways which may have to be continued as light railways.

As a matter of fact, Madam, owing to the financial integration of the States we have got in our possession a large number of light railways already. The Railway Board do not know exactly how to manage such a large system of light railways. They are conducting an investigation as to which of the light railways have to be converted into broad-gauge and meter gauge, which of the light railways have to be continued as light railways and which of the light railways which have already accrued to the Government of India have to be scrapped. In that context to undertake blindly to acquire all the light railways is, I think, wholly wrong and detrimental to the interests of the country as a whole.

It is not a question of mere profit. The acquisition of a light railway is not useful by the fact of mere acquisition. I believe that hon. Members want us to acquire the light railways so that the light railways might be run better than they are today. But mere acquisition does not warrant better management. We have got the painful experience of the acquisition of the GNIT. At that time the Government of India did not

take note of the fact that there were no facilities for repairing workshops, that there were no facilities for even washing the buses. They simply took over and for the last three years all the members have been hammering at me for defects which it was not in my power to remedy.

Similarly, if I take over this B. B. light railway it has no workshop. It is not connected with our systems. It has nothing by which we can improve it. If I order rolling stock, it will take twenty-four months before I get any rolling stock. There is no machinery to make rolling stock in this country and foreign firms will sooner manufacture broad gauge and meter gauge than narrow gauge rolling stock. In such circumstances, if I am to take the line it will be to cause displeasure to the people. The Government of India must take over this light railway only under circumstances in which it has both the funds and the facilities to improve the service immediately. It cannot be a source of mere investment. Now to take over this railway will be something like an investment.

Some hon. Member was asking why we did not conduct this enquiry and why we allowed the West Bengal Government to conduct the enquiry. So far as safety is concerned, the duty of conducting enquiry is laid on the Government Inspector of Railways who works under the Ministry of Communications. He sends his report and if his report shows that any safety precautions are neglected immediately action is taken. Beyond that all other matters vest with the company and we have no power to take any action except of course under this Bill, if it is passed. In such circumstances, the Government of India could not do anything with this light railway. So far as the Government of India is concerned, we would never have minded if the company had gone into liquidation and the whole thing had been scrapped. It would have been a solution of the problem. But the Bengal Government felt that while this is ultimately the best solution, for a few years it is one of the necessary links. Therefore the Bengal Government constituted a Committee. We lent all assistance. We lent our own Director of Finance to go and serve in that Committee. This Committee came to the conclusion that something like the provisions in the Bill should be enacted, because this Parliament has exclusive power for legislation on Railways. The inclusion of the term 'Railways' in the legislative list does not mean that we should

automatically take the executive management and administration of every railway. All that it means is that the legislation in respect thereof belongs exclusively to Parliament. Therefore even in the case of this Railway we have to come to Parliament.

As I explained, we have not come here on behalf of the Central Government but merely to help the Bengal Government to discharge what it considers to be an essential duty towards its subjects. Therefore no blame rests on the Central Government for not taking action.

Shri Sonavane: Why not do it with regard to all the other light railways?

Shri Santhanam: The point is that the Government of India are not in a position to take over all the light railways. Our finances are mortgaged first for rehabilitation of the existing lines. Certainly Parliament will not suggest that we should neglect the 34,000 miles of railways and let them continue in an unsatisfactory condition and go on putting ourselves to further commitments. After this rehabilitation is over, there are some more essential links to be established in the country. After all it is no use to take people's money and hand it over to other people who are somehow or other managing some railways, instead of connecting the more essential links. This is only a third degree liability. When once we have finished with our undertakings for rehabilitation and immediate expansion, then this will certainly claim our attention: not that we are neglecting it wholly. When some railways come, if the liability is not very great we do acquire them. Last year or year before last we acquired the Parlakimedi Railway. The railway was offered to us at very advantageous terms. It cost about Rs. 30 lakhs and it was offered to us for Rs. 7½ lakhs. We thought it worthwhile to acquire it. Now we have decided to acquire this T. B. Railway because the liability was a small amount and we found that it was a necessary communication which has to be maintained and developed in due course. Though we may not be able to spend money at present, when the time comes we cannot afford to dispense with the communication there, while in the case of this railway this can be converted into a road. This cannot be converted into a permanent railway link. At least that is the temporary conclusion to which we have arrived.

Shri A. C. Guha: That conclusion we dispute.

Shri Santhanam: We can go only on the opinion of our experts and the experts of the Bengal Government. Mr. N. C. Ghosh is their expert. He was, I think, the General Manager of the East Indian Railway for some time. So, when Mr. Ghosh and our own Director of Finance and all others give us advice I do not think this Parliament will ask me to discard that advice simply because one of the Members feels strongly about the want of communications. I do sympathise with him for the lack of communication. We want to improve things, but we want to improve things in a manner which will be permanent. In fact if the Bengal Government comes to build a concrete road there then the time will come for us to see what assistance from the Transport Ministry they could be given.

Dr. M. M. Das (West Bengal): Were the circumstances that compelled the Bengal Government to intervene and take steps in this matter not sufficient to compel the Government of India to take some steps?

Shri Santhanam: We were quite prepared to have the line scrapped immediately and to allow the other agencies to come into force as early as possible. It was the Bengal Government who in their own interest considered that this Railway line should be maintained for some time and as it had stopped for three months continuously, they thought that unless it was taken over, immediately, the whole thing will go to pieces. Therefore, our appreciation and their appreciation differed and because the immediate responsibility for communication rests on them, we have undertaken to help them to do what they liked. If we wanted to do what we like, then no Bill would have been necessary and we would simply have kept quiet. But we are here with this Bill.....

Shri A. C. Guha: May I know what would be the money that the Bengal Government would require to invest for this Railway?

An Hon. Member: Rs. 30 lakhs.

Shri Santhanam: But whether the Bengal Government is going to give it or whether the directors or the managing agents are going to give it is a matter which rests with the Bengal Government, the details of which I do not know. Having delegated the responsibility to the Bengal Government, we do not want to have any control over them.

श्री भट्ट : क्या माननीय मंत्री जी यह कहेंगे कि इस लाइन से जो जूट का सवाल और रिफ्यूजीज का सवाल सम्बन्धित है वह सारे हिन्दुस्तान का सवाल नहीं है ?

[**Shri Bhatt:** Would the hon. Minister say that the questions of jute and refugees which are closely connected with this line are not the concern of India as a whole?]

Shri Santhanam: In that way every village road is the concern of the Government of India because they want communications for every part of India, for every citizen of India but the Government of India is neither omniscient nor omnipotent nor has it got unlimited money. It cannot extend its responsibilities in an unlimited and unthinking fashion. Today we have not got even Rs. 10 or Rs. 20 lakhs to spare and we are going to bring in a supplementary Budget and then my hon. friend, Mr. Bhatt is going to get up and say, you are spending too much money. Why do you bring a supplementary budget. So in that state of affairs, it was not possible for the Government of India to come forward for expenditure on this line. That is a question which we have decided on the merits. My hon. friend, Mr. Bhatt asked, "Why was this matter not brought up before the Railway Standing Finance Committee?" If it had involved any expenditure by the Railway Administration then it would automatically have been brought before the Railway Standing Finance Committee and because this does not involve any expenditure to the Government of India, there was no question of bringing it before the Railway Standing Finance Committee.

Shri J. R. Kapoor (Uttar Pradesh): Was it brought before the Central Railway Advisory Committee?

Shri Santhanam: I am coming to that. In the case of the Central Railway Advisory Council also, if we were doing anything ourselves, if we were adopting any policy, then we would have brought it before it. Here we are acting more or less as agents and assistants to the Bengal Government. This is a matter in which the Railway Ministry have not taken any policy decision or initiative.

Shri A. C. Guha: I want to know clearly the position. I do not know if the House can be asked to pass any law, when the Railway Ministry are

acting only as an agent to another Government and they have no responsibility in the matter.

Shri Santhanam: It is true in the case of those matters with which this Parliament has exclusive legislative power but this is one in which we want to leave the executive authority to the State. We consult the States and after that we move the Bill here. That is what I did for the Road Corporations.

Shri A. C. Guha: That does not mean that this Parliament or the Government is absolved of all its responsibility for the measures that are passed here.

Shri Santhanam: We are responsible for the legislative enactment but for the actual executive power, if we want to have it, we shall be responsible but if the executive power is vested in the State Governments, then the State Governments become responsible. That is the clear position.

Shri J. R. Kapoor: Is it not.....

Mr. Chairman: I do not like so many interruptions. Every minute he is being interrupted. Let him go on and make his submissions. Hon. Members have still other opportunities.....

Shri J. R. Kapoor: The submission that I was going to make was not to interrupt. It was a useful question that I was going to put. Is it not the definite policy of Government and even a definite rule of procedure that all Bills when they are introduced in Parliament must first be referred to the Standing Committee attached to the Ministry? If that is so, I would like to know why this Bill was not referred either to the Standing Finance Committee or even to the Central Advisory Council for Railways?

Shri Santhanam: As I said, it is not like the ordinary Bills of a Ministry dealing with its own policy. Secondly, we had to pass an Ordinance when the Parliament was not here and when it was not possible to summon any Committee. When once an Ordinance is passed, a Bill had to be introduced automatically and Parliament gets seized of it.

Dr. Deshmukh (Madhya Pradesh): There is no distinction between a Bill and a Bill so far as Parliament is concerned. All Bills are alike and belong to the same caste.

Shri A. C. Guha: Even if they be in confirmation of an Ordinance.

Shri Santhanam: It is an ordinary convention. It is not a legal obligation that every Bill should automatically be placed before the Standing Committee.

Shri J. R. Kapoor: If so.....

Mr. Chairman: I think the hon. Minister has answered that point that it is not a question of distinction between one Bill and another. He said that an Ordinance was passed which had to be replaced by a Bill and therefore he has moved this Bill.

Dr. Deshmukh: He did want to make a distinction between one Bill and another and he did say that this was a different kind of a Bill because it is based on the recommendation of a State Government. My contention is that as soon as a Bill is sponsored by the Government, there could not be any distinction between one Bill and another.

Shri Santhanam: Though I am sorry to take the time of the House, I would like to point out that there is one minor distinction between the Railway Ministry and the other Ministries. There is no Standing Advisory Committee for the Railways. There are two committees. One is the Standing Finance Committee to which all matters requiring financial sanction should go. There is the Central Advisory Council for Railways which advises on general policy of the Railway Ministry. The Central Advisory Council is not of the same type as the Standing Advisory Committee.

Shri R. K. Chaudhuri: No legislation is placed before the Central Advisory Council.

Shri Santhanam: Yes; no legislation is placed before the Central Advisory Council for Railways. This is one of the reasons why this was not automatically brought there.

Shri R. K. Chaudhuri: We are only concerned with the convenience of passengers.

श्री भट्ट: क्या माननीय मंत्री जी विचार करेंगे कि यदि ऐसे बिल सेंट्रल एडवाइजरी कौंसिल और स्टैंडिंग फाइनेंस कमेटी के सामने लाये जायें तो क्यादा अच्छा होगा ?

[**Shri Bhatt:** Will the hon. Minister consider that it would be better if such Bills are referred to the Central Advisory Council or the Standing Finance Committee?]

Shri Santhanam: I am prepared to consider this question as an independent issue.

Another point was made that this Bill was confined to the Railways managed by Railway companies and not by local bodies. We have definitely restricted it so that we should not widen the scope more than was necessary. So far as local bodies are concerned, there is always power through the State Governments to take them over. We can advise the State Governments to take them over if they are mismanaged and if we considered it advisable, we can through the State Governments, take them over ourselves. Therefore, so long as any Railway is under a local authority, the final control is with us. We can take the necessary steps. That is why we did not include Railways under local authorities in this Bill.

Sir, one point was made that this interfered with the freedom of contract. But if sub-clauses (1) and (2) of clause 11 are read together it will be found that...

Shri A. C. Guha: But if the hon. Minister will refer to sub-clause 5 (2) he will find that that is the relevant provision as regards cancelling of contracts.

Shri Santhanam: But my hon. friend will see that so far as sub-clause 5(2) is concerned, it only enables the directors to cancel or vary any contract or agreement entered into between the railway company and any other person, if they find that there have been *mala-fides*. It does not say that no compensation will be payable. They can, if there is *mala-fide* transaction, they can cancel the contract and take the consequences as regards compensation. In clause 11 there is provision for cancellation of contract and there will be no compensation payable. That is a vital difference. We know very well that in a number of private concerns, they give fancy contracts to their relations and other allied concerns and it may be found that these contracts were very unfair to the concern. It is only in such cases that clause 5(2) will come into operation, and legitimate dues of the parties will not be affected. They will be entitled to recover their legitimate dues.

Shri Bhatt: Even *bona-fide* contracts can be terminated without giving compensation.

Shri Santhanam: Not under clause 5(2). It is clause 11(2) which refers to recovery of moneys from the railway company.

Shri A. C. Guha: But the managing agency might have committed some mistakes. Why should the third party be punished for that?

Shri Santhanam: The third party is not punished. Either the contract will be observed or compensation paid. There is no exemption from the payment of compensation. If, for instance some wrong type of locomotives were ordered, they can pay some compensation to the party and cancel the contract.

Shri A. C. Guha: But there is no provision for the payment of any compensation.

Shri Santhanam: But that is the ordinary law and you do not require to be stated here that the ordinary law will prevail.

It has been said that the system of managing agency is being installed. No obligation is being imposed here. If for instance the Bengal Government think that there is a managing agent with experience and the money to put into the concern, ready to take it up, they can hand it over to him. It is left to the Government of Bengal to do what they consider best. We want to keep as many doors as possible open.

I believe I have answered almost all the points raised in the debate. And lastly about the reference to a select committee. Well, the general principle was debated at length, but no reason was advanced why the Bill should go to a select committee. Any select committee cannot change the fundamental principle of the Bill, nor insert a section forcing Government to take over all the light railways of the land. That is not possible, because it is not possible for the Government to accept any such obligation. I have already stated that the provisions contained in this Bill are like the ones that were scrutinised already by Parliament with reference to the Sholapur Textile Mill Bill. Therefore it will be a waste of time, I submit, to refer this Bill to a select committee. Moreover, we are pressed for time and the select committee even if one is appointed, will have to rush through its labours. Therefore, I do not think the select committee can usefully do anything more than what Parliament will be doing when the amendments suggested are considered in this House. I therefore, suggest to the House that the motion for reference to a select committee may be rejected and the Bill taken up for consideration.

Mr. Chairman: I would like to know from the hon. Member whether he would like to press his Motion or withdraw it.

Shri A. C. Guha: When the hon. Minister says that it is not possible for Government at this stage to consider the question of nationalisation, I do not think there is any purpose in pressing my amendment for reference of the Bill to a select committee. I hope the hon. Minister will make some radical changes in the relevant clauses: so as to make the Bill more acceptable to the House and also to make it possible for Government to take over the railway lines some time or other. I was alarmed when I heard from the Minister of State for Railways that it would take two or three decades to take over all the light railways. I want to know whether it is also the opinion of the Finance Ministry and of the Planning Commission also that it would take two or three decades to decide something about the taking over of the light railways.

Shri Santhanam: I said "to bring all the light railways".

Shri A. C. Guha: It is not a case of purchasing.....

Shri C. D. Deshmukh: It was only an illustrative period.

Shri A. C. Guha: Or is it an elastic period? I beg leave of the House to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Chairman: The question is:

"That the Bill to make provision for the proper management and administration of Railway companies in certain special cases be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Power to apply Act to any railway company).

Shri A. C. Guha: I beg to move:

(i) In page 1, line 22, after "thereof" insert "or to take over the management thereof".

(ii) In page 1, after line 30, insert the following:

"(d) or when, in the opinion of the Central Government, it is necessary in national interest".

(iii) In page 1, line 34, after "administration" add "or itself take over the management and administration of the railway company".

(iv) In page 2, line 4, after "fit" add:

"and also the power to appoint any officer of the Central Government authorised to manage the railway as a Government concern."

(v) In page 2, after line 4, insert:

"(3) That any individual or firm or company who may be appointed as director or managing director or managing agent, shall run the company under the general control and supervision of the general manager of the Government railways of the region or zone."

Amendments (i) and (iii) which I have moved are practically the same. When the Government is not ready to nationalise these Railways, I suggest in these amendments that instead of handing over the management to some private parties the Government may itself take them over. The need for having Government control over these Railways has practically been admitted by every Member of the House. Even if Government is not prepared to nationalise them immediately, I see no reason why provision should not be made in the Bill so that even without nationalisation management may vest in the hands of the Government; instead of taking over management and handing it over to some private party the management may be retained in the hands of the Government.

With regard to my amendment No. (iv), the present provision empowers the Government to appoint any individual, firm or company to be the managing agent of the Railway on such terms and conditions as the Central Government may think fit. But I suggest that amongst these individuals the Government may also include some of the officials of the Railway Board or of the Railway administration to be in charge of the management so that practically speaking it will be a Government managed Railway.

As regards amendment No. (ii) the present provision lays down that only when there is a practical collapse or a crisis in the particular Railway can the Government intervene. My amendment suggests that even before a crisis or even before there is a complete collapse of the railway services of that particular region, if in the opinion of the Central Government it is necessary to do so they may take over the management in national interest.

My last amendment, No. (v), is the most important one. Whatever be the management set up by the Govern-

ment, it should be the duty of the Government to see that that management may work under the general control and supervision of the General Manager of the Government Railway of that zone. Even if it be a private management there would be no harm nor any difficulty if that management is made to work under the general supervision and control of the General Manager of the regional Railway.

1 P.M.

For this particular railway, we should make it obligatory for the new management to run that railway under the general supervision and control of the General Manager of the E.I.R. It has been stated on various occasions that Government have practically no control over these railways. Even if under this Bill Government takes over the management and hands it over to some private individuals, I do not think there will be a constant control or watch on behalf of Government over these railways. As I have stated several times before, these railways should not be considered as business or commercial concerns. They are public utility services and it should be Government's duty to see how the travelling public and the servants of these railways are being treated; how these railways cater to the public convenience and needs. I hope that Government will have no objection in accepting my amendments. I also hope that the House will lend its support to them.

Mr. Chairman: Amendments moved:

(i) In page 1, line 22,

after "thereof" insert "or to take over the management thereof"

(ii) In page 1,

after line 30, insert,—

"(d) or when, in the opinion of the Central Government, it is necessary in national interest"

(iii) In page 1, line 34,

after "administration" add "or itself take over the management and administration of the railway company."

(iv) In page 2, line 4,

after "fit" add,—

"and also the power to appoint any officer of the Central Government authorised to manage the railway as a Government concern."

(v) In page 2, after line 4, insert:

"(3) That any individual or firm or company who may be appointed as director or managing director or managing agent, shall run the

[Mr. Chairman]

company under the general control and supervision of the general manager of the Government railways of the region or zone."

Shri B. K. P. Sinha (Bihar): I beg to move:

(i) In page 1, line 25, after "affected" insert "or is likely to affect"

(ii) In page 1, line 27, after "caused" insert "or is likely to cause"

(iii) In page 1, line 29, after "caused" insert "or is likely to cause".

I am not moving No. 22. My purpose is simple. This Bill empowers Government to take action only after there has been a breakdown. I want that Government should keep a constant watch and they should take time by the forelock. Even if there is apprehension of a breakdown, they should have the power to intervene. It is with this purpose that I have moved these amendments. It may be argued that there is nothing in any Act by virtue of which Government can keep this constant watch. It is just possible that there is nothing in the Railways Act or in the Indian Companies Act. But Clause 19 of this Bill gives sufficient powers to Government to make rules for keeping a constant watch over these companies.

Mr. Chairman: Amendments moved:

(i) In page 1, line 25, after "affected" insert "or is likely to affect".

(ii) In page 1, line 27, after "caused" insert "or is likely to cause".

(iii) In page 1, line 29, after "caused" insert "or is likely to cause".

Shri S. N. Das (Bihar): I beg to move:

(i) In page 1, line 25, after "affected" insert "or is likely to prejudicially affect".

My amendments 40 and 41 have been covered by my hon. friend Shri B. K. P. Sinha's amendments. So I do not move them. Then I beg to move:

(i) In page 1, line 30, after "community" add "employed on the railway".

(ii) In page 1, after line 30, insert:
" (d) is likely to prejudicially affect the interests of shareholders in general, or

(e) is likely to cause a great deal of inconvenience to the normal life of the community."

Since the managing agents are likely to act in a manner that may prejudicially affect the shareholders' interests,

I have suggested that when that situation arises Government should take over the concern. I have also added that when there is likelihood of a great deal of inconvenience being caused to the normal life of the community, even then Government may take over the management of the concern. In other words, I want to add two more contingencies to the three ones already specified in (a), (b) and (c). Then I beg to move:

(iv) In page 1, line 33, after "fit" insert "but not exceeding seven".

By this amendment I suggest that the number of Directors to be appointed should be fixed. At least there should be a minimum. If that is not mentioned, the number may be large. Therefore, I have suggested 7.

Then I beg to move:

(v) In page 1, line 34, after "its" insert "control".

The present wording is "for the purpose of taking over its management and administration". I think these words "management and administration" are not sufficient to cover the implications. If the word "control" is added, then it would be complete and would read "control, management and administration."

I also beg to move:

(vi) "In page 1, after line 34, insert:

"Provided that no person in any way responsible for creating a situation specified in this section or having any monetary interest in the railway company immediately before the issue of the notified order shall be appointed as a director."

In the making of appointments the hands of Government are free to appoint any one. I think that no person who is in any way interested or who is in any way responsible for creating a situation which will lead to that should be appointed a director. There should be a specific mention to that effect. I beg to move:

(vii) In page 2, after line 4, insert:

"Provided that no individual firm or company in any way responsible for creating a situation specified in this section or having any monetary interest in the railway company immediately before the issue of the notified order shall be appointed as the managing agent of the railway company."

(3) One of the directors shall be appointed Chairman by the Central Government along with the appointment of directors.

(4) Directors shall hold office during the pleasure of the Central Government and shall, at any time be removable by it."

It is very necessary that a person to be a Manager should not belong to that category of persons who are responsible or in any way interested in the company.

It is said that the Directors will choose one among them as Chairman. I think that the appointment of Chairman should be in the hands of the Central Government.

In the Bill, so far as I have been able to see I do not find any provision which will enable Government to remove any of the directors for any causes that may be serious. Hence I have suggested that directors shall hold office during the pleasure of the Central Government and shall at any time be removable by it.

Shri Santhanam: Clause 12 contains that provision.

Shri S. N. Das: Clause 12 does not fulfil the purpose, which my amendment has in view.

I hope the hon. Minister will give consideration to my amendments and accept them.

Mr. Chairman: Amendments moved:

(i) In page 1, line 25, after "affected" insert "or is likely to prejudicially affect".

(ii) In page 1, line 30, after "community" add "employed on the railway".

(iii) In page 1, after line 30, insert:

"(d) is likely to prejudicially affect the interests of shareholders in general, or

(e) is likely to cause a great deal of inconvenience to the normal life of the community."

(iv) In page 1, line 33, after "fit" insert "but not exceeding seven".

(v) In page 1, line 34, after "its" insert "control".

(vi) In page 1, after line 34, insert,—

"Provided that no person in any way responsible for creating a situation specified in this section or having any monetary interest in the railway company immediately before the issue of the notified order shall be appointed as a director."

(vii) In page 2, after line 4, insert:

"Provided that no individual firm or company in any way responsible for creating a situation specified in this section or having any monetary interest in the railway company immediately before the issue of the notified order shall be appointed as the managing agent of the railway company.

(3) One of the directors shall be appointed Chairman by the Central Government along with the appointment of directors.

(4) Directors shall hold office during the pleasure of the Central Government and shall, at any time be removable by it."

श्री भट्ट : माननीय सभानेत्री जी मेरा संशोधन जिस की संख्या ३१ है, उस में ख संशोधन है कि सेंट्रल गवर्नमेंट कब दूसरा प्रबन्ध नियुक्त करे, उस के लिये तीन शर्तें लगाई हैं, मैं चौथा जुमला उस ~ जोड़ना चाहता हूँ :

I beg to move:

In page 1,—

(i) In line 30,—

add "or" at the end.

(ii) After line 30, add:

"(d) has failed to comply with the provisions of the Indian Railways Act, 1890,"

इसका कारण यह है कि रेलवे इंस्पेक्टर और रेलवे ऐक्ट के दूसरे नियमों के मुआफ़िक अगर काम नहीं होता है तो सेंट्रल गवर्नमेंट को यह अधिकार होगा कि उस के प्रबन्ध में परिवर्तन करे ।

Shri Sidhva: Does it not apply without that?

श्री भट्ट : नहीं होता है, उस में थोड़ा मर्यादित हो गया है । अगर पहला हिस्सा बिल का व्यापक होता :

"has prejudicially affected the convenience of persons using the railway administered by the railway company"

इतना सिर्फ़ अपने संशोधन से मैं यह जोड़ना चाहता हूँ कि या तो रेलवे इंस्पेक्टर जब रिपोर्ट करे या किसी कम्पनी विशेष

[श्री भट्ट]

के यहां रेलवे ऐक्ट के मुआफ़िक़ काम नहीं होता है, तो सेंट्रल गवर्नमेंट को यह अधिकार रहना चाहिये कि वह उस को अपने हाथ में ले ले और जब कि गवर्नमेंट इंस्पेक्टर रेलवे की रिपोर्ट यह है :

"The Government Inspector of Railways pointed out that the management had failed to respond to his recommendations and several references made by him had not been answered, and he felt that if that railway goes on the way it is going on it will have to be closed ere long."

जब उस की रिपोर्ट आये कि कम्पनी ठीक तरह नहीं काम करती है तो यह स्टेप लिया जाय मैं समझता हूँ कि जब इस तरह की कोई सजा या कोई इस तरह का कदम उठाये जाने की दहशत रहेगी, तो मैं मानता हूँ कि वह कम्पनी ज़्यादा अच्छे तरीके से काम करेगी और गवर्नमेंट रेलवे इंस्पेक्टर और दूसरी रेलवे ऐक्ट की जो सूचनायें होंगी उन पर अमल ज़्यादा अच्छे तरीके से होता रहेगा ।

(English translation of the above speech)

Shri Bhatt: Madam, in my amendment No. 31—

after (c) wherein three conditions are provided under any of which the Central Government can change the management and administration, add the fourth part to it. I beg to move:

In page 1—

(i) In line 30,—

add 'or' at the end.

(ii) After line 30, add:

"(d) has failed to comply with the provisions of the Indian Railways Act, 1890."

The purpose of the amendment is that if a Railway Company does not act according to the instructions of the Railway Inspector or the provisions of the Railway Act, the Central Government shall have the authority to change or take over the management of that company.

Shri Sidhva (Madhya Pradesh): Does it not apply without that?

Shri Bhatt: No, it has been restricted to some extent. The purpose would have been served had the first part viz. 'has prejudicially affected the convenience of persons using the railway administered by the Railway Company', been more comprehensive.

By my amendment I want to add only this, much that if the Railway Inspector reports against a particular company or if a Railway Company does not comply with the provisions of the Railway Act, the Central Government should be vested with the powers to take over that railway. It is all the more necessary in view of the Report of the Government Inspector of Railways which says:

"The Government Inspector of Railways pointed out that the management had failed to respond to his recommendations and several references made by him had not been answered, and he felt that if that railway goes on the way it is going on it will have to be closed ere long."

Such a step should be taken when his report is received that the Company is not managing the affairs properly. When there will be a fear in the minds of the Companies of such a punishment or such a step being taken, I am sure they would work more efficiently and comply more properly with the instructions of the Government Railway Inspector and the provisions of the Railway Act.

Mr. Chairman: Amendment moved:

In page 1,—

(i) In line 30,—

Add "or" at the end.

(ii) After line 30, add:

"(d) has failed to comply with the provisions of the Indian Railways Act, 1890."

Dr. Ram Subhag Singh: I beg to move;

In page 2, after line 4, insert:

"(3) That any individual, firm, or Company who may be appointed managing agent of the railway company shall operate that company under the general control and supervision of the General Manager of Government railways of that zone".

Mr. Chairman: If hon. Members cooperate I would like to put through this clause before we adjourn. Are hon. Members agreeable?

Several Hon. Members: Yes.

Dr. Ram Subhag Singh: Clause 3 of the Bill provides for the appointment of the directors of these railway companies for the purpose of taking over the management and administration of the railway companies where a situation has arisen which (a) has prejudicially affected the convenience of persons using the railway administered by the railway company, or (b) has caused serious dislocation in any trade or industry using the railway, or (c) has caused serious unemployment amongst a section of the community. I see that these sub-clauses work in some way or the other on all the railways of my district which are under private management. If such situation also prevails elsewhere I think that in the interests of the public and the growth of trade and industry of the areas concerned, the individual firm or Company who may be entrusted with the task of the managing agent of the railway should be kept completely uninfluenced by the former environments and work under the general control and supervision of the General Manager of Government railways of that zone. That is the object of my amendment.

Mr. Chairman: Amendment moved:

In page 2, after line 4, insert:

"(3) That any individual, firm, or Company who may be appointed managing agent of the railway company shall operate that company under the general control and supervision of the General Manager of Government railways of that zone".

Shri Santhanam: The substantial amendment is that the control should be put under the General Manager. I think it will have a fatal effect on the Bill because if the General Manager comes either without finances or without any direct power but only taking responsibility, it will not improve matters at all. If there was a case for saying that the Government should take over, then the General Manager would have taken charge, but the Central Government is not willing to take over because it is not willing to throw good money over bad or because it has no money at all. In such circumstances, to ask the General Manager to assume charge would not be right as then the whole public will expect the General Manager to set things right and it will not be in his power to set things right. Therefore, we do not want any divorce between actual management and responsibility. I regret that I am not in a position to accept that amendment.

Shri A. C. Guha: There can be general control and supervision by the General Manager.

Shri Santhanam: What is the use of his passing orders, which he cannot enforce. We must have all the other things. If the General Manager's orders are not obeyed, then he must have the power to do all the other things needed. In the particular case the Bengal Government is going to be put in full charge. Of course, for advice, the General Manager is always at the disposal of the Bengal Government and if the Bengal Government want further advice, we can send a Director or anybody else but the actual control and supervision will be with the Bengal Government under whom the managing agent will work and so I do not think it is desirable or proper to bring in the General Manager. I hope that the other amendment will not be pressed. As for the amendment to substitute the words "likely to cause", I think it is wholly unnecessary because in a Railway it is not as if we can take action only when there is a crisis. Whenever it prejudicially affects the convenience of persons or whenever a Government Inspector makes a report that the carriages are not connected properly or the locomotives are not in order or a track is out of order, then this clause will automatically come into operation and it is open from the very beginning up to the very end, at any stage, if we want to step in, we can step in. So, the amendment does not add to the force of the clause.

Shri A. C. Guha: If it is only because it causes serious dislocation to the public, it is liable to be questioned in the High Court.

Shri Santhanam: It is one of the alternatives. In the particular case in Bengal for three months it has been closed and so it has caused serious dislocation.

Shri A. C. Guha: Unless a crisis is created.....

Shri Santhanam: The clause says: "has prejudicially affected the convenience of persons using the railway administered by the Railway Company,"

Mr. Chairman: All these points were made clear more than once.

Shri Santhanam: Between the three clauses all possible contingencies have been comprised. As to my hon. friend, Mr. Bhatt I have no technical objection to accepting his amendment, but I suggest that whenever any railway fails to comply with the provisions of the Indian Railways Act, it will automatically come under sub-clause (a) because a Railway Inspector.....

Shri Bhatt: Sub-clause (a) is limited and mipe is more comprehensive.

Shri Santhanam: It is not so. Even if the affairs of the company are worked in a reasonable manner, the Railway Inspector may find that it is prejudicially affecting the convenience of persons. 'Convenience' is a much wider term than complying with the legal provisions of the Act. If the House wants, I have no objection. But it does not add anything and I hope my hon. friend will not press the amendment. So I do not think any of the amendments is acceptable.

Shri A. C. Guha: The hon. Minister may consider my amendment No. 4 in the First list.

Shri Santhanam: There is no meaning in the Central Government taking over the management because as I have already said the taking over of the management by the Central Government means putting the money, constructing the workshop and doing everything else. We have been arguing all the time that it is because the Central Government is not able to take over the railway, all these other remedies have to be sought. Where the Central Government takes over the management, no other party will come forward either to offer assistance or offer money or anything for the matter of that.

Mr. Chairman: I find that the hon. Minister is not accepting any amendment. I would like to know whether hon. Members are pressing their amendments.

Shri A. C. Guha: I would like to press my amendment No. 3 in List No. 1 which reads:

After line 30, insert:

"(d) or when, in the opinion of the Central Government, it is necessary in national interest."

Shri J. R. Kapoor: Supposing war breaks out, it should be open to the Government to take necessary steps. That is giving the Central Government more power. You are not losing anything.

Shri Santhanam: I have no objection to accept this amendment.

Mr. Chairman: Which amendment is this?

Shri A. C. Guha: It is amendment No. 3 in List No. 1.

The amendment is:

In page 1, after line 30, insert:

"(d) or when, in the opinion of the Central Government, it is necessary in national interest."

Shri Santhanam: I accept the amendment.

Mr. Chairman: The hon. Minister has accepted the amendment. The question is:

In page 1, after line 30, insert:

"(d) or when, in the opinion of the Central Government, it is necessary in national interest".

The motion was adopted.

Shri A. C. Guha: I would like to know the hon. Minister's opinion about amendment No. 5 that the Government should also have the power to appoint any officer of the Central Government.

Shri Santhanam: There is no prohibition against any officer being appointed. We can appoint a single officer; we can appoint a number of officers. The whole power is there. It is not adding anything.

Shri A. C. Guha: Then, I withdraw my amendment.

The amendment was, by leave withdrawn.

Shri B. K. P. Sinha: I withdraw all my amendments.

The amendment was, by leave, withdrawn.

श्री बट्ट : मैं भी वापिस लेता हूँ ।

[**Shri Bhatt:** I withdraw my amendment.]

The amendment was, by leave, withdrawn.

Shri S. N. Das: I withdraw all my amendments.

The amendments were, by leave, withdrawn.

Dr. Ram Subhag Singh: I withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

The House then adjourned till Half Past Eight of the Clock on Wednesday till 5th September, 1951.