

Monday, 13th August, 1951



सत्यमेव जयते



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

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PARLIAMENT OF INDIA

Monday, 13th August, 1951.

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

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

ORAL ANSWERS TO QUESTIONS

SISAL FIBRE

*176. **Shri Shankaraiya:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of sisal fibre grown in India and the names of States where grown during the years 1949, 1950 and 1951;

(b) the total quantity imported from outside during the years 1949, 1950 and 1951;

(c) whether any soil survey has been undertaken by the Agricultural Research Institute for the growth of this fibre; and

(d) whether any steps have been taken to grow it in Mysore forests?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) There is no planned production of sisal in India and no data about quantity of sisal fibre produced is available. Sisal is grown as a plantation crop in some parts of Orissa and as a hedge plant for fencing along railways and canals etc. in many other States.

(b) No separate import figures are available.

(c) No.

(d) Information has been called for from the Mysore Government and will be laid on the Table of the House on its receipt.

Shri Shankaraiya: May I know from which countries it is being imported?

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Shri K. M. Munshi: Unfortunately, I have not got the figures here.

Shri Shankaraiya: May I know whether facilities will be given for leasing out forests for the growth of this fibre?

Shri K. M. Munshi: As a matter of fact, nothing is being done for the present because it was found that unless plantations are sufficiently large namely, a minimum of 10,000 acres and heavy machinery is imported and employed, it cannot be explored economically.

Shri Amolakh Chand: May I know the names of the States or industries which use this sisal fibre?

Shri K. M. Munshi: Sisal fibre is used mainly for the manufacture of binding ropes and cordage. Ropes made of this fibre are also used for various agricultural purposes; but its main use is for ropes used for ships and boats.

Shri Hussain Imam: Could the hon. Minister give some idea of the quantity of sisal ropes exported from India?

Shri K. M. Munshi: I do not think anything is exported.

Shri Brajeshwar Prasad: Is it possible to use this product as subsidiary food?

Shri K. M. Munshi: An attempt may be made by those interested in it.

Mr. Deputy-Speaker: Next question.

May I suggest one thing to hon. Members. The reporters are not able to hear what is being said either by the hon. Members or Ministers. Therefore, I would request them to come as near the mikes as possible. If they stand in between the mikes, they are not so audible as when they are as close to the mike as possible.

Prof. Banga: That means that the mikes have failed.

Mr. Deputy-Speaker: We are making experiments regarding these mikes.

Shri A. C. Guha: In that case, there should be more mikes.

Mr. Deputy-Speaker: That will be arranged. We are trying to make experiments with such mikes as are placed in the House of Commons. Let us see how they work.

Shri Shiva Rao: Cannot the mikes be lowered a little?

Mr. Deputy-Speaker: They could be lowered. We will look to it.

Shri K. M. Munshi: We are too short as a nation for these mikes.

SUGAR ENQUIRY COMMITTEE REPORT

*177. **Shri Shankaraiya:** Will the Minister of Food and Agriculture be pleased to state what steps Government propose to take on the Report of the Sugar Enquiry Committee?

The Minister of Food and Agriculture (Shri K. M. Munshi): Attention of the hon. Member is invited to the Government Resolution dated 14th July 1951 on the Sugar Enquiry Committee Report, a copy of which is placed on the Table of the House. [See Appendix II, annexure No. 1.]

Shri S. N. Das: May I know whether the Committee has held that the extra supply of wagons at the request of the U.P. and the Central Governments to the mill people led to the smuggling of large quantities of sugar to the border towns and thence to Pakistan?

Shri K. M. Munshi: What the Committee has held, is shortly this. I think that is what the hon. Member wants. The Committee has held that there was an uncontrolled and accelerated release from the factories by the Indian sugar syndicate and secondly that the situation was fully exploited by the industry and trade to their advantage. The result was that a feeling of scarcity was created in the latter half of 1949 leading to scarcity of sugar.

Shri Shankaraiya: I want to know what action was taken by the Government on this report.

Shri K. M. Munshi: Three factories were found by the committee to have despatched about 150 tons of sugar in breach of the Government orders. The cases of these factories are under examination with a view to take suitable action against them.

Shri Hussain Imam: May I draw your attention to the fact, Sir, that the Resolution referred to in reply to

this question was not available along with the Statement laid on the Table of the House, in the Notice Office, because it was not received in time.

Shri K. M. Munshi: I will make enquiries. The whole Resolution was in the Press.

Shri Hussain Imam: In reply to the question it is stated that the Resolution is laid on the Table. That statement is not available in the Notice Office.

Shri K. M. Munshi: I shall see that it is supplied.

Mr. Deputy-Speaker: We will make enquiries.

Shri T. N. Singh: Is it a fact that 50,000 tons of sugar was moved in excess of the normal demand to border areas with the result that most of it went to Pakistan?

Shri K. M. Munshi: I am not sure exactly about the figure. But, very large quantities were moved to States which have a frontier on Pakistan. Looking to the normal consumption, they could not have been wanted there. Therefore, the presumption is that it was smuggled out to Pakistan.

Shri T. N. Singh: May I know why no watch was kept on this extraordinary and heavy movement of sugar to these areas?

Shri K. M. Munshi: As a matter of fact, sugar was free at that time and no one thought at that time that this smuggling was taking place. Being free, there was no watch kept on it.

Shri Sidhva: May I know whether the report has admitted that the syndicate collected Rs. 50 lakhs from the merchants—subsidy for export purposes—to be refunded to Government and may I know whether that amount has been refunded by them and credited to Government?

Shri K. M. Munshi: I shall look into the matter.

Shri A. C. Guha: Is it true that according to the finding of the committee, quite a large quantity of sugar was concealed or allowed to go underground and if so, what action has been taken against those mills?

Shri K. M. Munshi: There is no doubt that a considerable amount of sugar went underground. The enquiry came to an end in 1951. These things happened in 1949. It is impossible to go into all these things.

Shri A. C. Guha: Was any irregularity found by the committee as regards the supply of wagons and the capacity of the wagons to carry sugar?

Shri K. M. Munshi: As a matter of fact, I mentioned to you that a certain situation was created by the Sugar Syndicate. They got certain wagons. Later on, as the movement was free, they secured more wagons from the Railway just in the ordinary course. No body applied his mind to this.

Shri Shankaraiya: Will an opportunity be given to this House to discuss this report?

Shri K. M. Munshi: If you want to discuss that stale and old thing, I have no objection, if the House has time. I would only submit to the House that the matter was gone into by the Tariff Board and the Tariff Committee's finding has been more or less confirmed by this committee. If the house thinks that it is useful spending time, it is another matter. This is an old issue and I do not think it will help the country more.

Mr. Deputy-Speaker: Next question.

Shri Hussain Imam: I am not asking any question; I am only drawing your attention to the fact that this committee's report has not been circulated to us.

Shri K. M. Munshi: It was placed on the Table of the House.

Shri Hussain Imam: It should have been circulated; it is a very important report.

Shri K. M. Munshi: Any Member who wants may get a copy. I have no objection.

Mr. Deputy-Speaker: Any hon. Member who wants a copy will kindly write to the office and a copy will be supplied.

Shri A. C. Guha: I wrote personally; but I could not get a copy.

Mr. Deputy-Speaker: I think that will be the practice hereafter.

Shri A. C. Guha: The same committee was entrusted with enquiring into some allegations as regards purchase of sugar. Is the report of the committee forthcoming on that matter and is that report also available to the Members?

Shri K. M. Munshi: The same committee was asked to enquire into certain allegations made on the floor

of the House. They were found by a separate report not to be warranted.

Shri A. C. Guha: Is that report available to the Members?

Shri K. M. Munshi: I shall be quite willing to supply that report to any Member who desires.

FOREIGN FOOD GRAINS

***178. Shri Krishnanand Rai:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of purchased or promised foreign food grains for which agreements have already been finalised which have not yet reached India due to shipping or other difficulties; and

(b) by what time such food grains are likely to reach India?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) About 12.7 lakh tons of foodgrains were to be received in India on 31st July, 1951 against purchases already made in foreign countries. This does not include grain to be received under the U.S.A. Loan Scheme, which has started arriving in August.

(b) The balance of foodgrains against purchases made is expected to arrive in India before the end of this year. The total quantity of two million tons of loan grain from U.S.A. is expected to reach India by the end of March 1952.

Shri Krishnanand Rai: May I know whether, taking into consideration all the foreign food that has reached India or for which agreements have already been reached, is it a fact that we have reached our target fixed for import of foodgrains for 1951 yet or not?

Shri K. M. Munshi: It is difficult to answer the question.

Shri Krishnanand Rai: May I repeat my question? I asked whether taking into consideration all the foreign food that has reached India or for which agreements have already been reached, whether we have reached our target fixed for the import of food grains for 1951-52 yet or not.

Shri K. M. Munshi: We are importing now about 5.3 million tons for the whole year.

Mr. Deputy-Speaker: What the hon. Member asks is whether what has been received already, plus what is expected to be received during this year 1951-52 will make up the target that we have fixed.

Shri K. M. Munshi: That is what I have mentioned. We are receiving 5.3 million tons during this year. Our deficit was estimated last year at something between 5 million and 6 million tons.

Shri Krishnanand Rai: May I know whether it is a fact that to the extent we are reaching the target fixed for import, we are receding back from the target fixed for procurement and so our stock of foodgrains with the Government remains the same?

Shri K. M. Munshi: It is difficult to follow the trend of the question. The facts as I have stated are as follows. Our deficit was calculated at anything between five to six million tons. But we are receiving this year 5.3 million tons. Our present stocks are very much higher than at anytime, something in the neighbourhood of 16 lakh tons. We are receiving anything between 400,000 to 600,000 tons per month. These figures show that our arrivals are quite sufficient to meet the situation.

Shri J. N. Hazarika: Is it a fact that 9,70,000 tons of rice have been estimated for import, if so, how much of this 12.7 lakh tons of foodgrains is rice and to what extent or in what ratio has it been allotted to the different rice-eating States?

Shri K. M. Munshi: Out of the 12.7 lakhs, the rice quantity is 506.1.

Pandit Thakur Das Bhargava: What would be the balance of stock on 1st January, 1952?

Shri K. M. Munshi: 700,000; it is expected that it would be anything in the order of about 2 million tons by 1st January, 1952.

सेठ गोविन्द दास : क्या यह बात सही नहीं है कि रबी की फसल देश भर में काफी अच्छी हुई है, और जब रबी की फसल इतनी अच्छी है तब जो अनाज बाहर से पांच या छह लाख मिलियन टन आने वाला है, वह सब का सब खर्च हो जायेगा या उस में से कुछ रिजर्व भी रक्खा जायेगा?

[**Seth Govind Das:** In view of the fact that the rabi crop has been very good throughout the country, will the total imported quantity of foodgrains, which would be to the extent of five to six million tons, be consumed or would some of it be kept in reserve?]

Shri K. M. Munshi: Well, it is only in the nature of an estimate. Last

year, i.e., on 1st January, 1951 our stock was about 7 lakh tons. After receiving 53 lakh tons during the year, the balance would be something of the order of 2 million tons. Therefore, we would be saving about 1.3 million tons. But we must remember that the normal carry-over for the country in order to be safe is about 15 lakhs.

Dr. Deshmukh: May I know if the hon. Minister has seen the sort of rice that is being given at the present moment in Delhi and whether it is part of the rice that has been received from abroad which he has mentioned, and if so from which country has it come?

Shri K. M. Munshi: Well, I do not know about Delhi; but when I was at Coimbatore, I saw about twenty specimens which I examined. They were underpounded rice—rather reddish to look at, but good rice.

Dr. Deshmukh: What portion of this rice is broken into small bits of rice and dust and what portion consists of full rice?

Shri K. M. Munshi: That depends on the specimen that the hon. Member is prepared to show me.

Shri Jnani Ram: May I know whether the target of import of rice is enough to meet the demand in the country?

Shri K. M. Munshi: Due to the availability as well as the price factor, what we are able to purchase is much less than the demand of the people.

बाबू रामनारायण सिंह : सभापति जी, जुलाई के अन्त तक बिहार से कितने अन्न की मांग थी और कितना दिया गया ?

[**Babu Ramnarayan Singh:** Sir, may I know the total quantity of foodgrains demanded by Bihar upto the end of July and the quantity actually supplied to them.]

Shri K. M. Munshi: They demanded about 1 million tons. I am not quite sure as to the exact quantity that has been supplied. But since I promised the House two months ago, anything about 90,000 to 100,000 tons have been moved during every month. In July and August, on account of some shipping difficulties the quantity has been a little less.

Shri Kamath: The hon. Minister said that he does not know what kind of rice is available in Delhi. Where does he get his rice from?

Shri K. M. Munshi: Since I became Food Minister, I have given up eating rice.

Pandit Thakur Das Bhargava: Does the basis of self-sufficiency in 1952 stand now or not? The hon. Minister said that the stocks will be in the neighbourhood of 2 million tons in January 1952. May I know whether in that case the basis of self-sufficiency in March 1952 stands or not?

Shri K. M. Munshi: The hon. Member will realise that the principle of self-sufficiency had three exceptions—diversion to other crops, natural calamities and demands upon the reserves. Now the hon. Member must have seen the Planning Commission's Report where it will be seen that we expect to import 3 million tons every year.

Shri Hussain Imam: What portion of the 53 lakhs tons that is expected to be imported will be from the American loan of wheat?

Shri K. M. Munshi: 1.1 million tons.

Shri Sidhva: What was the basis on which the decision was arrived at and announced that after March 1952, there shall not be any import of foodgrains into our country?

Mr. Deputy-Speaker: That has been repeated so often here.

Shri K. M. Munshi: If the hon. Member wants, I shall look into it as a matter of research.

IMPORT OF FOOD GRAINS FROM CHINA

*179. **Shri Krishnanand Rai:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of food grains purchased from China under the agreement reached in May, 1951; and

(b) whether all the quantity purchased from China has reached India or not?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Two agreements were concluded with China, in May 1951 for the purchase of 4,00,000 metric tons of milo and 16,500 metric tons of rice.

(b) The entire quantity of rice and 1,09,378 tons of milo reached India before the end of July.

Shri Krishnanand Rai: May I know whether in the month of June or July, any special officer was sent by the Food Ministry, to make a deal in

Foodgrains in China, if so what is his name and what are his qualifications?

Shri K. M. Munshi: That is the Joint Secretary, Food. His name is Mr. Damle and he has been dealing with food purchases and various other things for several years.

Shri Bharati: What is the landed cost of this rice per ton?

Shri K. M. Munshi: The rice was purchased at Rs. 552/6 per metric ton F.O.B. Tsingtok; Milo was purchased at Rs. 226/10/8 F.O.B. Delhi.

Shri R. Velayudhan: May I know whether any trading agency had offered to sell rice from China at a less price than the price at which we got it through the government agency?

Mr. Deputy-Speaker: This question has been asked a number of times before.

Shri K. M. Munshi: With your permission I might answer it. One merchant claiming to represent the Chinese Government made an offer—some noise was made about it in the papers—at the time when Mr. Damle was in China. As the Chinese Government was negotiating with the Indian Government naturally we had to refer the matter to our embassy in Peking and they advised against purchasing through the merchant, when direct negotiations were going on between two Governments.

Shri R. Velayudhan: May I know whether Mr. Damle was sent to China only after this merchant made the offer to the Government of India?

Shri K. M. Munshi: I do not think so. So far as my recollection goes Damle was in China at the time but I speak subject to correction.

Shri A. C. Guha: What is the landed cost of Chinese rice here per maund as compared with the procurement price of rice in India?

Shri K. M. Munshi: I think it is more.

Prof. Ranga: How much more?

Shri K. M. Munshi: I will have to calculate 28 into something. I shall be glad if the hon. Member would do it for me.

Shri Jnani Ram: Is it a fact that milo is sent to parts of the country where the people are not habituated to it?

Mr. Deputy-Speaker: That does not arise out of this question which relates only to imported foodgrains from China.

ALLOCATION OF WORLD'S SURPLUS WHEAT

*180. **Shri Sidhva:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a meeting of experts of 45 nations met in London on or about the 13th June, 1951 to discuss allocation of the world's surplus wheat;

(b) if so, whether India was represented at that meeting;

(c) whether any quota was allotted to India and if so, how much;

(d) what are the conditions, rate, etc. in connection with the wheat quota given to India; and

(e) whether this quota is only for 1952 or thereafter also?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes. It was a meeting of the International Wheat Council consisting of representatives of 4 wheat exporting and 41 wheat importing countries who are members of the International Wheat Agreement signed in March, 1949. The discussions did not relate to the allocation of the World's surplus wheat but *inter alia* to the adjustment of guaranteed sales of exporting countries to make them equal to the total guaranteed purchases of importing countries.

(b) Yes.

(c) There was no question before the meeting for allotment of a quota to India as it already has a quota of 1.5 million metric tons per year.

(d) Main condition is that India is under an obligation to buy wheat from any of the exporting member countries to the extent of her guaranteed quota at the minimum price under the I. W. Agreement, if called upon to do so. (The minimum price for 1951-52 is \$1.30 per bushel and for 1952-53 it is \$1.20 per bushel.) As against this obligation India has a right to call upon the exporting member country to supply wheat at the maximum price under the Agreement viz. \$1.80 per bushel.

(e) The quota of 1.5 million tons per year is for the three years 1950-51, 1951-52 and 1952-53.

Shri Sidhva: Was India represented at this conference and if so, by whom?

Shri K. M. Munshi: I gave the answer the other day during the question hour. I think it was some Trade Commissioner.

Shri Sidhva: On what basis were the guaranteed sales, which have been referred to by the Minister, made by the exporting countries to the importing countries?

Shri K. M. Munshi: If the hon. Member means the quantities fixed, they are generally determined by the availabilities from the exporting countries.

Shri Sidhva: How does the price of \$1.30 per bushel compare with the prices prevailing in India?

Shri K. M. Munshi: These prices are certainly higher than those prevailing in India.

Shri Sidhva: To what extent?

Mr. Deputy-Speaker: A subsidy is being granted by the Government and the wheat is being sold at a reduced price.

Shri Hussain Imam: May I know whether the payment for the loan wheat received in 1952 will be at the new or old rates?

Shri K. M. Munshi: The loan wheat is outside the wheat agreement and therefore the market price in the U.S.A. has to be taken into account. That is not within the wheat pool.

Shri Hussain Imam: What is the price? How many dollars per bushel?

Shri K. M. Munshi: I know that the landed cost is Rs. 21/1.

UNIFORMS FOR POSTMEN AND TELEGRAPH MESSENGERS

*181. **Shri Sidhva:** Will the Minister of Communications be pleased to state:

(a) whether postmen get summer uniforms of one design in all the places in the country or their uniforms vary in designs from place to place;

(b) whether uniforms are also supplied to telegraph messengers and if so, whether all of them in various parts of India have been so supplied;

(c) whether telegraph messengers in Delhi have been supplied with uniforms and if so, why they do not wear the same while on duty;

(d) whether the postmen and telegraph messengers receive winter uniforms in certain places where cold is intense and if so, what are the places and what is the total number of postmen and telegraph messengers who get such uniforms; and

(a) whether temporary postmen and telegraph messengers are also supplied with uniforms?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes. They all are supplied with uniforms of one standard design.

(b) Yes.

(c) Yes. It is true that sometimes these messengers have been noticed going about without uniforms when on duty. In such cases appropriate action is taken.

(d) Winter uniforms are supplied to postmen and telegraph messengers at all places where the average daily minimum temperature prevailing during the coldest month of the year is as under—

- (i) 53°F. or below—a warm uniform consisting of a coat and trousers.
- (ii) Between 40°F. and 45°F.—an overcoat in addition.
- (iii) Above 53°F. and below 58°F.—a woollen jersey.

A list of such places is not placed on the Table of the House for it is inordinately long. A statement showing the strength of the postmen who are supplied with warm uniforms prepared circle-wise is laid on the Table of the House. [See Appendix II, annexure No. 2.]

(e) Yes.

Shri Sidhva: How many sets of uniforms are supplied per year?

Shri Raj Bahadur: Two sets.

सेठ गोबिन्द दास : क्या माननीय मंत्री जी को मालूम है कि जहाँतक गर्मी की बर्दों का सम्बन्ध है वहाँ तक मध्य प्रदेश की सरकार ने अपनी सब बर्दियाँ खादी की बनाना तै किया है , और केन्द्रीय सरकार को जहाँ तक पोस्ट आफिस और टेलिग्राफ विभाग का सम्बन्ध है वहाँ तक बर्दियाँ खादी की बनाने में क्या आपत्ति है ?

[Seth Govind Das: Is the hon. Minister aware of the fact that so far as the question of supply of summer uniforms is concerned the Government of Madhya Pradesh have decided to prepare them from Khadi? What objection have the Central Government got if the summer uniforms for

the postmen and telegraph messengers of the Posts and Telegraphs Department were made from Khadi?]

श्री राज बहादुर : इस सूचना के लिए मैं माननीय सदस्य का आभारी हूँ और जो उदाहरण उन्होंने ने उपस्थित किया है वह खनकरणीय है ।

[Shri Raj Bahadur: I am grateful to the hon. Member for this information and the example he has given is really worthy of emulation.]

सेठ गोबिन्द दास : क्या माननीय मंत्री जी अपने डिपार्टमेंट में उस का अनुकरण करने वाले हैं ?

[Seth Govind Das: Is the hon. Minister going to follow this example so far as his own department is concerned?]

श्री राज बहादुर : इस बारे में बहुत सी बातें देखनी होंगी। अधिक प्रश्न भी हमारे सामने आयेगा। यह भी देखना होगा कि वह अधिक रूप से सुविधाजनक है या नहीं, व्यवस्था ठीक रहेगी या नहीं और इतनी बड़ी मात्रा में खादी मिल सकेगी वा नहीं यह भी देखना होगा।

[Shri Raj Bahadur: Many things are to be taken into consideration in this connection. We have to see whether or not this measure would be convenient for us from the financial point of view; whether it could be arranged for in the right manner and whether we would be able to get Khadi in such a large quantity as to suffice our requirements. We have to see all these things.]

सेठ गोबिन्द दास : और यदि खादी पर्याप्त मात्रा में उपलब्ध हो सके तो क्या सरकार इस विषय पर विचार करने के लिए तैयार है ?

[Seth Govind Das: If Khadi were available in a sufficient quantity, is the Government prepared to consider this suggestion?]

श्री राज बहादुर : विचार किया जायेगा

[Shri Raj Bahadur: It will be considered.]

श्री जांगड़े : क्या माननीय मंत्री जी बतलाने की कृपा करेंगे कि जो डाकिये एक डाकखाने से दूसरे डाकखाने को डाक ले जाते हैं उन को वर्दी दी जाती है ?

[Shri Jangde: Will the hon. Minister be pleased to state whether those postmen who carry 'dak' from one post office to another, are supplied with uniforms?]

श्री राज बहादुर : जी हां।

[Shri Raj Bahadur: Yes, Sir.]

कैली जी - एस - मासफर : क्या

मानिए मलेरी जी बतलायेंगे कि वेरदियां के कले मरसे के बाद बदली जाती हैं और नूनी दी जाती हैं ?

[Giani G. S. Musafir: Will the hon. Minister be pleased to state the period after which these uniforms are generally changed and new ones supplied?]

श्री राज बहादुर : इस के बारे में मिनिसिपल नियम हैं। जो गर्मी की वेदियां हैं वह वर्ष के वर्ष दो बार दी जाती हैं। इस के अतिरिक्त जो दूसरी वेदियां दी जाती हैं उन का ब्योरा निम्न प्रकार से है : पहली गरम वेदी जहां गरमी की भी वेदियां दी जाती है, दो साल में एक मर्तबा दी जाती है, जती दो साल में एक मर्तबा दी जाती है, ओवरकोट चार साल में एक मर्तबा दिया जाता है।

[Shri Raj Bahadur: There are multifarious rules in this connection. The summer uniforms are supplied twice a year. Rules regarding the supply of other uniforms are as follows:

The first warm uniform, in cases where summer uniforms are also given, is supplied once in two years. A Jersey is supplied once in two years and an overcoat once in every four years.]

कैली जी - एस - मासफर : क्या

ये वेरदियां हर जेके एक ही वेरत में बदली जाती हैं या मसुतल

जके में मसुतल वेरतों पर वेदी जाती हैं ?

[Giani G. S. Musafir: Are these uniforms changed simultaneously at all places or are they changed at different times in different places?]

श्री राज बहादुर : इस बारे में कोई निश्चित नियम नहीं है। जब वेदी की लाइफ पूरी हो जाती है तो वह बदल दी जाती है।

[Shri Raj Bahadur: There is no hard and fast rule about it; it is changed when it is worn out.]

कैली जी - एस - मासफर : क्या

मानिए मलेरी जी इस बात पर वेचार कर सकते हैं कि अगर वेरदियां मसुतल वेरत में बदली जाती हैं तो कैली की वेरदियां दी जाएं और अगर इस के लिये कैली के वेदी मेवा हो सके तो क्या वे इस पर वेचार करियेंगे ?

[Giani G. S. Musafir: Will the hon. Minister be in a position to consider this suggestion of supplying Khadi uniforms to the employees of his department in case these uniforms are changed at varying intervals of time, and if sufficient Khadi be available for the purpose?]

श्री राज बहादुर : इस पर वेचार होगा।

[Shri Raj Bahadur: This will be considered.]

श्री भट्ट : क्या माननीय मंत्री जी बतलायेंगे कि आज जो वेदियां दी जाती हैं उन की क्या कीमत है और अगर उन की जगह खादी की वेदियां दी जाएं तो उन की क्या कीमत होगी ?

[Shri Bhatt: Will the hon. Minister be pleased to state the cost of the uniforms which are being supplied to the postmen and telegraph messengers at present and the cost that is likely to be incurred in case Khadi uniforms are supplied in their place?]

श्री राज बहादुर : जहाँ तक बर्दियों की क्रोमट का प्रश्न है खाकी बर्दी में लगभग ३० रुपया खर्च होता है, गरम बर्दी पर ५० रुपया खर्च होता है और ओवरकोट पर ६० रुपया खर्च होता है।

[Shri Raj Bahadur: So far as the question of the cost of the uniforms is concerned, it is about Rs. 30 per khaki uniform, Rs. 50 per warm uniform and Rs. 60 per overcoat.]

Dr. Deshmukh: Since it is a fact that this suggestion was made a long time back, does the Government consider it below its dignity to see that *khaddar* of the requisite quality and quantity is manufactured? Why does not the Government itself make an effort to see that *khaddar* of the requisite quality and quantity is manufactured?

Shri Raj Bahadur: I have already replied to the question but I can assure the hon. Member that the Government is as anxious to encourage *khadi* as the hon. Member himself.

Shri Sidhva: May I know whether the packers of the postal department also get uniforms and, if so, whether it is a full uniform or they only get a shirt?

Shri Raj Bahadur: The question refers to all types of messengers and postmen.

काका भगवन्त राय : मैं जानना चाहता हूँ कि क्या बर्दियों धोने के लिए साबुन भी दिया जाता है ?

[Kaka Bhagwant Roy: May I know if any soap is also supplied for washing the uniforms?]

Shri Raj Bahadur: I shall have to make enquiries but I don't know whether soap is supplied anywhere in any department.

Shri Syamnandan Sabaya: Are Government aware that in spite of the fact that uniforms are supplied to the postal peons they seldom use those uniforms and they are the most ill-dressed among all the departmental staff?

Shri Raj Bahadur: I would refer the hon. Member to part (c) of the answer.

Shri Sidhva: My question was about packers in the postal department. The hon. Deputy Minister referred to messengers in the telegraph department. I want to know whether packers get uniforms.

Shri Raj Bahadur: I should refer the hon. Member to his question; it refers to postmen and telegraph messengers. If he wants more information he will have to table a separate question.

LOCUSTS IN MADHYA PRADESH

*182. Shri Sidhva: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any steps were taken by Government for the prevention of locusts which invaded Madhya Pradesh in June, 1951;

(b) whether it is a fact that a swarm of locusts were noticeable on the Chanda-Hyderabad border also; and

(c) what action Government has taken to check this menace?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) These locust swarms came from countries outside India. They respect no boundaries and no measures exist which will prevent an invasion once swarms get wings.

(b) Yes.

(c) Attention is invited to the reply given to part (b) of Starred Question No. 4495 asked by Shri S. N. Das on the 25th May, 1951.

Shri Sidhva: May I know what damage to the crops was done by these locusts while invading Madhya Pradesh in June 1951?

Shri K. M. Munshi: I do not think it has been assessed so far.

सेठ गोविन्द दास : चान्दा और इंदराबाद के सिवा क्या माननीय मंत्री जी को मालूम है कि मध्य प्रदेश के दूसरे स्थानों में भी टिड्डी दल देखे गए हैं और क्या किसी जगह पर जहाँ वे देखे गए हैं इस प्रकार का कोई प्रवन्ध किया गया है जिस से उन के कारण आगे नुकसान न हो ?

[Seth Govind Das: Is the hon. Minister aware if, apart from Chanda and Hyderabad, locust swarms have been seen at other places of Madhya Pradesh as well, and if so, have any steps been taken to prevent any further damage being done by them?]

Shri K. M. Munshi: Well, certain swarms were observed in the Chanda area of Madhya Pradesh about the 10th or 11th June and since then we

have been paying attention to Madhya Pradesh; all steps are being taken and so far there has been no damage.

सेठ गोविन्द दास: मैं यह पूछ रहा था कि चान्दा और हैदराबाद के सिवा मध्य प्रदेश में क्या किसी और स्थानों पर यह टिड्डी बल देखे गए और क्या इन जगहों पर इस बिलसिले में कोई प्रबन्ध किया गया है ?

[Seth Govind Das: I wanted to know whether, apart from Chanda and Hyderabad, locust swarms have been observed in other places of Madhya Pradesh as well; if so, have any measures been taken to check further damage by them at those places?]

Shri K. M. Munshi: The swarm entered Khandwa on the 6th June but no damage was noted at any of the places visited by the swarms. Action is being taken to prevent any further damage.

सेठ गोविन्द दास: खंडवा के सिवा कटनी, नरसिंह पुर में और बिलासपुर में टिड्डी बल देखे जाने की रिपोर्ट गवर्नमेंट के पास आई है या नहीं ?

[Seth Govind Das: I would like to know whether or not the Government have received any reports that locust swarms have been seen in Katni, Narsingpur and Bilaspur besides Khandwa?]

Shri K. M. Munshi: Well, the reports before me only refer to Chanda and Khandwa.

Dr. Deshmukh: Is Government aware that locusts make quite good food and may I know whether it has been found that similar use can be made in India also?

Shri K. M. Munshi: I have been told by certain gentlemen and ladies from Iraq that it makes the most delicious meal. I know in Rajputana, Sind and other places people collect them in sacks and dry and eat them like gram—they make very nutritive food.

Shri Syamnandan Sahaya: Is there any proposal to experiment it in the "Annapoorna" opened in Delhi?

Shri K. M. Munshi: I want the hon. Member to start one—I have no objection if he does it.

WHEAT FROM U. S. A.

*183. Shri R. Velayudhan: Will the Minister of Food and Agriculture be pleased to state the quantity of food grains which have arrived in India since the passing of the Indian Grain Bill in the U.S.A. Congress?

The Minister of Food and Agriculture (Shri K. M. Munshi): The first ship carrying the foodgrains under the India Emergency Food Aid Act of 1951 arrived on the 4th August, 1951 carrying approximately 9,450 tons.

INDIA FOOD AID ACT

*198-A. Shri Alexander: Will the Minister of Food and Agriculture be pleased to state:

(a) the main terms and conditions of the India Food Aid Act;

(b) how and when the repayment is to be made;

(c) when the first ship arrived in India and within what time the whole quantity of foodgrains will be shipped to India;

(d) the total quantity of voluntary aid in food and other nutritional items received from the U.S.A. till the beginning of August 1951; and

(e) the basis on which the price of distribution of the same is to be fixed?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) A statement is laid on the Table of the House. [See Appendix II, annexure No. 4.]

(b) The repayment of the loan is to be made in semi annual instalments beginning with June 30, 1957 in the amounts approximating \$7 million per year from 1957 to 1965; \$10 million per year from 1965 to 1970 and \$12 million per year from 1970 to 1986. Interest is to be paid on the loan of \$190 million at the rate of 2½ per cent. per annum but no interest is due for one year and no principal is due for 5 years.

(c) The first ship arrived in India on the 4th August and the whole quantity of wheat etc. is expected to be shipped to India before the end of February 1952.

(d) A statement is laid on the Table of the House. [See Appendix II, annexure No. 3.]

(e) The gifts are to be distributed free.

Shri R. Velayudhan: May I know whether there is any shipping schedule for the arrival of these foodgrains from U.S.A. to India?

Shri K. M. Munshi: There is a time schedule. As I said only a few minutes ago, 1.1 million tons (under the loan) is coming before 31st December and the remainder before 31st March next.

Shri R. Velayudhan: May I know whether it is a fact that about Rs. 60 crores has to be spent by India on shipping charges alone to bring this wheat to India?

Shri K. M. Munshi: When we asked for a loan on special and easy terms we wanted that we should pay the freight for the wheat. I cannot exactly say how many crores on the spur of the moment, but quite a large amount will have to be spent for freight.

Shri R. Velayudhan: May I know whether the Deputy Food Minister made a statement at Hyderabad recently that India will have to bear about Rs. 60 crores for shipment charges alone and that the price of wheat will have to be raised to two rupees?

An Hon. Member: By two rupees.

Shri K. M. Munshi: I don't think it could be Rs. 60 crores—it could not possibly be anything like Rs. 60 crores because the value of the wheat itself is about Rs. 90 crores.

Shri Syamnandan Sahaya: Will the hon. Minister be pleased to lay on the Table a statement showing the total cost incurred including shipping and freight charges in regard to the new wheat supply we have received on a loan basis from the Government of the United States?

Shri K. M. Munshi: Yes, I will certainly do so.

Shri Sidhva: The hon. Minister promised to lay the statement last week. When is he likely to do so?

Shri K. M. Munshi: It is being prepared.

Shri Alexander: It is stated in regard to part (a) of the question that repayment of the loan may take the form of supply of materials needed by the United States subject to mutual agreement between the Government of India and the Administration of Economic Operations in the United States. May I know whether this supply of materials includes strategic materials like monazite?

Shri K. M. Munshi: India does not export strategic materials.

Shri Bharati: What is the landed cost of this wheat including freight?

Shri K. M. Munshi: Rs. 21-1-0 per maund.

Shri Alexander: Does the Central Government intend to give this wheat on a loan basis to the State Governments?

Shri K. M. Munshi: No.

Shri Syamnandan Sahaya: Is there any prospect of a reduction in the price of wheat as a result of the expected arrival of these two million tons of wheat from the U.S.A.?

Shri K. M. Munshi: On account of this extra arrival of foodgrains from foreign countries the black market prices have been coming down all over the country.

Shri Syamnandan Sahaya: I was asking about the control price.

Shri K. M. Munshi: The price of foreign foodgrains is very much higher than the issue price under our control system and therefore the latter is not likely to be affected. In some cases, for instance Bihar, on account of the extra arrival of foodgrains the hoarded grain came out and I received reports that they were being sold at a price lower than the issue of Government.

Shri Syamnandan Sahaya: Are we to take it that Government are not in a position to reduce the price of wheat so far as their own shops are concerned?

Shri K. M. Munshi: That is not possible.

Shri R. Velayudhan: May I know if the price per bushel of U.S. wheat is higher than the price per bushel of wheat fixed by the International Wheat Council?

Shri K. M. Munshi: I have said more than once that the price of this wheat is on the basis of the market price in U.S.A. on the date when this was despatched. The wheat pool price is entirely different. That is a long-term agreement and will be carried out at certain stated prices which I mentioned just now.

COCA COLA

*184. **Shri Kamath:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Scientific Investigation about the effects of Coca Cola on human health has been completed; and

(b) if so, with what result?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes, Sir.

(b) Coca Cola is reported to contain no harmful ingredients.

Shri Kamath: To whom or to which scientists was this investigation entrusted and when was the report submitted by them?

Shri K. M. Munshi: The General Food Technological Research Institute; the Command Laboratory, Western Delhi Cantonment; Department of Chemical Technology, University of Bombay.

Shri Kamath: What according to the report are the ingredients of coca cola?

Shri K. M. Munshi: They seem to be quite numerous, but most of it is sugar and water.

Shri Kamath: We know about sugar and water. What are the other components?

Shri K. M. Munshi: Beet sugar colour; Alkaloid of caffeine; fluid extract cola leaves; fluid extract cola nuts; extract of vanilla; cola flour; lime juice.

Shri Sidhva: In the last Session, the hon. Minister stated that he would make enquiries from the French Government who had stopped import of this coca cola on account of its excessive caffeine content. Has he made enquiries?

Shri K. M. Munshi: I dare say the enquiry must have been made if I gave a promise. However, I shall make enquiries.

Shri Sidhva: Is not the quantity of caffeine contained in coca cola harmful?

Shri K. M. Munshi: It is very much less than in one cup of tea.

Shri Joachim Alva: Has the hon. Minister read a report by the U.P.A. which in its turn reported from the TASS that coca cola is a mixture of saccharine and turpentine?

Shri K. M. Munshi: I never came across such a report.

Shri Joachim Alva: But this has appeared in newspapers.

Shri K. M. Munshi: Unfortunately, I have no time to read all the newspapers that my hon. friend reads.

Shri Kamath: Is it a fact that during the last few months this industry has expanded in India and if so, how

much more sugar has been allotted to it during this year?

Mr. Deputy-Speaker: We are now going into another point. This refers only to scientific investigation. We cannot pursue the hon. Member's question, unless he thinks that sugar itself is harmful!

POST OFFICE CASH CERTIFICATES

*184-A. **Giani G. S. Musafir:** Will the Minister of Communications be pleased to state the fate of Post Office Cash Certificates purchased at various Post Offices now located in Pakistan, the holders whereof are dead and the claimants in respect whereof have migrated to India?

The Deputy Minister of Communications (Shri Raj Bahadur): An agreement for the transfer of such Post Office Certificates was reached with the Pakistan Government in the month of April, 1949. But, owing to the devaluation of the Indian rupee and the delay in the settlement of the exchange ratio between India and Pakistani rupees, the Government of Pakistan imposed a ban on the transfer of Post Office Certificates (including the certificates of deceased holders) from Pakistan to India. Similar action was also taken by the Government of India. The matter is now under further consideration in the changed situation relating to the currency situation.

کہانی جی - ایس - مسافر : کیا
 ماہیہ ملنے کی کو اس بات کی کوئی
 اطلاع ہے کہ کئی کہیں سرٹیفکیٹ
 دہریہائی ہو چکے ہیں مگر وہ کہیں
 نہیں ہو رہے ؟

[Giani G. S. Musafir: Has the hon. Minister any information to the effect that a number of cash certificates have been verified but are not being cashed?]

श्री राज बहादुर : जहाँ तक मुझे
 इतिला है जितने सर्टीफिकेट्स बेरीफाई हो
 चुके हैं उन की संख्या ९० है और वह सब
 सेटल हो चुके हैं।

[Shri Raj Bahadur: So far as my information goes, the number of verified certificates is ninety and all of them have been settled.]

IRAQI DATES

*185. **Sardar B. S. Man:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity in maunds of Iraqi dates purchased by Government;

(b) the price paid by Government and also the price per maund;

(c) how they were disposed of;

(d) how many maunds were sent to Akola and at what price they were sold and what was the loss, if any; and

(e) what was the total loss, if any, incurred by Government?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) In all 6,94,110 maunds (25,500 tons) of Iraqi dates were purchased by the Government of India (4,76,350 mds. in January and February, 1951 and 2,17,760 maunds in April, 1951).

(b) The C.I.F. price paid by the Government of India for the purchase of these dates was as follows:—

Date of purchase.	Quantity mds.	Rate (in Rs.) per md.	Price (in Rs.)
9-1-51	2,72,200	8/13/2	24,00,000/-
14-1-51	2,04,150	7/7/3	17,25,000/-
27-4-51	1,36,100	6/13/8	14,93,333/-
30-4-51	81,660	6/13/8	
Total :	6,94,110		56,18,333/-

This price does not include customs duty and incidental charges etc., after unloading at Bombay. The landed cost was Rs. 13/10/- per md. F.O.R. Bombay for the first 4,76,350 mds. and Rs. 11/8/- F.O.R. for the remaining 2,17,760 mds.

(c) The earlier two consignments totalling 4,76,350 mds. were allotted to various States as under:

Madhya Pradesh.	81,660 mds.
Bombay.	1,90,540 „
Bihar	81,660 „
Uttar Pradesh	54,440 „
W. Bengal	54,440 „
Hydrabad.	18,610 „
Total :	4,76,350 „

The latter two consignments totalling 2,17,760 mds. were allotted as under:

Madras	27,220 mds.
Bihar	1,90,540 „
Total :	2,17,760 „

(d) 8,184 mds. approximately were sent to Akola. These were sold at different rates ranging from Rs. 10 per maund to Rs. 17 per maund. The loss to the Madhya Pradesh Government on the allocation to Akola is estimated at Rs. 19,000.

(e) The Government of India have not incurred any loss in respect of the import of dates as they were purchased and sold to the States on a 'no profit no loss' basis.

Mr. Deputy-Speaker: Was this question not answered a few days back?

Sardar B. S. Man: It was in a different way.

Shri K. M. Munshi: In substance it is the same, but the hon. Member wants more details.

Mr. Deputy-Speaker: I find that every day out of about forty questions tabled, we are hardly able to get through about twelve or fifteen questions. Can't such questions be better answered by laying a statement on the Table, instead of giving replies from parts (a) to (z). We must have some relative priority with regard to important questions.

Sardar B. S. Man: I am anxious to get a reply to parts (d) and (e) of the question.

Mr. Deputy-Speaker: The hon. Member might have said so, instead of asking the hon. Minister to go on reading.

Shri K. M. Munshi: The answers to parts (d) and (e) of the question are as follows:

(d) 8,184 maunds approximately were sent to Akola. These were at different rates ranging from Rs. 10 per maund to Rs. 17 per maund. The loss to the Madhya Pradesh Government on the allocation to Akola is estimated at Rs. 19,000.

(e) The Government of India have not incurred any loss in respect of the import of dates as they were purchased and sold to the States on a 'no profit no loss' basis.

Sardar B. S. Man: It is true that the Central Government has not incurred any loss. But have the Government enquired whether the State Governments on whom these dates were forced, incurred any loss?

Shri K. M. Munshi: The Central Government never forced any State to take any dates.

Sardar B. S. Man: May I know whether the State Governments have incurred any loss in this deal or not?

Shri K. M. Munshi: I mentioned the loss incurred by the Madhya Pradesh Government as Rs. 19,000.

Sardar B. S. Man: That only relates to Akola. May I know whether any other State Government has incurred any loss.

Shri K. M. Munshi: If the hon. Member gives me notice of a question I shall have the figures collected.

Sardar B. S. Man: May I know whether all the dates which were given to the Bombay Government were used for human consumption as such: is it a fact that most of these unused dates were used for distillation of liquor.

Shri K. M. Munshi: I think that is a matter beyond my range—it must be addressed to the Bombay Government. Anyway if the hon. Member wants the information, I shall make enquiries and the Bombay Government will say 'No'.

Sardar B. S. Man: Were these dates supplied to the different States against definite indents placed by them, or they were supplied on the initiative of the Central Government.

Shri K. M. Munshi: At the time these dates were ordered, the situation in the country was such that there was a great likelihood of no food being available at certain centres. The States were told that the Central Government were ordering these dates and they consented to take them.

Pandit Kanuru: Is it a fact that the dates that were supplied to the consumers were of such poor quality that they refused to take them?

Shri K. M. Munshi: That is not correct. The dates supplied were of qualities which were higher than the qualities ordinarily available in India.

Shri Syamnandan Sahaya: In view of the fact that most of these dates are going to disuse and waste and have become out of date, have Government considered the advisability of using them as cattle fodder.

Shri K. M. Munshi: No date gets out of date.

CENTRAL FOOD RESERVE

*186. **Shri Kamath:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity of food grains imported into India since January, 1951;

(b) how much more is expected to be imported during the coming months of this year;

(c) the quantity so far despatched to needy areas, and the quantity proposed to be sent in the near future; and

(d) the production target under Grow-More-Food Campaign during this year?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) 26,21,237 long tons upto 31st July, 1951.

(b) Approximately 26,61,800 long tons.

(c) A statement showing the quantities despatched to the needy areas upto the 22nd July, 1951 and the quantity proposed to be sent between the 22nd July and 31st August is placed on the Table of the House. [See Appendix II, annexure No. 5.]

(d) 14,00,000 fons.

Shri Kamath: What, Sir, to start with, is a long ton and how many short tons make a long ton?

Shri K. M. Munshi: 2,240 lbs. make a long ton; 2,000 lbs. make a short ton.

Shri Kamath: From the statement laid on the Table of the House I find that for the period 1st of January to the 22nd of July 1951, 5,34,000 tons were sent to Bombay, whereas 4,66,000 tons were sent to Bihar. Am I to understand that the situation in Bombay was worse than the situation in Bihar, or is it because the full demand of the Bombay Government was met, whereas the full demand of the Bihar Government was not met?

Shri K. M. Munshi: The full demand of neither of the States was met. It is only because the position in Bombay was critical at a certain time and food had to be despatched.

Shri Kamath: I find from the statement again that for the period 23rd of July to the end of August more grain is to be sent to Madras than to Bihar. Am I to understand that the situation in Madras has deteriorated?

Shri K. M. Munshi: The hon. Member will see that the quantity to be despatched to Bihar is 1,82,000 tons, while the quantity to be despatched to Madras is 2,04,000 tons. If he were to compare the population of the two States he will find that the despatch to Madras is comparatively less.

Shri Kamath: But during the previous period less was sent to Madras than to Bihar.

Mr. Deputy-Speaker: The question-hour is over.

Shri Kamath: There is still half a minute. I shall repeat my question. During the six months January to July more was sent to Bihar than to Madras, while more is being sent to Madras than to Bihar. Is it because the Bihar situation is well in hand, while in Madras conditions are becoming worse?

Shri K. M. Munshi: It is a very valuable suggestion which I shall duly consider.

WRITTEN ANSWERS TO QUESTIONS

RADIO LICENCES

*187. **Dr. Deshmukh:** Will the Minister of Communications be pleased to state:

(a) the number of licensed receiving sets in the years 1949 and 1950; and

(b) how many of these were from Bombay, Madhya Pradesh, Delhi and Saurashtra States in each of the years?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The number of licences is as follows:

1949	...	4,18,206
1950	...	5,32,407

It is not possible to give the number of receiving sets as no record is maintained of them and it is permissible for a licensee to possess more than one radio set under one licence.

(b)

State	1949	1950
Bombay	1,13,434	1,44,635
Madhya Pradesh	23,949	33,495
Delhi	28,095	30,979
Saurashtra	Licensing not done by Central Government.	4,357

DELHI CLOTH MILLS VANASPATI MANUFACTURING PRODUCTS

*188. **Shri Kamath:** Will the Minister of Food and Agriculture be pleased to refer to the answer given to my starred question No. 4857, asked on the 5th June, 1951 and to state:

(a) what stage the inquiry regarding Delhi Cloth Mills Vanaspati Manufacturing Products has reached; and

(b) what further action is proposed to be taken by Government in the matter?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) and (b). The inquiry is complete and the Chief Commissioner, Delhi has been asked to prosecute Messrs. Delhi Cloth Mills Vanaspati Manufacturing Works Company Limited, for infringement of the provision of Vegetable Oil Products Control Order, 1947.

CALCUTTA TELEPHONE EXCHANGE

*189. **Shri Kesava Rao:** Will the Minister of Communications be pleased to state:

(a) what are the causes of the fire that broke out in the Calcutta Telephone Exchange on the 5th June, 1951; and

(b) what is the loss to Government on account of this fire?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The probable cause of the fire was an electrical short circuit in the wiring.

(b) The loss to Government was Rs. 6,750.

INTERNATIONAL RICE COMMISSION

*190. **Shri Kesava Rao:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the International Rice Commission of F.A.O. has begun the work of improving the quality and increasing the yield of rice in India;

(b) where the International Rice Commission carry their experiments; and

(c) what are the varieties of rice in which research is carried on now by the International Rice Commission?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The International Rice Commission is financing a comprehensive scheme of hybridisation of rice in South-East Asia for improving rice yields in India as well as eight other participating countries.

(b) The Scheme consists of crossing different varieties of rice with a view to breed improved strains. This work is being done at the Central Rice Research Institute, Cuttack.

(c) Thirty-two varieties of rice of *Indica* race supplied by the participating countries other than Japan are being crossed with eight varieties of *Japonica* race obtained from Japan.

REGIONAL COMMISSIONERS FOR STATES

*191. **Sardar B. S. Man:** (a) Will the Minister of States be pleased to state the number of Regional Commissioners for States?

(b) How many were there before their integration or merger into various units?

(c) What are their powers and functions?

(d) What is the total expenditure spent upon them?

The Minister of States, Transport and Railways (Shri Gopaldaswami):
(a) Four.

(b) Seven.

(c) The attention of the hon. Member is invited to paragraph 213 of the White Paper on Indian States.

(d) For the year 1951-52 the total expenditure is estimated at Rs. 5,88,000.

POSTAL EMPLOYEES

*192. **Dr. M. V. Gangadhara Siva:** Will the Minister of Communications be pleased to state:

(a) whether Government are aware that during the last war, some inferior servants, as postmen, daffries etc. employed in some subordinate offices of the Posts and Telegraphs Department were promoted to officiate in clerical appointments against vacancies existing in these offices;

(b) whether Government are aware that in accordance with the award of the Adjudicator in the dispute between the Posts and Telegraphs Department and its employees, such of these officials as have rendered one year's satisfactory service, are to be confirmed in their appointments as clerks after passing another test;

(c) whether it is proposed to exempt some of the aforesaid class of employees from the confirmatory tests; and

(d) if the reply to part (c) above be in the affirmative, what are the reasons for this discrimination?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (d). The attention of the hon. Member is invited to the answer already given to the Starred Question No. 930 by Shri Mohanlal Saksena which was put down for reply in the Legislative Assembly on the 13th March 1947. The position stated against part (c) of that question has, however, since changed as follows:

(1) The date with reference to which one year's service is to be reckoned has been brought forward to 10th August, 1946.

(2) The condition of one year's consecutive service has been changed into one of one year's aggregate service.

(3) The restriction of passing the examination within three years has been removed and it has been ordered that the officials in question should be confirmed as clerks straightway on the occurrence of permanent vacancies without passing the confirmation examination but on confirmation they should not be granted increments until they pass an examination on the same lines as the confirmation examination. On passing the examination all previous increments will be given but no arrears will be paid.

CROP-COMPETITION AND PLANT PROTECTION SCHEMES

*193. **Shri B. R. Bhagat:** Will the Minister of Food and Agriculture be pleased to state:

(a) the amount spent so far on the Crop-Competition and Plant Protection Schemes; and

(b) the progress that has been made up to date in such schemes?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The total amounts sanctioned to the States by the Government of India during the three years ending 1951-52 on crop competition and plant protection schemes were Rs. 9,42,840 and Rs. 36,14,683 respectively.

(b) The progress achieved in respect of crop competition and plant protection schemes is as follows:

Crop Competition Schemes:

The number of States conducting crop competitions increased from 4 in 1949-50 to 21 in 1951-52; the cultivated area brought under competition in the whole of India in 1949-50 was 32,836 acres, while in 1951-52 the target is about 5,70,000 acres for Madras, U.P., Hyderabad, Mysore and Saurashtra alone. During 1950-51 yields of as

much as 44½ maunds per acre for wheat, 148 maunds for paddy and 679 maunds for potatoes were obtained as against the average yields of 7, 12½, and 250 maunds respectively.

Plant Protection:

(i) The Central Plant Protection Organisation set up in 1946 has assisted more than 18 States to set up plant protection organisations, which have contributed to reduce heavy losses to crops due to insect pests and diseases.

(ii) The present Locust cycle which began in 1949 is being controlled by staff posted in 40 strategic points in the desert breeding areas and with the help of American technical aid under the Point-4 Programme.

(iii) Plant quarantine work has been undertaken in Bombay, where a Fumigation and Plant Inspection House has been constructed and necessary equipment has been installed; sites have been acquired for undertaking similar work in Calcutta and Madras:

JUTE CULTIVATION IN BIHAR

*194. **Shri B. R. Bhagat:** Will the Minister of Food and Agriculture be pleased to state:

(a) the area of jute cultivation in Bihar in 1949-50 and 1950-51; and

(b) whether any increase is proposed to be made in the current year?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) 3.31 lakh acres in 1949-50 and 3.58 lakh acres in 1950-51. These figures are, however, subject to revision.

(b) Yes.

D. T. S. WORKERS' UNION

*195. **Shri Jnani Ram:** Will the Minister of Transport be pleased to state:

(a) whether the D.T.S. Workers' Union has been given recognition;

(b) if so, when;

(c) whether the Union has submitted its grievances and if so, when; and

(d) how far the grievances are proposed to be given consideration?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (b). The Chairman of the Delhi Road Transport Authority informed the President of the Delhi Transport Service Workers' Union on 2nd June, 1951 that the Union would be recognised provided the Constitution of the Union is suitably amended.

202 P.S.D.

(c) Yes; on the 2nd June, 1951.

(d) The Delhi Road Transport Authority is carefully considering all the grievances with a view to meet all reasonable demands.

IMPROVEMENTS OF LIVESTOCK

*196. **Pandit Munishwar Datt Upadhyay:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether there has been any enquiry regarding improvements of Livestock in any State; and

(b) whether Government propose to have such an enquiry on all-India basis?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) As far as the Central Government is aware, no State Government except the Government of Uttar Pradesh has instituted a detailed enquiry regarding Livestock improvement.

(b) No.

INTERNATIONAL CONFERENCE OF LOCUST EXPERTS

*197. **Sardar Hukam Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the International Conference of locust experts held at Cairo at the end of March, 1951 had recommended experimentation with aerial methods of locust control; and

(b) whether such methods are being tried in India?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes.

(b) We have secured under the U.S. Point Four Programme a team of technicians with three small planes to demonstrate aerial spraying operations against locusts in some of the desert breeding areas. The operations will start by the first week of August.

DAMAGE TO POST AND TELEGRAPH OFFICES IN ASSAM

*198. **Shri J. N. Hazarika:** Will the Minister of Communications be pleased to state:

(a) whether Mails could be carried to and from Abor and Mishmi Hills in the North East Frontier Agency during the recent floods in Assam; and

(b) whether Post and Telegraph Offices and lines were damaged as a result of floods and if so, whether they have been restored?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The floods caused considerable

dislocation to mail arrangements and damage to Post and Telegraph Offices and lines. A detailed statement is laid on the Table of the House. [See Appendix II, annexure No. 6.]

ROAD LINK BETWEEN INDIA AND NEPAL

***199. Shri S. N. Das:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that the Nepal Government has requested the Government of India to lend experts to study proposals for a motorable road link between the Nepalese Capital and India; and

(b) if the answer to part (a) above be in the affirmative, whether the Government of India have considered the proposal and come to any decision?

The Minister of State for Transport and Railways (Shri Santhanam): (a) No.

(b) Does not arise.

ALLOCATION OF FOODGRAINS TO STATES

***199-A. Shri S. N. Das:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether there has been any change in the quota of foodgrains to different deficit States since allocations were decided upon at the Food Ministers' Conference in Bombay;

(b) if so, how the figures of allotment stand today;

(c) the quantity of foodgrains that has been despatched to them upto July, 1951; and

(d) how the reserves in case of each of them stand?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes, Sir.

(b) A statement showing the original and the revised ceiling quotas fixed for various States is laid on the Table of the House. [See Appendix II, annexure No. 7.]

(c) A statement showing the quantities of foodgrains despatched to the different States upto 22nd July, 1951 is placed on the Table of the House. [See Appendix II, annexure No. 7.]

(d) A statement is laid on the Table of the House showing the grain stock with each State Government. [See Appendix II, annexure No. 7.]

PORT TRUST PROPERTY IN BOMBAY

***200. Shri Joachim Alva:** (a) Will the Minister of Transport be pleased to state whether the ground rent charges of business and industrial concerns

have been increased on Port Trust property in Bombay?

(b) What is the percentage of increase on these rents?

(c) Have protests been received from the lease and other rent holders against the increases in rents?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes, with effect from 1st July, 1951.

(b) The increase in rent has been less than 100 per cent. in 960 cases, 150 per cent. but less than 200 per cent. in 139 cases and over 200 per cent. in 28 cases.

(c) Yes, the representations received are under the consideration of the Trustees of the Port of Bombay.

CHITTARANJAN LOCOMOTIVE FACTORY

***201. Shri A. C. Guha:** Will the Minister of Railways be pleased to state:

(a) whether there have been any accidents in the course of the construction of the Chittaranjan Locomotive Factory;

(b) if so, the number and nature of the casualties; and

(c) whether any compensations have been paid to the victims or their relatives?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) There were 50 casualties, of which 3 were fatal and the balance cases of minor injuries, causing temporary disablement.

(c) Compensation where due in the shape of half-monthly payments was paid to the workmen who suffered temporary disablement as a result of accidents. No compensation has so far been paid in the case of the 3 fatal accidents; one is *sub judice* and the other two are under investigation.

STATE TRADING IN FERTILISERS

***202. Shri T. N. Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether State trading in fertilisers has been discontinued;

(b) whether any stocks on Government account are yet lying unsold; and

(c) the total net profit or loss incurred on the trading in fertilisers up to date?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) No.

(b) There are no unsold stocks lying with the Government. Small quantities already allotted to States but awaiting wagon supplies are lying with Clearing and Forwarding agents at ports.

(c) From 1944-45 up to 1950-51, the Government have made a profit of about Rs. 70,00,000 in running the Fertilisers Pool.

Gur AND KHANDSARI SUGAR

*203. Shri Ghule: (a) Will the Minister of Food and Agriculture be pleased to state what is the total production of Gur and Khandsari sugar in the year 1950-51 according to the latest figures?

(b) What was the same in the years 1948-49 and 1949-50?

(c) What are the reasons of the variations in production?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The information is not available yet.

(b) The production of gur and Khandsari during the years 1948-49 and 1949-50 was:

Year	Gur	Khandsar
	Tons	Tons
1948-49	28,37,000	1,13,000
1949-50	27,14,000	1,75,000

(c) Mainly variations in cane area and prices.

REPAIRS TO OLD MOGUL NILA BUND

*204. Shri Amolakh Chand: (a) Will the Minister of Food and Agriculture be pleased to state whether Government are aware that the old Mogul Nila Bund near Delhi is in a dilapidated condition and if so, whether Government have taken any steps to repair it and put it for use in the Grow More Food campaign?

(b) Has any estimate of the cost of repairs been made and if so, how much does it come to?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) There is a bund named Mughal Bund which runs from Jumna Railway bridge to the Power House. It is presumed that this is the bund referred to in the question. This Bund is in a dilapidated condition, and the Delhi Administration is taking necessary steps to strengthen it.

(b) Yes. The estimated cost of strengthening the bund is Rs. 50,138.

The work has begun and is expected to be completed within a fortnight.

SPECIAL TRAIN FROM SITAPUR TO NAIMESHAYARANYA

*205. Shri Amolakh Chand: Will the Minister of Railways be pleased to state:

(a) the reasons for not running a special train on *Amavasya*, the 4th July, 1951 from Sitapur to Naimeshayaranya (E. I. Railway) as usual;

(b) whether the pilgrims in the absence of special train boarded a passenger train and even occupied the roofs of third class bogies and as a result thereof the roof of the bogie collapsed and a large number of passengers received injuries; and

(c) the number of persons injured?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Due to shortage of coaching stock, special trains could not be run.

(b) A number of pilgrims boarded regular trains on roofs in spite of all efforts made to prevent them from doing so. There had been no report, however, of any roof collapsing or any passenger receiving injury.

(c) Does not arise.

बाजना टप्पा के लिए डाक घर

*२०६. डा० देवी सिंह : संवरण मंत्री यह बतलाने की कृपा करेंगे कि क्या सरकार जिला रतलाम (मध्य भारत) के बाजना टप्पा में, जिस के आस पास की जनसंख्या लगभग १५,००० है, डाक घर खोलने का विचार रखती है ?

POST OFFICE FOR BAJANA TAPPA

[*206. Dr. Devi Singh: Will the Minister of Communications be pleased to state whether Government propose to open a post office in Bajana Tappa in District Ratlam (Madhya Bharat), the population of the suburbs of which is nearly 15,000?]

The Deputy Minister of Communications (Shri Raj Bahadur): Orders have been issued for the opening of a Post Office at Bajana Tappa.

नीमच-नसीराबाद सड़क

*२०६-क. डा० देवी सिंह : क्या यातायात मंत्री यह बतलाने की कृपा करेंगे कि सरकारी योजना में नीमच से नसीराबाद तक सड़क बनाने की योजना सम्मिलित है अथवा नहीं ?

NEEMUCH—NASIRABAD ROAD

[*206-A. Dr. Devi Singh: Will the Minister of Transport be pleased to state whether Government's scheme includes the construction of a road from Neemuch to Nasirabad.]

The Minister of State for Transport and Railways (Shri Santhanam): The hon. Member is presumably referring to the portion of the Neemuch-Nasirabad Road in Rajasthan. If so, the matter is the responsibility of the Government of Rajasthan. The portion of the road within Ajmer State already exists and the question of its construction does not arise.

AIR SERVICES (SUSPENSION)

*207. Shri Amolakh Chand: Will the Minister of Communications be pleased to state:

(a) the number of Air Services suspended or stopped in the month of July, 1951 due to shortage of aviation fuel in India;

(b) whether the rates of fare have been increased and if so, by what percentage; and

(c) whether the cargo liners for transporting essential food grains have also been affected; and

(d) if so, when Government expect to improve the position?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (c). Four scheduled air services operated by Indian Companies within India have been suspended and the frequencies of nine others have been reduced; non-scheduled flights have all been stopped, except those engaged in the carriage of essential supplies, such as, foodgrains.

(b) No, Sir.

(d) Does not arise, in view of the replies to (b) and (c).

RICE STRAW

*208. Shri V. K. Reddy: (a) Will the Minister of Food and Agriculture be pleased to state whether it is a fact

that large quantities of rice straw is used for packing articles to be sent abroad?

(b) What is the quantity so used?

(c) Is there any proposal before Government to stop the use of rice straw for packing purposes?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes.

(b) Information is not available.

(c) With a view to conserve fodder supplies the Government of India, at the instance of the Government of Madras, are considering a proposal to ban the use of paddy straw as packing material in the State of Madras.

RECRUITMENT OF SCHEDULED CASTES AND TRIBES ON RAILWAYS

*209. Shri Barman: (a) Will the Minister of Railways be pleased to state how many vacancies were advertised by Central Railway Service Commission's (E. I. R.) Employment Notice No. 14/51, dated the 21st May, 1951 and employment notice No. 8/51 under categories iv, vi, vii, viii and x?

(b) What were the numbers under each category reserved for Scheduled Castes and Tribes?

(c) What is the number of applications received for such reserved categories?

(d) What is the number of Scheduled Castes and Tribes selected or employed?

The Minister of State for Transport and Railways (Shri Santhanam): (a) to (d). The information is contained in the statement which is laid on the Table of the House. [See Appendix II, annexure No. 8.]

INDIAN CENTRAL COTTON COMMITTEE

*210. Shri S. C. Samanta: (a) Will the Minister of Food and Agriculture be pleased to state what steps have been taken by the Indian Central Cotton Committee to step up cotton production in India?

(b) What was the amount of production of Cotton in India in the years from 15th August, 1947 up to date (year by year)?

(c) What is the estimate of production of Cotton in the year 1951-52?

(d) In which part of the country does finer quality of cotton grow and can be grown?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) A statement showing the measures taken by Government to step up cotton production is laid on the Table of the House. The Indian Central Cotton Committee, subsidises experiments for the evolution of better yielding varieties by selection and by hybridisation and for evolving better agricultural practices in regard to the cultivation of cotton.

(b) Estimates of cotton production: (in lakh bales of 392 lbs. each net)

	1947-48	1948-49
(i) Official	21.9	17.7
(ii) Trade estimates	29.9 to 30.8	23.2 to 23.7
	1949-50	1950-51
(i) Official	26.4	29.3
(ii) Trade estimates	28.1 to 31.1	31.8 to 33.4

(c) The ultimate target has not yet been finalised.

(d) Cotton having staple length of 15/16" may be regarded as finer quality. Such cotton is grown in Punjab, Patiala and East Punjab States Union, Bombay, Hyderabad, Mysore and Madras. Similar cottons can also be grown in Madhya Pradesh, irrigated tracts of Uttar Pradesh and Rajasthan and some parts of West Bengal.

STATEMENT

Measures taken by Government to step up cotton production

(i) Removal of legislative restrictions on the growing of cotton.

(ii) Provision of additional irrigation facilities wherever possible.

(iii) Expansion of area under cotton by—

1. Reclamation of culturable waste lands and fallows, and

2. Diversion of some acreage from other crops to cotton.

(iv) Increasing supplies of pure seed of improved varieties for sowing purposes.

(v) Supplies of manures and fertilisers on a large scale and subsidising their distribution;

(vi) Raising the price of cotton so that it bears a realistic relation to the prevailing prices of competing crops.

(vii) Provision of special cotton extension staff and necessary funds to implement the recommended measures.

ALLOTMENT OF ADDITIONAL FOOD QUOTAS TO ASSAM

*211. **Maulvi Wajed Ali:** (a) Will the Minister of Food and Agriculture be pleased to state whether there have been heavy floods in Assam consequently damaging paddy, jute and other crops in the State?

(b) What is the quota of food allotted to Assam during the year 1951-52 and has the Government of Assam represented to the Government of India for allotment of additional food quotas to compensate for these damages?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Damage to paddy crops in the Jamunamukh-Hojai-Kampur area of Nowgong district due to the recent floods has been reported by the Assam Government. Full details of the extent of damage to paddy and other crops are still awaited.

(b) As regards 1951, the ceiling import quota originally fixed for Assam was 24,000 tons. This has subsequently been raised to one lakh tons. Against this the total allocations made to Assam for the period ending September, 1951 is 85,161 tons. It is expected that out of this quantity 66,000 tons will have been despatched to Assam by the end of August.

Zamindari, Ilakadari, ETC. IN PART 'C' STATES

*211-A. **Shri Dwivedi:** Will the Minister of States be pleased to state.

(a) what steps are being taken to bring Zamindari, and Ilakadari, to an end in the Centrally Administered Areas with special reference to Vindhya Pradesh, Himachal Pradesh and Bhopal;

(b) whether any proposals put forward by the State Governments are pending consideration with the Government of India;

(c) if so, for how long these proposals have been pending consideration;

(d) the causes of the delay;

(e) the time likely to be taken in putting them into action; and

(f) whether any consultations have been made by the State Governments in this connection with the representatives of public opinion?

The Minister of States, Transport and Railways (Shri Gopalaswami): (a) to (e). The question of abolition of the rights of Zamindars and other types of intermediaries in the various

Part C States is under the consideration of the Government. Tentative proposals for the abolition of *Jagirdaries* in Vindhya Pradesh and Bhopal are being worked out. In Kutch powers have already been taken to subject alienated lands to full assessment and as a first step the minimum assessment fixed is 50 per cent. where lands are held by original grantees and 75 per cent. where they are held by persons other than original grantees. In the remaining States we are collecting information about the nature and extent of the problem so that the matter may be considered further.

(f) The Chief Commissioners have tried to ascertain public opinion on this matter by informal contacts and discussions.

RAILWAY ACCIDENT BETWEEN MANJURI ROAD AND BAITARANI ROAD

*211-B. **Shri Nandkishore Das:** (a) Will the Minister of Railways be pleased to state whether any investigation was undertaken as to the causes of the accident to a goods train on the 24th July, 1951 between Manjuri Road and Baitarani Road on the Kharagpur-Cuttack Section of the B. N. Railway and if so, with what result?

(b) What was the estimate of the loss that resulted from the accident both in respect of Railway revenue as a consequence of suspension of through traffic and also in respect of goods lost or damaged?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes; an enquiry by a Committee of District Officers is in progress and the cause of the accident will be determined on its completion.

(b) It is not possible to readily determine the loss of revenue resulting from the interruption of traffic incidental to this accident as movement of considerable proportion of the traffic so held back is expected to materialise in due course if it has not materialised already. Approximate value of the coal involved is Rs. 12,000 but a part of it may be salvaged.

DATES FROM IRAQ

33. **Shri Kamath:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity of dates imported from Iraq since January, 1951 and the price paid for the same; and

(b) the quantity made available to each State?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) A total

quantity of 25,500 tons of dates was imported by the Government of India from Iraq since January, 1951 to date. The prices paid for this quantity were as under:

Date of Purchase.	Quantity.	Rate per long ton C. I. F. Bombay.
9-1-51	10,000 tons.	£ 18/- (Stg.)
14-2-51	7,500 „	£ 17/5/- „
27-4-51	5,000 „	£ 14/- „
30-4-51	3,000 „	£ 14/- „
Total	25,500 „	

(b) The quantity allotted to various States was as under:

(1) Madhya Pradesh	3,000 tons.
(2) Bombay	7,000 „
(3) Uttar Pradesh	2,000 „
(4) West Bengal	2,000 „
(5) Hyderabad	500 „
(6) Bihar	10,000 „
(7) Madras	1,000 „
Total	25,500 „

CALCUTTA, BOMBAY AND MADRAS PORTS

34. **Shri A. C. Guha:** Will the Minister of Transport be pleased to state:

(a) the total tonnage of different articles exported and imported from Calcutta, Bombay and Madras during the years 1948, 1949 and 1950—with tonnage for each principal export and import; and

(b) the number of ships with their tonnage that have touched the ports of Calcutta, Bombay and Madras (excluding those doing only internal coastal traffic)?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Hon. Member's attention is invited to the Annual Accounts of the Commissioners for the Port of Calcutta and the Administration Reports of the Ports of Bombay and Madras which furnish the information asked for the appropriate years. Copies of these publications are available in the Library of the House.

(b) The information is given below:

STATEMENT

Area under and production of jute in India—1948-49 to 1951-52.

Year	Area	Production	
		'000 bales of 400 lbs. each	Equivalent in '000 tons
1948-49	834	2,055	367
1949-50*	1,163	3,089	552
1950-51**	1,440	3,292	588
1951-52	Figures have not yet been finalised.		

* Partially revised estimate.

** Final estimate and therefore subject to revision.

	Calcutta	
	No. of Ships (excluding Coastal ships)	Net Tonnage
1948-49	931	34,93,364
1949-50	960	36,56,967

	Madras	
	No. of ships (excluding Coastal Ships)	Net Tonnage
1948-49	651	26,68,974
1949-50	722	30,83,060

	Bombay	
	No. of ships (excluding Coastal ships)	Net Tonnage
1948-49	1175	43,49,972
1949-50	1265	47,93,714

JUTE CULTIVATION

35. Shri A. C. Guha: Will the Minister of Food and Agriculture be pleased to state:

(a) the total acreage under jute cultivation in the years 1948, 1949, 1950 and 1951, up-to-date;

(b) the total tonnage of jute produced in the first three years and the quantity likely to be produced in the current year; and

(c) if the increase in tonnage is not proportionate to the increase in acreage, the reason thereof and the steps taken to make up the deficiency?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) and (b). A statement showing the required information, as far as available, is placed on the Table of the House.

(c) During 1950-51, the yield per acre was slightly lower than that in the previous years, due mainly to natural calamities such as drought in certain areas and excessive rainfall in others. No special measures are called for to meet the deficiency thus caused. However, greater use of fertilisers, improved seeds, etc. is expected to raise the yield per acre.

LAND TENURE OF TRIPURA AND MANIPUR

36. Shri A. C. Guha: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have made any enquiry into the land tenure of Tripura and Manipur;

(b) what percentage of agricultural lands and of forests are being held by the relations and descendants of the ruling princes of Tripura and Manipur; and

(c) the approximate number of landless agricultural labourers, particularly among the tribals?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes, an enquiry was held into the land tenure system of Manipur during the current year.

(b) Less than one percent.

(c) The Agricultural Labour Enquiry Organisation of the Government of India investigated the conditions of agricultural labourers in 4 villages of the Manipur Valley in 1950-51. The relevant extracts in the Report on the result of the enquiry are placed on the Table of the House. Tribals in this State practise shifting cultivation and therefore the question of landless agricultural labourers among them does not arise.

STATEMENT

Extracts from the Report prepared by the Ministry of Labour on the Result of the enquiry conducted under the auspices of the Agricultural Labour Enquiry Organisation of the Government of India held in 1950-51 in four villages of the Manipur Valley.

"The Manipuris are generally reluctant to work as hired workers in other fields. They prefer to work independently on the lands either owned by them or taken on rent and depend for their livelihood on the produce of these lands. It is only when they fail to do so that they work for wages. This is borne out by the fact that in the selected villages out of a total number of 581 families, there was only one family of agricultural workers."

TRIPURA-ASSAM ROAD

37. **Shri A. C. Guha:** Will the Minister of Transport be pleased to state:

(a) the amount so far spent on the Tripura-Assam Road;

(b) the staff maintained for the construction with the total monthly expenditure thereon;

(c) the length of the road so far constructed and the total length to be constructed;

(d) when the construction was first undertaken and when it is likely to be completed; and

(e) the total amount likely to be required?

The Minister of State for Transport and Railways (Shri Santhanam): (a) About Rs. 170 lakhs upto June 1951.

(b) One Superintending Engineer in charge of the project with two Divisions, each under an Executive Engineer. The total monthly expenditure on staff excluding work-charged establishment, is about Rs. 24,000.

(c) Formation of the road, which is 134 miles long, including 5 miles of an approach road from Dharamnagar, is nearing completion. Seven miles from the Agartala end have also been gravelled.

(d) The work was commenced in 1948. The road is likely to be fit for regular motor traffic by the rains of 1952. It will, however, not be possible to complete all the estimated work before 1953.

(e) About Rs. 3.0 crores.

HIGH COURT JUDGES

38. **Shri Raj Kanwar:** Will the Minister of States be pleased to state the pecuniary extent to which each Judge

of a High Court in the various Part 'B' States has benefited by the recent revision of salaries of Part B States High Court Judges?

The Minister of States, Transport and Railways (Shri Gopalaswami): By the revisions of salaries the following Judges have obtained increase in their emoluments to the extent indicated against each:

	Increase in salary per mensem. Rs.
(1) Chief Justice, Hyderabad.	439/- approximately.
(2) Puisne Judges, Hyderabad.	443/- " "
(3) Puisne Judges, Madhya Bharat.	1,000/- "
(4) Puisne Judges, PEPUSU.	500/- "
(5) One Puisne Judge, Rajasthan.	500/- "
(6) One Puisne Judge, Rajasthan.	1,000/- "
(7) Chief Justice, Travancore-Cochin.	500/- "
(8) Puisne Judges, Travancore-Cochin.	500/- "

TELEPHONES FOR CHHOTA NAGPUR

39. **Shri Oraon:** (a) Will the Minister of Communications be pleased to state how many applications have so far been received for telephone connections in Chhota Nagpur?

(b) How many of such applicants have since been given telephone connections?

(c) How many applications are still pending?

(d) How many applications have been rejected?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The pending applications on the 1st April, 1950 and those received upto 30th June, 1951 are as follows—

(i) Ranchi	... 203
(ii) Hazaribagh	... 35
(iii) Purulla	... 47
(iv) Ramgarh	... nil
(v) Chaibasa	... nil

(b) (i) Ranchi—97 have already been provided and 80 will be installed as soon as the rental for which demand notes have been issued, is paid.

(ii) Hazaribagh—27.

(iii) Purulla—11 have already been provided and 26 will be provided on payment of rental for which demand notes have been issued.

- | | |
|-------------------|-----|
| (c) (i) Ranchi | 26 |
| (ii) Hazaribagh | 8 |
| (iii) Purulia | 10 |
| (d) All exchanges | nil |

AREA OF DELHI STATE

40. **Giani G. S. Musafir:** (a) Will the Minister of Food and Agriculture be pleased to state:

- (i) the total area of Delhi state;
 - (ii) the area under buildings including Roads, Railway Lines, Canals and Rivers etc.; and
 - (iii) the area under cultivation?
- (b) What services are being derived from the rest of the area?
- (c) How much land is lying barren and unreclaimed?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) (i) 3.66 lakh acres.

(ii) 0.76 lakh acres. This represents area not available for cultivation and includes all lands absolutely barren and all land covered by buildings, water, roads or otherwise appropriated to non-agricultural uses.

(iii) 2.36 lakh acres (including current fallows).

(b) Some areas are being utilised as grazing grounds.

(c) 0.54 lakh acres.

MADRAS MAIL ACCIDENT

41. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state whether it is a fact that a bogie of the Madras Mail train which left Bombay on the 23rd June, 1951 ran off the rails at Bhor Ghat, near Lonavla (G.I.P.)?

(b) If so, how many were injured and what were the casualties?

(c) Has any enquiry been made and what were the causes of the accident?

The Minister of State for Transport and Railways (Shri Santhanam): (a) At about 0.35 hours on 24th June, 1951, No. 9 Down Bombay-Madras Mail ran into a heap of boulders, mud, etc., at mile 70/16 between Thakurwadi and Monkey Hill Cabines, Bhor Ghats, of the G.I.P. Railway resulting in the derailment and capsizing of the engine and the two carriages next to the engine.

(b) Nine passengers received minor injuries; there were no other casualties.

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(c) The Government Inspector of Railways, Circle No. 5, Bombay, held his statutory enquiry into the accident. His finding is that it was caused by the train running into an obstruction in the shape of a land slip which came down from a height of about 300 feet from the hill side, following heavy rains; that the night was dark, there was a heavy downpour of rain and the electric head light of the engine suddenly failed at the crucial moment, and in these circumstances of poor visibility, the Driver could not notice the obstruction and prevent the accident. The obstruction was also just round a sharp curve.

RAILWAY PASSENGERS' ASSOCIATION, KAMPTEE

42. **Shri Kamath:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Railway Passengers' Association, Kamptee, Madhya Pradesh, has been granted representation on the Local Advisory Committee of G.I.P. Railway but has been refused representation on the B. N. Railway Committee; and

(b) if so, the reasons therefor?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The Railway Passengers' Association, Kamptee, is represented on the Madhya Pradesh Local Advisory Committee of the G.I.P. Railway. The B. N. Railway have received no request from this Association for a representation on that Railway's Local Advisory Committee so far.

(b) Does not arise.

TIMBER INDUSTRY IN ANDAMANS

43. **Shri Sidhva:** (a) Will the Minister of Food and Agriculture be pleased to state whether Government have leased out some islands in Andamans to a private contractor for the development of timber industry?

(b) If so, to whom, on what conditions and terms and for what purpose?

(c) What is the quantity of timber ordinarily available in these islands?

(d) What is the size of islands so leased?

(e) Was any effort made to develop timber industry departmentally and if so, with what result?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Negotiations for the lease of the North Andamans forests have already been completed. Formal agreement will be entered into by Government shortly.

(b) The lease is to be granted to Messrs. P. C. Ray and Co. (India) Ltd., on terms envisaging royalty of Government being calculated at a specified proportion of the sale price. The purpose is utilisation of virgin forests.

(c) 75,000 tons per annum.

(d) About 708 Square miles.

(e) The proposal to work these forests departmentally was carefully considered, but it was decided that the work should be entrusted to private enterprise.

RAILWAY STORES ENQUIRY COMMITTEE REPORT

44. **Shri Kamath:** Will the Minister of Railways be pleased to state whether a copy of the Report of the Railway Stores Enquiry Committee will be laid on the Table of the House?

The Minister of State for Transport and Railways (Shri Santhanam): As 6 copies of the Report of Railway Stores Enquiry Committee have already been placed in the Library of the House it is not proposed to lay another copy on the Table of the House. Copies of the Report have also been supplied to Members of the Central Advisory Council for Railways, Standing Finance Committee for Railways, and the Public Accounts Committee.

MINISTRY OF COMMUNICATION (STAFF)

44-A. **Prof. K. T. Shah:** Will the Minister of Communications be pleased to state:

(a) the number of (i) Gazetted, and (ii) non-Gazetted officers, clerks and class IV servants in the Ministry and its attached and subordinate offices;

(i) 15th August, 1947;

(ii) 31st March, 1948;

(iii) 31st March, 1949;

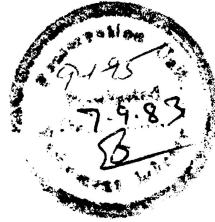
(iv) 31st March, 1950; and

(v) 31st March, 1951; and

(b) the number of the officers clerks or 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 Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement giving the required information in respect of the Ministry of Communications excluding its attached and subordinate offices is laid on the Table of the House. [See Appendix II, annexure No. 9.] Information relating to the attached and subordinate offices of the Ministry is being collected and will be laid on the Table of the House at an early date.

Monday, 13th August, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME XIV, 1951

(6th August, 1951 to 29th August, 1951)

Fourth Session

of the

PARLIAMENT OF INDIA

1951

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PARLIAMENT OF INDIA

Monday, 13th August, 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.

Mr. Deputy-Speaker: Before I take up other matters standing on the agenda paper I shall read a letter which I have received from Mr. Sidhva because hon. Members might remember that the other day after the close of the Prime Minister's speech Mr. Sidhva wanted to offer a word of explanation regarding what he said relating to food statistics during the course of that debate. As it was late—it was six o'clock—hon. Members were anxious to go home. Now it is proper...

Dr. Deshmukh (Madhya Pradesh): On a point of order. May I know and have your ruling as to what is the position of such clarification, because it might be that any hon. Member making a speech himself makes some mistake. Is it permissible for every hon. Member to write a letter and to see that that mistake is corrected—without going into the merits of the whole question. What is the limit and what are the limitations?

Mr. Deputy-Speaker: I am not called upon to answer hypothetical questions. If any particular question arises I shall consider. This is a case where the hon. Member, when he was on his legs stated that his statistics were not accepted by the previous Ministers.
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but he wrote a letter to Mr. Patil, a member of the Planning Commission, who sent him a letter saying that he was thankful and that the statistics were correct, though he did not agree with his conclusions. When Mr. Sidhva was making these observations in connection with the debate on the Address of the President some hon. Member here asked him if the letter was with him. The letter was in his file according to Mr. Sidhva and he wanted to refer to it later because some time would be taken for that. But before he could conclude the bell rang and he had to sit down. He does not want an impression to be created that he was making a statement which was not supported by facts. As a question was put to him "Are you in possession of the letter" he wanted to make an explanation. (*Interruption*). I am not called upon to answer hypothetical questions, but I shall only read a small portion of his letter as I am sure hon. Members would like the hon. Member to clear up his position.

Pandit Kunzru (Uttar Pradesh): May I suggest that the better procedure would be for the hon. Member himself to make a statement with the permission of the Chair?

Mr. Deputy-Speaker: I agree. Has the hon. Member got a copy with him?

Shri Frank Anthony (Madhya Pradesh): Let it be very brief.

Mr. Deputy-Speaker: I have already given the preamble. The hon. Member may read only the relevant portion of the letter.

Shri Sidhva (Madhya Pradesh): Sir, I am very thankful to you. I have a right under the rules to make a personal explanation and I am glad that you have allowed it. The hon. Member twice interjected and stated that I must produce the letter. I did not know what was his motive and it appeared to me that he was doubting my statement. I was therefore insistent on quoting it. Now you have

[Shri Sidhva]

explained the whole point, Sir, and I will just quote the letter which Mr. Patil, member of the Planning Commission, wrote to me.

Dr. Parmar (Himachal Pradesh): May I suggest that there was no question of any doubt?

Pandit Thakur Das Bhargava (Punjab): Some Members were joking!

Shri Sidhva: However, Sir, I will read the letter. It was asked twice. At that time it was not stated that he was joking. There is no joke allowed here. The letter of Mr. Patil is dated the 28th May, 1951 and reads thus:

"My dear Shri Sidhva, I enclose a copy of a note embodying the gist of our talks. The note has been prepared in the form of a report on your letter and the discussions we had on it. I am not proposing to send any copies of this to anybody else till I have your comments and reactions or till we meet again, if that can be arranged quickly. Yours sincerely—R. K. Patil."

The relative para. from the note reads as under:

"Mr. Sidhva's statistics are quite correct. They are taken from Government records. But his conclusion that on his interpretation of the statistics India is not as deficit as is made out cannot be sustained in the sense that as a result imports should be reduced."

I had also stated in my speech that while they accepted the correctness of my statistics they did not agree with my conclusions. I wanted to clarify that.

An Hon. Member: Nothing has been clarified!

PAPER LAID ON THE TABLE

STATEMENT RE. RAILWAY STORES ENQUIRY COMMITTEE

The Minister of States, Transport and Railways (Shri Gopalswami): I beg to lay on the Table a copy of the statement relating to the Railway Stores Enquiry Committee. [See Appendix II, annexure No. 10].

RESOLUTION Re: RAISING OF EXPORT DUTY ON GROUND-NUTS AND LEVY OF EXPORT DUTY ON OILSEEDS AND VEGETABLE OILS NOT OTHERWISE SPECIFIED.

The Minister of Finance (Shri C. D. Deshmukh): I beg to move:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), this House hereby approves the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 52-Customs, dated the 30th June, 1951, by which the export duty on groundnuts was raised from Rs. 80 per ton to Rs. 150 per ton and new export duties were levied on "Oilseeds, not otherwise specified" and "Vegetable oils, not otherwise specified" at the rate of Rs. 150 per ton and Rs. 300 per ton, respectively, with effect from the 1st July, 1951".

At the outset I would like to explain the background of the export duties referred to in this resolution. In 1948-49 my predecessor obtained the permission of the House to the levy of an export duty of Rs. 80 per ton on oilseeds and Rs. 160 per ton on vegetable oils. The ground on which this tax was justified was the wide disparity between internal prices of these commodities and their export prices, and it was felt at that time that the duty will not affect our export markets. But right from the time the duties were imposed there was an agitation for their removal on the ground that the duty was adversely affecting our exports, and after some consideration the duty was removed in November, 1949.

The Export Promotion Committee (1949) expressed themselves against export duties as bad in principle and the imposition of export duties on the principal commercial commodities which were exchange-earners, was deprecated by them on the ground that by their imposition our trade would be affected adversely. In regard to oils and oilseeds they were somewhat ambiguous and they were inclined to think that the phenomenon of rising prices of oilseeds, particularly groundnuts, which competed with cotton and even food-grains should be dealt with by another means.

Hon. Members: The hon. Minister is not at all audible.

Mr. Deputy-Speaker: He may come to the front bench.

Shri C. D. Deshmukh: I am afraid the front bench would be farther away from this.

Mr. Deputy-Speaker: It is the area that catches the sound.

Shri C. D. Deshmukh: I am prepared to try that. I think I shall now be audible.

I was going to say that the Export Promotion Committee thought that the problem of rising prices of oils and oilseeds ought to be dealt with by means of controls. Experience has shown that administratively control in oilseeds is particularly difficult. From time to time we took up the problem and after consideration gave it up and then we were urged again to review our decision. Anyway I thought I would mention this because the observations in regard to oilseeds and oil should be distinguished from the general observations in regard to export duties on other commodities. Anyway ever since devaluation there has been a spurt in our exports which has affected all our main export commodities including oils and oilseeds and to a greater or lesser degree there have been a fairly wide, though fluctuating margin between the internal prices and world prices, where the margin was already very substantial and was considerable enhanced on account of the high demand created by the stock-piling of different countries. That started after the outbreak of war in Korea, as for instance, in the case of jute manufactures, black pepper, cotton waste, raw wool. As the House is aware the duties were either enhanced from time to time or fresh duties were imposed. I may also recall to the mind of the House that the general powers were also taken in terms of the Indian Tariff (Fourth Amendment) Act, 1950, vesting the Central Government with emergency powers to increase or levy export duties. Ever since then the question of the levy or alteration of export duties has remained under the continuous consideration of Government. In the current year's budget, it will be remembered that a duty of Rs. 80 per ton on groundnuts was imposed but duties on other oils and oilseeds were not reimposed. The House is aware that during the course of the discussions there was some criticism that having regard to the price trends the duty on groundnut was not high enough and that there was room for enhancing the duty and extending it to other oilseeds as well as to oils. I remember that my colleague the Minister of Food and Agriculture almost had a grievance that together with the duty on groundnuts no duty had been imposed on groundnut oil. So this

matter has been considered since and we came to the conclusion that there was validity in the criticism. Ever since the beginning of the Korean War there had been a large increase in the price of all oils and oilseeds. I am now giving the situation as it existed when we took the decision. Groundnuts, linseed and castor seed rose from Rs. 43 in September, 1949 to Rs. 50 in May, 1951. Then linseed rose from Rs. 32-13-0 to Rs. 45 during the same period; castor seeds rose from Rs. 28-8-0 to Rs. 51.

In regard to oils the price levels were as follows: Groundnut oil per candy of 500 lbs. in September, 1949, rose to Rs. 380 and in May, 1951, to Rs. 500. I might add that the duty at the rate proposed now would be Rs. 66 per candy. Then the price of linseed oil per maund was Rs. 59 and in September 1949 Rs. 49 per maund and Rs. 72-8-0 in May, 1951. Then castor oil per candy of 500 lbs. Rs. 268 on the first date and Rs. 500 on the later date. I should have said that for linseed oil converted to a rate per maund the duty comes to Rs. seven per maund. For convenience of reference for linseed oil I am giving the duty per maund to compare with these prices and it is Rs. seven per maund. Then for castor oil the duty is Rs. 66 per candy.

This increase in prices was found due mainly to the mere increase in the valuation taken and was linked up almost directly to the quantities permitted to be licensed for export. It was found at that time that oils and oilseeds have become the subject of unhealthy speculation in the commodity markets and it was our experience that large increases in prices occurred due to export trends. There is also a growing demand for increase in the prices of competing crops. We, therefore, considered it necessary to reimpose an export duty on all kinds of oils and oilseeds. We did not consider it expedient to incorporate any changes in the rates of duty while the Finance Bill was in the Select Committee, as it was felt that Government should watch the situation further. It was also considered advisable by the administrative Ministries concerned that there would be undesirable repercussions on the export trade if the duty were to be reimposed before 1st July, 1951, while a large part of the quotas allotted for the previous licensing period and covered by contracts still remained to be exported. For the licensing year commencing 1st July, it is expected that fairly large quantities would be exported, although not comparable to the quantities exported in the past. It was then decided that with effect from

[Shri C. D. Deshmukh]

1st July, 1951, that the general duty should be levied on all oilseeds at Rs. 150 per ton and on all oils at Rs. 300 per ton. Inasmuch as groundnuts were already subject to a duty of Rs. 80 per ton that meant an enhancement of the existing duties, and no change was made on the duty on castor oil which is at present eight annas per maund. We treated linseed and linseed oil as a special case. Owing to close competition of Brazil, we thought that these cannot stand the same level of duty as other oils and oilseeds. So, for these two items, by executive notification, the duty was reduced to Rs. 100 and Rs. 200 per ton respectively.

I think I have given all the explanation that is necessary for the purpose of the resolution. The fact that we ask the House to approve the decision does not mean that we shall cease to watch the situation. Indeed, since these duties were imposed, there have been changes in the prices of these commodities. We shall take an early opportunity of reviewing them and if it appears necessary that any modifications are required, we shall consider proper occasions for making them.

With these words, Sir, I commend the resolution.

Shri Sarwate (Madhya Bharat): Before the hon. Minister sits down, I would request him to give some more information regarding the prices prevailing in foreign countries in September, 1949 and May, 1951, so that we may compare them with the domestic prices.

Shri R. K. Chaudhuri (Assam): What is the effect of these increases?

Shri C. D. Deshmukh: I cannot say; I have not got information about external prices. But, we found that at certain prices there was a very large export demand, and that since then the prices had risen by the figures which I had given which were very much higher than the duties we imposed.

Mr. Deputy-Speaker: Internal prices?

Shri C. D. Deshmukh: Yes; internal prices. We felt pretty sure that these additions could easily be borne.

Shri Sidhva (Madhya Pradesh): Have the exports been affected by these increases in duty?

Shri C. D. Deshmukh: It is very difficult to say because we get trade statistics after some time lag. We do not get them from day to day or even from month to month. It would be perhaps after three months that we shall have

some figures. Then, we shall know to what extent our exports have been affected. Our expectations in regard to exportable quantities are: groundnuts 20,000 tons,.....

Shri A. C. Guha (West Bengal): What are these figures?

Shri C. D. Deshmukh: Quantities expected to be exported after the 1st of July. Groundnuts 20,000 tons; groundnut oil 40,000 tons.

Shri A. C. Guha: As compared to what? What were the previous figures?

Mr. Deputy-Speaker: These are estimates.

Shri A. C. Guha: How do they compare with the figures before the imposition of the duty?

Shri C. D. Deshmukh: I cannot give the actuals after the imposition of the duty. I am only giving the estimates.

Shri A. C. Guha: What were the actuals previous to the imposition of the new tariff?

Shri C. D. Deshmukh: It will take some time to find out the actual exported quantities. I have got them somewhere here; but they were very much larger.

Shrimati Benka Ray (West Bengal): Therefore, you are expecting a reduction.

Shri C. D. Deshmukh: The whole situation has changed now. Just as in the case of cloth we took certain steps in order to definitely reduce exports, in the same way, with regard to groundnuts for instance, we are not interested in exporting the sort of quantities that we exported in the palmy days of the export of groundnuts, that is, before the war. We exported about 100,000 tons. The figures are given here in the Export Promotion Committee's report. I believe I am right in saying that in the old days, the figures for groundnuts were 100,000 tons. For groundnut oil, I think the figures were about double the figure that we intend to export now.

Then, the expectation in respect of linseed is 10,000 tons; linseed oil 25,000 tons. We have put a ban on the export of castor seed; castor oil, on the other hand, we are prepared to export to the extent of 25,000 tons. Other oils make up a total of 20,000 tons.

Shri Sidhva: We were assured when we gave authority to the hon. Minister to increase the duty that the

export business will not be affected. We find now that the export is affected. I want to know the reason.

Mr. Deputy-Speaker: The hon. Member may speak on it if he gets a chance.

Shri C. D. Deshmukh: And I hope when he speaks he will quote the authority saying that the quantities of exports will not be affected.

Shri Sidhva: Your statement.

Shri C. D. Deshmukh: When Now?

Shri Sidhva: Not now.

Shri C. D. Deshmukh: I hope the hon. Member will point to that statement.

I was saying that in the Export Promotion Committee's report figures are given. In the pre-war days, oil seeds ranked as one of the most important of our exports, the quantity exported from 1937 to 1939 being approximately a million tons. That is for three years; or, that is, 300,000 tons a year. After the war groundnuts have been rigidly controlled on account of increased domestic consumption. Other edible oilseeds are also now in short supply for export because of the increasing use of their oils within the country for cooking. The quotas for the export of groundnut and groundnut oil are declared yearly after the size of the crop is known and after ample provision for internal consumption is made in the shape of *vanaspati* as well as groundnut oil. About ten per cent. of the groundnut kernel is required for seed purposes and five per cent. for eating as nuts. The rest is either exported or pressed into oil.

The point I wish to make is that these are not fixed quantities and that one has to take a view of exports in the light of changing internal needs. So long as our total exportable commodities bring in the income that we need for our imports, it does not matter too much if the composition of the export trade is changing or has changed.

Prof. Ranga (Madras): But, the producer will be affected.

Shri C. D. Deshmukh: Well, it is intended that the producer should be affected. So far as groundnut prices are concerned, I do not expect Acharya Ranga to accept that statement.

Shri Kamath* (Madhya Pradesh): Acharya Ranga?

Shri C. D. Deshmukh: I think he was referred to as Acharya yesterday by the Chairman.

Shri Kamath: Let it be Rangacharya then.

Shri C. D. Deshmukh: I have made my points about the quantities exportable. It was really in answer to some question that was asked.

Shrimati Renuka Ray: May I ask a question? What is your estimated total reduction in the foreign exchange earning as a result of this reduction in the exports that you expect? Is it very much or is it small?

The Minister of Commerce and Industry (Shri Mahtab): All these questions may be simultaneously put so that we may be in a position to reply.

Mr. Deputy-Speaker: What I suggest is this. Some questions were put and the hon. Minister gave the information ready in his hand. With respect to other questions, the hon. Members will have an opportunity to speak and they can raise them then. The hon. Minister, in his reply, will certainly refer to all of them and give sufficient answers. But, before placing the resolution before the House, I would urge upon the hon. Ministers to follow a convention. When the matter of jute came before the House, a statement as to why certain proposals were made by the Government was circulated to hon. Members. A resolution of this kind in a short compass requires sufficient elaboration before hon. Members can apply their minds as to whether they should approve it or not. Therefore, in future, whenever any hon. Minister moves a resolution, he must anticipate some of the difficulties that may be felt by the hon. Members and try to circulate a note beforehand. This thing may be done, instead of merely placing the resolution on the Order paper. Well, this is only a suggestion which the hon. Minister and the hon. Members may consider. If this is adopted, then the House will be better able to bring its detailed consideration to bear upon the points raised.

10 A.M.

Shri C. D. Deshmukh: I agree. But this thing came up rather suddenly on the Order Paper over a week-end and that is why it has been found difficult to collect the information and put it together in the form of a note. And that explains why I have gone a little more in detail in moving the resolution.

Mr. Deputy-Speaker: I would also suggest for the consideration of the hon. Minister and the hon. Members that when they get sufficient notice of a resolution of this kind, they may pass on to the Minister a note containing the points about which they want information or in which they are interested so that the resolution may be brought in line according to their suggestions, if necessary by the Minister. This may save the time of the House. On either side there should be this sort of co-ordination or procedure.

Shrimati Renuka Ray: Before we proceed further, may I have a reply to my question?

Shri C. D. Deshmukh: I have information as to the quantities and value of exports for 1950-51. I have already given an estimate of what the exports are likely to be, and comparing those with these, perhaps hon. Members could arrive at a conclusion.

Shri Goenka (Madras): But these figures are only up to 1st July.

Mr. Deputy-Speaker: The figures for 1950-51 are actuals.

Shri C. D. Deshmukh: I have a statement here which gives particulars of the quantities and value of exports for 1950-51. The actuals are for two months and the estimates are for two months. The value was Rs. 24 crores. It is possible that this year's export proceeds would be perhaps about half that, about Rs. 12 to 15 crores.

Shri Goenka: I would like to know from the hon. Minister whether the Government maintain data as to the prices that are ruling in regard to the various commodities that we export out of this country, and if so what is the basis on which our duties are increased or decreased from time to time? I ask this because the level of foreign prices must be taken into consideration when deciding the quantum of our duties.

Shri C. D. Deshmukh: I have got here a register of those prices. I will give an example. Seeds—Groundnuts 7th September, 1949—Rs. 43, 24th June, 1950—Rs. 43-14-0. For every week I have quotations here from 7th April, 1951 to 21st July, 1951.

Shri Goenka: I was asking for the foreign prices, the prices in the foreign markets.

Prof. Banga: He has no information.

Shri C. D. Deshmukh: It is difficult to give the foreign prices. They have beaten us in various other commodities and it is difficult to get uniform quotations in regard to foreign prices.

Shri Goenka: Then what is the basis on which the duties are increased or decreased?

Mr. Deputy-Speaker: May I make a suggestion? I do not know how the hon. Minister will receive it. There seems to be sufficient other work for the House. If the hon. Minister has no objection, we may take this resolution up tomorrow and meantime hon. Members may pass on notes to the Minister on whatever information they want to have. And the hon. Minister may circulate a statement among the Members of the House so that Members may come quite prepared and not merely put questions here which take up such a lot of time. I will leave it to the hon. Minister to decide what to do.

Shri C. D. Deshmukh: As I said, if the information is with regard to the continuous series of foreign export prices on six kinds of oilseeds and six kinds of oils, I doubt whether even by tomorrow I shall be able to produce any figures. In so far as the other information is concerned I believe I now have given most of the relevant information.

Mr. Deputy-Speaker: Then I shall place the resolution before the House. Resolution moved:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), this House hereby approves the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 52-Customs, dated the 30th June, 1951, by which the export duty on groundnuts was raised from Rs. 80 per ton to Rs. 150 per ton and new export duties were levied on "Oilseeds, not otherwise specified" and "Vegetable oils, not otherwise specified" at the rate of Rs. 150 per ton and Rs. 300 per ton, respectively, with effect from the 1st July, 1951."

Prof. Banga: I am glad that my hon. friend the Finance Minister has tried to give us as much information as he can.

Mr. Deputy-Speaker: I hope hon. Members know that fifteen minutes is the time allowed for each speech.

Prof. Banga: In the circumstances I am surprised how a learned and experi-

enced man like himself could have brought himself to impose these duties and increasing the existing duties without first of all ascertaining and satisfying himself that the prices in the external markets are as high as would leave a sufficient margin to our producers as well as our businessmen in this country, after paying these extra duties. Surely, is it not the duty of the Government to satisfy themselves that in competition with other exporting countries, our exporters would not suffer even after these export duties are imposed and paid by our own exporters? Are they quite so confident that there is so much of shortage of oilseeds that we can afford to take this risk and be indifferent to the tastes or the interests or the likes of the export markets and go on imposing whatever export duties they wish to and try to collect them from our own people? Generally, export duties are justified by economists on the ground that it may be possible for our producers to make the ultimate consumers pay for these export duties. It is only very rarely that such duties are imposed in order to collect them from our own producers. It comes to this that in pursuance of their anti-inflationary policy the Government of India wish to penalise our own producers and make them pay to the exchequer here, and at the same time run the risk of losing our own export markets. Can we treat our own export markets in this summary fashion? They may think with justification or without justification that they can take risks with the export markets. But if they were to impose these duties, then it might happen later on that we lose these export markets and we would then be anxious to canvass for them.

Secondly, why does my hon. friend think that he should make our own producers pay these export duties? I want to know his justification for that. He may say that he does not want any land to be diverted from food and cotton to oilseeds and therefore this is one of the mechanisms or ways in which he would prevent our producers from placing more and more of their lands under oilseeds. I would, however, like him to keep in mind the fact that most of our producers in this country are small holders and they are not devoting all their lands or even a major portion of their lands to oilseeds or cotton or to any one crop. They try to insure themselves against the vagaries of the market and also the vagaries of the policies of the Finance Ministers by trying to devote their lands to as many crops as possible. If

you enquire into it, you will find that the oilseed growers grow food crops and many other crops too, in addition to the oilseeds. In view of the fact that the prices of food crops are controlled and kept down to less than remunerative prices, according to me and according to many of the statisticians of the Government of India themselves, the privilege that the producers today enjoy to produce oilseeds and other commercial crops is an escape for them to reimburse themselves for the losses they are sustaining on the food production front and in order to make a little more money, so that they can maintain themselves under the present circumstances when the cost of living has gone up so very high.

I would like the Finance Minister to keep in mind one other development. When the price of oilseeds goes up in one season, the cost of production for the next season goes up and this nobody can deny. There are several processes in the production of oilseeds such as seeding, sowing, picking and weeding and in all these processes the family labour of the peasant is not enough and he has to engage hired labour, whose wages depend upon the prices that the producer is expected to get for his oilseeds. Their expectations also depend upon the prices that they got for the previous season. If my hon. friend were to come down in mid season when the oilseed crop is still on the fields and impose this export duty, it will affect the producer's fortunes, because they will not be able to reduce the wages and the cost of production will be just as high as in the previous season and possibly a little higher, in view of the anticipated higher prices. He would be getting this particular duty from out of the producer and not from his revenues which he is going to get next year after the duty has been paid. He would be getting it out of the expected incomes that the producer had planned for on the expectation that there would be no duty at all. That is why I take very strong objection to this proposal that this money should be extracted from out of the producer. I wish my hon. friend had thought of these duties before the sowing season, for then it would help him and also the Food Minister. The sowing is already over and the land is there under groundnuts, which have to ripen and come into our hands in three or four months' time. What is the help that he is going to render to the Food Minister? He is not going to save any area out of the oilseeds and hand it over to food crops. Why then impose this duty on the producer now?

In various cases when export duties

[Prof. Ranga]

were imposed an effort had been made in the past to set apart a portion of the revenues from these duties for the special benefit of the crops concerned in order to help research and accord facilities and other additional assistance to the producer of these special crops. My hon. friend has not said what he is going to do with the crores of rupees that he is going to receive from the export duties. Is he going to devote an appreciable portion of the revenues for the special benefit of the people who are affected by this particular duty?

Lastly, I wish to record my protest against the summary manner in which even the Finance Ministry seems to be dealing with these important matters. It is the duty of a responsible Finance Minister to satisfy himself that the export markets for this country in the long run are not going to be affected adversely by the imposition of such export duties. It is his duty also to collect the information in regard to the prices prevailing in the export markets for these crops as well as their joint products, as also their competing crops and their expectation of the trend of prices for the next one or two years or at least for the next season. My hon. friend has come here and has frankly confessed that he has not been able to collect the information at all. If any such thing had come to our knowledge in the past years when the other Government was occupying the Treasury Benches, we on these benches would have taken very serious objection to that and would have condemned the Ministry. I would like my hon. friend to consider that the present Ministry is expected to show greater regard to the interests of the country than the previous Ministry.

Shri Hussain Imam (Bihar): In the beginning I wish to move that the further discussion on this resolution be deferred till next week. The reason for my motion is that there is no urgency according to the Indian Tariff (Amendment) Act. The only requirement there is, that it should be laid on the table of the House within a week of the re-assembly of Parliament and that it should be proceeded with within fifteen days of its being so placed. Both these requirements will be amply satisfied if the consideration is deferred till next week. Besides, it would give sufficient time to the Finance Minister to give facts and figures to the House. I personally entirely endorse the suggestion made by the Chair that all resolutions of this nature must be accompanied by an explanatory memorandum giving full information on all

points which are likely to affect either the foreign exchange position or the income of the Government of India.

I must point out to the House the condition of the Government finances in this connection. Fortunately the Finance Minister has more than doubled this year his income from customs and central excises. For the months of April and May the amounts collected from these two heads were of the order of 53 crores against 22 crores which he had collected last year. This shows the great increase in the finances of the Government of India. So there cannot be any plea that he is imposing this additional taxation for augmenting the Government finances and there is no justification for it.

There is another point. He wants to bring down the prices in order to check the inflationary rise and to prevent food crop areas being converted into cash crops area. That would have been a very good and sound argument, but that has been given the go-by in view of the fact, as was pointed out by Prof. Ranga, that you are imposing this duty at the tail end of the season when the oilseeds are about to be harvested, at least groundnuts which form the major part of our oilseeds.

The Finance Minister pointed out that due to the keen competition of Brazilian linseed with Indian linseed he has made out a special case by reducing the duty from Rs. 150 to 100 in the case of the seed and from Rs. 300 to 200 in the case of the linseed oil. That one factor is an aspect which has been questioned by many Members of the House. What are the external prices? I cannot imagine a Government imposing a duty which will affect prices, without knowing what the state of foreign prices of our exported articles is. One would have thought that the Government would be wise after the jute muddle where they committed the same mistake of never keeping track of the foreign market with the result that according to various estimates Rs. 12 to 40 crores of foreign exchange was lost to Government; this amount was made either by the exporters in the blackmarket or by the buyers abroad—either the foreigners got it or Indian nationals got it but the income-tax authorities never got anything out of it. Well, if the position of the foreign market warranted the imposition of even a higher duty then there is no justification for imposing this lower duty on linseed. I am particularly referring to linseed because the hon. Minister mentioned that he had reduced the duty on it because of Brazilian competition.

I ask you, is it possible to take a decision on this matter without making a thorough study of the foreign markets? It should not be forgotten that Indian linseed enjoys a preference in Commonwealth markets because of its superior quality and larger yield, a factor which cannot be lost sight of. Among oilseeds, linseed has been one of our most common and oldest exports. Therefore there is no reason why we should be in a hurry to reduce the duty if the market did not justify it.

As far as Prof. Ranga's point is concerned, namely that the producers after having incurred higher costs are being subjected to a reduction in price, I consider that there seems to be no justification for the Government to have woken up all of a sudden on the 1st July. The hon. Minister himself stated that it was contemplated to bring this measure forward during the amendment of the Finance Bill. That was the proper time because you had some inkling of requirements of this kind, but you did not bring it forward then because you thought that it might disturb the agreements and the prices settled between the exporters and the foreign buyers, because your import-export period is from 1st January to 30th June and from 1st July to 31st December. But then may I point out that there is always a carry-over? The hon. Minister has not told us what will be the attitude of Government towards the firm commitments entered into by Indian exporters where no provision had been made for an export duty. We on this side of the House would like that the interest of no one should be jeopardised—neither of the Government, nor of the producer, nor that of the trader. I therefore request the hon. Minister to give a specific assurance in this House on this point and tell us what action he had taken in this direction. We are not asking as regards the future, we are asking to know what he has done as regards the past, that is for the period 1st July right up to today, the 13th August. I think he ought to have taken the House into his confidence and informed us of the measures he had taken as far as former commitments are concerned.

The question arises whether our position is such that we can forgo foreign exchange during this year with impunity. I am not concerned with the larger question of what should have been the general export policy, but even on the smaller front of oilseed exports one would have expected actual figures of value of exports over the last three years to be placed before the House. I always take by hon. friend's expectations with a grain of salt because I find him too conser-

vative; wherever intake is concerned he never divulges the full extent of his expectation—he is always willing to err on the right side—he says that he expected to get five per cent. and has got seven per cent. But he never wants to come before the House and say that he expected five per cent. and has got only 4½. So his present statistics and estimates are most probably of the same kind. Nevertheless, I think Government owes a duty to the House to place the full facts before the House before asking it to endorse their action. No harm will be done if the endorsement is not forthcoming immediately—let it be given next week. Nor will there be any question of loss of income due to delay because no duty is going to expire by delay. There is therefore no reason to hustle this matter.

I would add one word and conclude. From a member of the Planning Commission we expected a better planned taxation policy than has been the order of the day. We expect that the export duty will be regulated considering all facts and that it will not be varied from month to month. That position we had, for instance, in the case of textile exports; we had originally no export duty, then we had ten per cent., then 25 per cent., then again no duty, then again ten per cent., and then 25 per cent. Within the short space of two years you have made six changes in the export duty on textiles. That does not look good. Even in a fluctuating market as exists today you should not have as unstable a rate of duty as you have been having. Oils and oilseeds also have had a similar kind of fate; reduced duties, no duties, then re-imposed duties. Well, this may be a correct policy if the circumstances were constantly changing, but since the Korean war we had a steady rise in prices of all commodities. The rise in price of oilseeds has not been an isolated case—there has been an all-round rise as pointed out by the hon. Minister. As far as groundnut was concerned there was no rise in price between September, 1949 and June, 1950, during which time the price was about Rs. 43. The present spurt has come about through the Korean war, but you cannot say that it requires an export duty just because there has been an inordinate rise in the internal price. The inflationary price inside the country has no relation to world prices as such, but then if the world prices rise your prices are bound to rise in sympathy. However, in the case of internal rise, is it due to this one major commodity that there has been inflationary rise? Or has there

[Shri Hussain Imam]

been a price increase in almost all sectors?

We are faced with great difficulty in regard to trade statistics. The trade year commences from 1st July and ends on 30th June. The calendar year commences from 1st January and ends on 31st December. The financial year commences on 1st April and ends on 31st March. The Reserve Bank year also commences from 1st July and ends on 30th June. The agricultural year, which is the main source of income of 80 per cent. of our population, also commences from 1st July and ends on 30th June. Would it not be better if we also change the financial year from 1st April to 1st July, because then we would have trade statistics and financial statistics relating to the same period. The statistics he was quoting were for the financial year and his licences are for the trade year. The balance of payments position is reckoned for the trade year, while in connection with quotations in the matter of Budget etc., he goes by the financial year. All this leads to a kind of misunderstanding. You cannot correlate one thing with the other. Factors which are affected one way or the other are affected, not according to the financial year, but they are affected sometimes by the commercial year, sometimes by the financial year and sometimes by the calendar year. I hope therefore that Government would give consideration to postponing the discussion till the next week.

Shri Himatsingka (West Bengal): I support the resolution moved by the hon. Minister and in doing so, I feel that my hon. friend Mr. Hussain Imam is not justified in making a grievance of the change of duties from time to time. From the very nature of the kind of duty that we are discussing, it is necessary that Government should keep an eye on the circumstances and take steps to meet the varying situations from time to time. On the contrary, my grouse is that they are not quick enough to move in the matter when they should. I shall give you an instance. Last year, when we discussed the duty on export of jute products, we made a grievance that the Government was very much late in imposing the increased duty and thus lost a valuable amount of export duty. Now, again, there is a very strong feeling on justifiable grounds that Government should take into consideration the question as to whether or not they should reduce the export duty on jute products, because the present high rate of duty of Rs. 1500 per ton is helping other foreign countries to

buy raw jute from Pakistan at a very much higher price than India can afford to pay. The duty of Rs. 1500 per ton works out to about Rs. 42 per hundred yards of hessian, that is to say, the imposition of the duty works against Indian industry in this way that to the extent of Rs. 42 for every hundred yards the foreign competitors can buy Rs. 42 more of the quantity of jute required for manufacturing 100 yards of jute products which will require about 32 seers of jute. Therefore, you can very well imagine why if Government does not take steps to consider the situation the industry will be affected and will be ruined permanently. Another factor has come into play. There has been a bumper cotton crop in America. That also is a bad thing for our bur-lap industry. Therefore, it is up to the Finance Ministry to look into the question and come to a quick decision.

As regards the duty that we are considering today, already a situation has arisen which might require re-consideration of the duty that we are sanctioning today. I understand that the duty that has been imposed has already affected the export trade very considerably and practically there is no demand in foreign countries for these oils on which we are imposing this duty. That also should be taken into consideration and a quick decision arrived at as and when occasion requires.

Shri Sarwate: There may possibly be three objects in imposing the duty under discussion. One might be to restrict the export trade in this particular commodity. The second may be that prices in foreign countries being very high and the difference between the domestic price and the foreign price being proportionately large, Government want to intercept the profit and take a portion of it into Government coffers. The third possible object may be to restrict the area under cultivation of this commodity. In dealing with these objects, I am afraid that the information which has been placed before the House is not sufficient to justify its approving of the duty.

To take the first object, namely, to restrict the export trade in groundnuts, the duty has been raised from Rs. 80 per ton to Rs. 150. From the figures available it seems to me that the export trade in this commodity has not been increasing. Oilseeds and oils form a substantial portion of the total exports from India. For instance, in 1950 of the total export of Rs. 426 millions worth of goods, about Rs. 25 millions were accounted for by

oilseeds and oils. That comes to about 6 per cent. It would therefore be a very serious thing to restrict the export trade under this commodity. In 1950, for the first four months the export under groundnut came to about 89,000 tons. During the same four months in 1951 the figure is only 29,000 tons. So, the export under groundnut is not increasing. There is therefore not sufficient material before the House to say that the export trade under groundnut ought to be curtailed. It is certainly necessary that if domestic requirements so warrant, the export trade should be curtailed, but there is no material to show that the export trade has increased and thereby the domestic consumption has suffered. Further, I would point out that in the case of linseed the export in the first four months of 1950 was 20,000 tons and during the same period in 1951 it was only 16,000 tons. So, that is also not increasing. So, where is the necessity of curtailing this?

As regards prices, we have unfortunately, not been given the prices ruling in foreign markets, and there is nothing either in the Library or here from which these could be gathered. On general grounds it ought to be taken into consideration that there must have been some increase in the general index of prices. I find from the monthly abstracts of 1950, it appears that whereas the index figure was 692 sometime in October, when the groundnut goes to the market in June it is 726. So it has risen only by 34 points in an aggregate of 700, which means an increase of about six per cent.

The report of the Export Promotion Committee has something to say on the inflation of these prices. On page 43 of its report, the Committee says:

"The rise in the price of groundnut as well as the other oilseeds has not been due to an increase in the cost of cultivation beyond the normal rise for all crops or to demand exceeding supply. If these were the only forces at work, the disparity between Indian prices and overseas prices would have at once corrected itself on account of all in exports leading to surplus in the country. Speculation, however, has had a great deal to do with the high level of prices."

So, in the opinion of the Export Promotion Committee the rise in prices, at least during the year which has been investigated by them, or which is under their contemplation, was due to

speculation and not to foreign demand. Is there sufficient material with the Finance Minister to show that whereas speculation was responsible for the rise in 1950, something had not occurred now and the rise in the index figure in groundnuts or oilseeds is not due to speculation and is certainly due to increase in demand or the increase in prices in foreign countries? Unfortunately, he himself has not with him the figures of foreign prices. So he is not in a position definitely to say that the price level in foreign countries has risen. So, we ought to have more material before us and it would be advisable probably to postpone this debate in order to enable the Finance Minister to place more material before the House.

The third object underlying this increase in tariff duty may be restriction of crop under a particular commodity. This also is not correct in this case. I find that the area under groundnut in 1948 was 10,000 and odd acres; in 1949 it was 9,145 acres; in 1950 it was 9,572 acres. I am afraid there are no figures subsequent to this year—at least I could not get them. In regard to yield in 1948 it was 3,411 thousand tons; it is now 3,399 thousand tons. So my contention is that neither the area nor the yield under this crop has increased. Probably the demand for internal consumption may have increased on account of the expansion of the vanaspati industry. Perhaps there might have been an increase in human consumption as well. The report of the Export Promotion Committee says that about five per cent. of the production is required for internal human consumption. I feel that due to the vigorous propaganda which has been carried on for people switching on to non-rationed foodstuffs the human consumption of oil might have increased. If that is the case steps should be taken for making a bigger quantity available for consumption. Probably that may be the idea of increasing the duty. But is that the object in the mind of the hon. the Finance Minister? The object which at least appeared to me was that he wanted to have some share of the price difference between the domestic and the foreign price. If that is so, let us have his estimate of how much more he would get. I am afraid there is not much margin. On the other hand, it may so happen that the total quantity of exports may go down.

Shri C. D. Deshmukh: I am sorry to intervene, but I never said that the primary object of this duty was to raise revenues. I never made any statement to that effect and indeed I

[Shri C. D. Deshmukh]

refrained from giving any estimate of the increase of revenue.

Shri Sarwate: I could not follow the hon. Minister.

Shri C. D. Deshmukh: I did not—I repeat NOT—have revenue considerations in mind. I did not even refer to them and that is why I refrained from giving even an estimate of what I thought the increase in duties would bring in. That was a very subsidiary consideration.

Shri Sarwate: If that was a subsidiary consideration I do not understand where is the necessity of raising this. Exports are already curtailed; nor is there any need to curtail the area under the crop.

The export of groundnut has been increasing. In 1949 the quantity exported was about 55,000 tons. In 1950 it came to 96,000 tons, which means an increase of about 41,000 tons. If the duty is further enhanced the exports may go down and there may not be much of surplus revenue on that account.

I would request the hon. the Finance Minister to explain to us why there are so many discrepancies in the figures published in Government bulletins. I refer particularly to the *Indian Trade Bulletin* 1951. Of course I do not hold him responsible for the figures in this journal. I only wish to bring this to his notice so that steps may be taken to avoid these discrepancies.

For instance I find on page 98 of this *Bulletin* (January 1951) that the rate quoted therein for Bombay Bold was Rs. 46-8 in December 1950, whereas the rate given at page 132 in the monthly abstract of the same *Bulletin* for groundnut Bombay (Bold) is Rs. 42-0. At page 132 the rate for Groundnut in December is said to be Rs. 42-9, whereas on page 98 of the same *Bulletin* it is said that "during November, prices moved within narrow levels, but in December the undertone became firm on reports of the failure of the rains in some producing areas" and in the last week of December Bombay Bold was quoted at Rs 46-8.

Similarly, there are discrepancies with regard to groundnut exports. It is said on page 98 that "during January, the quantity exported came to the high figure of 52,203 tons", while in the *Monthly Abstract of Statistics*—January—February 1951 I find on page 44 that groundnut exports during Janu-

ary are 49,000 tons. In the *Indian Trade Bulletin* it is 52,000 tons. For February and March the figures given in the *Bulletin* are 31,000 and 16,000 tons, whereas the figures given here in the *Monthly Abstract of Statistics* are 24,000 and 14,000 tons.

So it is very confusing, and both are Government publications. Anybody who takes the care and trouble to go through these figures finds that the one does not tally with the other. This makes it very difficult for any person who wants to study them.

To sum up, my submission is that sufficient material is not before the House. The Finance Minister should in fairness to the House place all the material which would justify exactly for what reason he is increasing the duty from Rs. 80 to Rs. 150.

Shri Sidhva: I do not share the view of my friend Mr. Hussain Imam when he charged the Government that they have been from time to time changing their policy of reducing or increasing this duty. It is perfectly correct for the Government to change it as many times as they like during the year and to reduce or increase the export duty provided they are alert and provided they do it in the interests of the country and the State. Therefore that charge is not justifiable.

One of the purposes for which the export duty is levied is for the purpose of revenue. I am glad that the hon. the Finance Minister has just now clarified the position with respect to that. I myself was in doubt whether the object was for increasing revenue or for some other purpose. Now, that point has been clarified by him that he has not imposed the duty for the purposes of revenue.

Then the other question arises whether the internal requirements are so great that we do not want to earn foreign exchange but we must have those oilseeds for our own purposes either for industry or for indigenous requirements. That point has to be clarified. If he clarifies that point then there is no reason to ask for any further particulars or further information, and that is sufficient for me to support this resolution. I want to know whether this increase in duty is to avoid export so that our indigenous industry may not suffer. That may be the other object of it. I would welcome the fact that our internal requirements ought to be considered first and then the earning of foreign exchange. We made a serious mistake

in the export of cloth last year. We did not take into consideration our internal requirements. We wanted to earn foreign exchange and we exported with the result that there was a clamour in the country on account of the shortage of cloth. And we are suffering even today. That was a great mistake. Such a mistake should not be made again. If, therefore, Government have increased the duty for the reason that oilseeds are required in the country first for our own benefit, I would welcome it. I would not only welcome it but I shall strongly support it and I would also ask the House to look at it from that point. But it is not clear what the object is. It is not clear whether the increase of duty is to see that exports will be reduced.

I am told that the market prices are lower in foreign countries and that with the increase in the export duty it will not be possible to export the commodity to that extent as we were doing before it was levied. For what purpose is it done? If it is for this purpose, as I have said, I shall welcome it. The hon. the Finance Minister should make the point clear as he has done in the matter of revenue.

That is the whole crux of the resolution. I do not agree with my friend Prof. Ranga when he says that the farmer will suffer. I cannot understand how he will suffer. I can understand that the exporter will suffer, if he has made a forward contract. And the Government should always bear that in mind. But the exporter has to take some risk. Government has to look to the interest of everybody. The exporter has to take the risk when he has made a forward contract for three or six months in advance. If there is an increase in the duty.....

Shri Himatsingka: The increase in duty falls on the purchaser.

Shri Sidhya: Whatever it may be, But the exporter suffers when he makes a forward contract. They have been complaining to me in the matter of cloth and other things. But Government has also to consider the matter from broader points of view, in the interest of the whole country and the consumers.

Therefore, what I was stating was that I do not agree with Prof. Ranga when he says that the farmer will suffer. How will the farmer suffer? Despite the increase of duty the farmer is selling at a price which is prevailing. It is the exporter who, in view of the increase in the duty, will not be able to secure an order from

the foreign country at the price he would have got if the duty was not increased; and if he has made a forward contract, he suffers. That is the point,

Dr. Deshmukh (Madhya Pradesh): It will depreciate the amount.

Shri Sidhya: From the commercial point of view the farmer does not come in the picture if the duty is increased or decreased.

Dr. Deshmukh: They get less.

Shri Sidhya: They do not get less. So far as the foreign buyer is concerned the price is higher.

Let the hon. Minister make this point clear why this duty has been increased. Let him say plainly whether it is for the purpose of supporting local industry or indigenous requirements. Then I give my fullest support. Even if the industry did not reduce the price for the consumers I am prepared to support it because internal requirements are a more important thing and the Government will see to it that the prices are properly adjusted.

The question of revenue is dismissed from the debate. Therefore I would like to know from the hon. Minister whether what I presume to be the object of the increase in the duty is correct. If that is so then he has my support. Otherwise he has to explain why the increase of duty has been made.

Mr. Deputy-Speaker: Mr. Shah.

Shri A. C. Guha: Sir, I have been trying to catch your eye.

Mr. Deputy-Speaker: How can it fall upon two persons simultaneously?

Shri A. C. Guha: And I want to know whether I will have a chance.

Mr. Deputy-Speaker: I cannot say.

Shri M. C. Shah (Bombay): I support the resolution moved by the Finance Minister but I am sorry to say that as in the case of the export duty on coarse and medium cloth—which was advocated in this House from August 1950 and that duty came by the end of the last session, that is in June—this increase of export duty on groundnuts was specifically advocated in this House in March that from Rs. 80 it ought to be raised to Rs. 150 but it has been levied so late.

11 A.M.

There ought to be an export duty on oilseeds and oils too. As the prices of groundnuts and oilseeds had

[Shri M. C. Shah]

shot up considerably and the exporters were making a huge profit. Government ought to have taken a slice of that. Because of the high prices paid by buyers from foreign countries the prices of oils have gone up considerably.

Everybody knows that today in India genuine *ghee* is out of the reach not only of the poorer classes but of the middle classes also and these classes have to fall back upon the oils. The price of oils in my part of the country had gone up considerably. It had gone up to Rs. 45 per *kacha* maund, that is 40 seers and this was because of the high prices prevailing in the foreign countries. At that time if Government had taken action immediately, I think much relief might have been given to the consumers. We have to look from the point of view of the producers as well as the consumers. I do not agree with Mr. Sidva that the farmers do not come into the picture. I think the farmers must come into the picture. As we have a controlled economy for cotton and food grains, we should also see that the producers do not demand very exorbitant prices for groundnuts or oilseeds also, because that will not be in the interest of the consumers. So, apart from the revenue point of view, the consumers' point of view also has to be considered and also from the export side. If we have got a surplus, certainly we can export but if the people in the country require these oils in greater quantities it is the duty of the Government that they must see that the prices of oils do not rise because of heavy prices of groundnut, oilseeds and that of *vanaspati* also. In the case of *Vanaspati* the oil mills always get oil from the groundnuts in the country.

I support the resolution but as suggested by my hon. friend, Mr. Ramnath Goenka the Government ought to be always alert. They can always change, alter, increase or decrease, the export duty as the situation demands. As a matter of fact when there is a boom in foreign markets the Government is entitled to have a slice of the profits made by the traders. We are not here for the exporters or for the traders only. Certainly, we must look after the legitimate rights of the exporters and traders but at the same time our primary concern must be the interest of the producers and the consumers. Even the trade at that time anticipated this Rs. 150 per ton as export duty. If the action could have been taken by Government then, this would have brought great relief to the consumers.

In the case of coarse and medium cloth, though it is stated that the people get cloth today at controlled prices, I am in a position to say that it is not a true state of affairs. Even today coarse and medium cloth is being sold at a very high price, rather a higher price than the controlled price. It is a fact that the price of superfine cloth has gone down and that is due to a fall in the foreign cotton prices. In America there is a bumper crop of cotton. The price of superfine cloth has gone down thus because of the fall in cotton prices.

[SHRIMATI DURGABAI in the Chair]

In the case of groundnuts the prices have gone down by about 15 per cent. than what they were in April last and I think that is the effect of the export duties levied on these groundnuts and it is good in the interests of the country and it is in the interest of the consumers as well as producers. So, I submit if the Government are alert in all these matters and if they take cognizance of all these facts of the trend of prices in foreign countries as well as here, they would be in a position to have a good slice in the income arising from export duties and at the same time they would be able to do some good to the consumers of the country. So, with these words, I support the resolution moved by the hon. Finance Minister.

Shri A. C. Guha: Last year when this House amended the Indian Tariff Act and gave certain authority to the Government to increase the export duty, this House expected that Government would often come before this House for the ratification of the increased export duty, and while giving the power to the Government this House undertook somewhat like a moral obligation that it would support the Government in the action that they might have taken. At the same time this House has an obligation to itself and to the country to scrutinize and see how far the action has been justified. In this connection the hon. Finance Minister has referred to the Korean war and the consequent stockpiling. I submit this Korean war has come in as a handy plea for this Government to cover many acts of omission and commission, many hurried retreats such as we have seen in the case of agreeing to the par value of the Pakistan rupee.

Now I would like to come to the merits of the proposal contained in this resolution from the point of view of the country. I do not know why the Finance Minister has taken the steps

mentioned in this resolution—whether it is to avoid the inflationary tendency and to put a check on the export of these articles or to restrict the cultivation of oilseeds, or he has some other purpose in view. I am glad he has mentioned that he had no intention of getting an increased revenue by this step. I even apprehend that he might even get a decreased revenue. On one point I would like to be assured and that is how this increased export duty will affect the producers of these oilseeds. If the internal price because of this increased export duty goes down, ultimately it will be the producers who will have to pay the increased export duty, just as we have seen in the case of the jute industry.

Coming as I do from Calcutta, I cannot but mention here the crisis that has been created in the jute industry. For the last one year the Government has been making what I would call, amateurish experiments in this very important industry of India, and I should say the most important industry of India for many years. The position now is that the industry is practically at a standstill and what was considered even a year ago as a monopoly of India, that industry has come to a crisis. When the Government imposed that Rs. 1,500 duty I think the Government was rather late in imposing that duty. Now the Government is persisting not to reduce the duty and in this way the Government is going to kill the goose that was laying golden eggs and the industry is going to be killed if the Government does not take prompt steps to reduce the export duty. As for these duties also, I think the stock-piling due to the Korean war is over and I do not know whether the Government even now consider that the increased export duties should be persisted or there should be any reduction in them.

I do not mind an increase in the export duty on oil seeds. Oilseeds, as far as possible, should be retained in our country. Apart from giving manure in the form of oil-cakes, they will give some employment to our oil mills. Vegetable oils, instead of oilseeds, should be exported. Therefore, I would very much like if the Government would decrease the duty on vegetable oils and increase, if necessary, the duty on the export of oilseeds.

Government issued this notification for the increase of export duties on the 30th of June. I would like the hon. Finance Minister to enquire if there was any extra business in the Bombay market in these two commodities, on the evening of the 30th June, and if so what was that due to.

If the intention of the Government is to counter the inflationary tendencies and really to limit the export of these commodities, I think the House should pass this resolution. But, I do not know what is the real intention in putting these duties. The hon. Finance Minister referred to the Export Promotion Committee. The Export Promotion Committee was intended only to promote or extend exports. This measure, I am sure, will lead not to any expansion of the export trade, but really somewhat to putting some restriction on export trade.

Then as for the restriction of the cultivation of oilseeds, I feel that also may be a purpose. The Minister has not mentioned the purpose. He should clarify, this before the House can be asked to pass this resolution.

चौधरी रत्नवीर सिंह : सरकार का

एक्सपोर्ट ड्यूटी (export duty)

बढ़ाने का केस कोई बहुत मजबूत केस

(case) नहीं है, जैसा कि मेरे लायक दोस्त

सरवते जी ने बताया है। मैं यह समझता

हूँ कि जिस तरह से कि पहले जूट की ड्यूटी

(jute duty) के बारे में टैरिफ

एक्ट (Tariff Act) को अमेंड

(amend) कर के सरकार को

ताकत देनी पड़ी थी, अगर इस किस्म के

हालात आइल सीड्स (oilseeds)

में भी होते और बाजार के अन्दर रोजाना

कुछ ऊंचा और नीचा भाव होता रहता

तो हो सकता था कि जिस तरह से जूट

के अन्दर जरूरत समझी गई उसी तरह

तिलहन के अन्दर भी जरूरत समझी जाती।

लेकिन ऐसा मालूम होता है, जैसा कि

माननीय मंत्री महोदय ने जवाब दिया,

कि उन्हें तो यही पता नहीं कि विदेशों के

अन्दर तिलहन का क्या भाव है। तो जो

केस मूट का था वह केस तिलहन का नहीं

है।

अब दूसरा सवाल यह होता है कि

अगर विदेशों के भावी के बारे में कोई

पता नहीं है तो फिर ड्यूटी बढ़ाना दुस्त

हो सकता है या नहीं। मेरे लायक दोस्त

[चौधरी रनबीर सिंह]

सिधवा साहब ने यह फरमाया कि अगर कंज्यूमर्स (consumers) के लिये या इंडस्ट्री (industry) के लिये यह जरूरत हो कि इयूटी बढ़ा दी जाय तो बढ़ाई जानी कोई खराब नहीं है। यह बात किसी हद तक सही हो सकती है, लेकिन मैं उन से यह कहना चाहता हूँ कि इंडस्ट्री और कंज्यूमर्स का ही दृष्टिकोण सारे देश का दृष्टिकोण नहीं हो सकता। देश के अन्दर तीसरे ढंग के भी आदमी हैं जो तिलहन पैदा करते हैं महन्त और मजदूरी करत हैं, खून और पसीना एक करते हैं उन का भी कोई दृष्टिकोण होता है और उन का भी दृष्टिकोण है और वह इस देश के अन्दर बहुत ताकतवर दृष्टिकोण समझा जाना चाहिये। मेरे लायक दोस्त सिधवा साहब ने कहा कि इस से काश्तकारों को कौन सा नुकसान हो सकता है यह मेरी समझ में नहीं आया। मेरे दोस्त यहाँ पर नहीं हैं लेकिन मैं उन से कहना चाहता हूँ कि जिस तरह से सरकार ने इस केस को पेश किया है उस का इस के सिवा और कोई अर्थ नहीं लगाया जा सकता कि सरकार काश्तकारों पर एक टेंडा टैक्स लगाना चाहती है। तो इन हालात में आप या वह यह कहने के कहां तक मुस्तहक हैं कि काश्तकारों को असर करेगा या नहीं करेगा। यह मैं नहीं समझ पाया। बाहर के भावों का आप को पता नहीं है। तो ऐसी हालात में जतना भी आप फालतू टैक्स बढ़ायेंगे उतना ही व्यापारी काश्तकार की पैदावार का भाव कम कर देगा।

काका भगवन्त राय : बाहर भाव बहुत ज्यादा हैं।

चौधरी रनबीर सह : यह तो आप कह सकते हैं पर सरकारों तौर पर यह नहीं कहा गया है। ऐसी हालात में इस का और कोई दूसरा अर्थ नहीं हो सकता कि सरकार

काश्तकारों पर एक टेंडा टैक्स लाना चाहती है। हम यह मान सकते हैं कि अगर ऐसे हालात पैदा हो जायें जिस वक्त कि यह जरूरत समझी जाय कि काश्तकारों पर टैक्स बहुत थोड़ा है इस लिये उन पर टैक्स बढ़ाया जाय, तो शायद टेंडा टैक्स बढ़ाने के हक में भी यह हाउस हो सकता है। लेकिन मेरी तो समझ में कुछ ऐसा आता है कि सरकार के बिल (Bill) में कारखानेदारों के लिये एक साफ्ट कारनर (soft corner) है। कारखानेदारों के पास अखबार है जिन से वह अपना केस अच्छे ढंग से सरकार के सामने पेश कर सकते हैं और सरकार पर दबाव डाल सकते हैं। आप मीठे का केस लीजिये। एक तरफ गुड़ है कि जिस को लाखों और करोड़ों काश्तकार पैदा करते हैं और जो लाखों और करोड़ों आदमियों को बगैर राशन (ration) के तकसीम होता था। दूसरी तरफ चीनी है जिसे बड़े बड़े कारखाने पैदा करते हैं। एक तरफ गुड़ को तो कंट्रोल (control) कर दिया गया है पर चीनी का पारशियल डिक्ंट्रोल (partial de control) कर दिया गया है।

इसी तरह से आप कपास को लीजिये और उस से बनी हुई चीज कपड़े को लीजिये। जो चीज एक्सपोर्ट की जाती है उस के भाव की तो छूट कर दी गई है और उस के ऊपर अगर आप इयूटी बढ़ाते तो वह समझ में आ सकती थी लेकिन तिलहन के ऊपर इयूटी का बढ़ाना दूसरी बात है। सरबते साहब ने आंकड़ों से यह साबित करने की कोशिश की है कि तिलहन की काश्त ज्यादा नहीं हो रही है; या पहले के मुकाबले में काश्त नहीं बढ़ रही है। लेकिन शायद कई दोस्त इस ख्याल के हैं कि

तिलहनकी पैदावार में और कमी कर दी जाय और अनाज की पैदावार बढ़ा दी जाय। बात तो बहुत अच्छी है क्योंकि देश के अन्दर अनाज सब से जरूरी चीज है, लेकिन इस प्रश्न पर बड़ी शान्ति के साथ विचार करने की जरूरत है। पहिली बात तो यह है कि जिस जमीन में तिलहन पैदा किया जाता है या हो सकता है, या उस में इतना ही पानी मुह्य्या हो सकता है जिस में तिलहन तो पैदा हो सकते हों पर अनाज पैदा न हो सकता हो। दूसरी बात यह है कि जितने तिलहन के पैदे हैं वह leguminous plant कुदरत से नाइट्रोजन (nitrogen) लेते हैं और इस तरह जमीन की पैदावार की ताकत को बढ़ाते हैं। इस लिये भी काश्तकार के लिये जरूरी हो जाता है कि जिस जमीन में वह अनाज की फसल पैदा करता है उस के अन्दर दूसरी फसल के अन्दर या गाहे बगाहे तिलहन पैदा करे। इन हालात में अगर काश्तकार तिलहन पैदा न करे और अनाज ही पैदा करे तो शायद अनाज तो नहीं बढ़ेगा बल्कि तिलहन जिसे बेच कर हम विदेशी रुपया कमाते हैं और देश के भूखे आदमियों के लिये अनाज खरीद कर लाते हैं वह भी हाथ से जाता रहेगा। और समस्या और भी उलझ जायेगी। इस के सिवा इस का और कोई नतीजा नहीं हो सकता। इस लिये मैं सरकार से नम्र निवेदन करना चाहता हूँ कि वह इस इयूटी के बढ़ाने के बारे में काफी गौर करे और इस कदम को उठाने के पहले देख ले कि इस का असर किस पर पड़ने वाला है, और यह टैक्स अनर्नड इनकम (earned income) पर होगा या अनअर्नड इनकम (unearned income) पर।

(English translation of the above speech)

Ch. Eambir Singh (Punjab): I agree with my able friend Shri Sarwate when he says that the Government's case in increasing the export duty is not a strong one. Had there been any price fluctuations in oilseeds to the extent that market condition in that connection had come to be somewhat like those of jute, as they prevailed at the time when we had to amend the Tariff Act in order to empower the Government to deal with the jute duty, the necessity for bringing a measure of that kind with regard to the oil seeds as well would have been felt. But from the reply of the hon. Minister it seems as if he is unaware of the current oil seed prices in the foreign markets. Thus, the case of oilseeds is not the same as that of jute.

The second question that arises in this connection is whether or not it is right to enhance the duty on oilseeds in view of the fact that we have no information whatsoever about their current prices in the foreign markets. My able friend Shri Sidhva has said that it was not bad to enhance the export duty on the oilseeds if it was in the interests of the industry or the consumer. This principle may hold good to some extent, but I would like to tell him that the consumer's or the industries' out-look cannot be definitely the outlook of the entire country. There is a third party also in this connection and they are the oilseeds producers, those who sweat and toil and put in such hard labour. They too have their point of view and that point of view has its proper place and importance. My learned friend Shri Sidhva has said that the cultivators will have nothing to lose by it. I failed to understand that argument. My friend is not present here but I would like to tell him that the manner in which the Government have presented their case, lends it no other meaning than that Government intend to levy an indirect tax on the cultivators. Under these conditions how are you justified in saying that it would not affect the cultivators? I could not understand it. You have no information about the prices prevailing outside India. Under these circumstances all the super-taxes that would be levied would result in the cutting down of the prices of the oilseeds that are to be paid by the businessmen to the cultivators.

Kaka Bhagwant Roy (P.E.P.S.U.): Prices are very high in the foreign markets.

Ch. Rambir Singh: You may say so, but nothing has been said officially in this connection. Under these circumstances it will mean nothing but levying an indirect tax on the cultivators. It may be that the House would favour increasing the incidence of indirect taxation on the cultivators if circumstances so warrant and it is felt necessary to do so. In the present case, however, I feel that the Government has a soft corner for the millowners. The Millowners have their own newspapers whereby they are in a position to put their case before the Government in an effective manner and are in a position to bring some sort of pressure on them. Take, for instance, the case of sugar. On the one hand, there is *gur* which is being produced by lakhs and crores of cultivators in the country and which was so far distributed among lakhs and crores of people without rationing. On the other hand, there is crystallized sugar which is being produced by the big millowners. The Government have imposed full control on *gur* while, on the other hand, they have partially de-controlled sugar.

In the same way, you may take the case of cotton and its product cloth. The prices of commodities which are exported have been lowered. If the export duty on them had been increased that would have been quite understandable. But it is quite a different matter to increase the export duty on oilseeds. Shri Sarwate has with the help of figures attempted to prove that the cultivation of oilseeds is not being done on a very large scale or that its cultivation has not in any way increased as compared to the previous figures. But perhaps some friends are of the opinion that production of oilseeds should be reduced, and in its place production of foodgrains should be increased. This is, no doubt, a good suggestion because food grains are the most essential thing in the country to-day; but this suggestion requires a very calm consideration. The first thing that we shall have to consider is that the land which is being utilized for the production of oilseeds may not have as much of water supply as would be required for the production of foodgrains, but which may be sufficient for the production of oilseeds. The second thing is that the oilseed plant is a leguminous plant which takes nitrogen from Nature and in this way helps to increase the productivity of the soil. Hence, it becomes necessary for the cultivator to raise oilseeds on the land which is once used for raising a food crop or he may do so off and on. Under these circumstances, if the cultivator will try to produce foodgrains instead of oilseeds,

the result would be that we may not be able to increase our food production but, on the other hand we may lose oilseeds, which we sell to earn foreign exchange which is further used for purchasing foodgrains for the hungry people of this country. We can expect no other results from such a move.

So, I would like to request the Government again to think over the move to raise this export duty and before taking any step in this direction see on whom is the burden of this tax likely to fall, and also whether it is going to fall on earned incomes or on unearned incomes.

Shri Rudrappa (Mysore): I would like to place some important facts for consideration before the House, bearing on the important measure that has been placed before it. I am first of all, constrained to say that it is unfortunate that an important measure of this kind which affects about a third of the agricultural population of the whole of India should have been brought forward in this manner. I say this because this measure has not been supported by proper facts and figures by the Finance Minister. The House should bear in mind that the facts quoted and the ruling prices quoted by the hon. Finance Minister only relate to the month of May. What are the ruling prices today? That is what we want the hon. Minister to place before the House. He said that the ruling price in May is about Rs. 500, and the present price is in the neighbourhood of about Rs. 400. From the papers and from the records of the evidence, as he himself will find, there is a slump now in the price of oilseeds and oils. The main reason for this measure is that such a recommendation was made by the Export Promotion Committee and that Committee made such a recommendation because they wanted to bring down the prices, and they wanted to make the produce available to the consumer at a cheaper price. Now, I would like the House and the hon. Minister to bear in mind what is the *per capita* expenditure that a man incurs on oils. They should then find out how much more he has to spend if there is an increase in the price of the oil or oilseed, with reference to his cost of living. This is an important consideration to be borne in mind.

Moreover, it is only once in his life time that the agriculturist gets this kind of a boon by way of increased prices. The higher prices that are ruling today are due to the world situation. It is only due to the Korean war that the prices have gone up. The

world was looking on to find whether the war will continue or whether there will be something in the nature of a compromise. So in the beginning there was only a slight rise. Only when the war continued and the nations went on stock-piling did the prices also go up. From, I think, December to May. Then again there was a slump. I do not think these prices will continue long for the countries cannot go on stock-piling for ever and so after a time the prices will come down. This the hon. Finance Minister himself must have known. It is because of this world situation that there is a slump in the exports, not due to the duties.

The Finance Minister advanced the curious argument that the difference between the contract prices here in India and the prices in foreign markets was great and the Government wanted that the profits should go not only to the trader, but also to the Government. But what happens today? We find that though we had a price of Rs. 48 in May, it is now only about Rs. 35 in our State. That means that the price has fallen by about 20 per cent. Therefore it is not going to help us even if we adopt this measure. We should first of all see whether in view of the prevailing prices and in view of the fall of more than 20 per cent. in the prices, we are justified in placing such a measure permanently on the statute book.

Moreover this is the end of the harvest season and so the prices must be higher now. Is that the position? I would like the hon. Minister to place all the information before the House so that we may be able to see whether this measure should be passed or not. I submit that if we do not have all the information regarding the rulling prices at present, we would be failing in our duty if we pass this measure.

Another important factor to be borne in mind is this. This measure will discourage the production of an article of export to foreign countries. The hon. Finance Minister can see that in all other countries they encourage the production of articles for export. That being so, should we discourage our agriculturist from growing a commodity which has a good foreign market? And so the Government will not be justified and we will not be justified in passing a measure like this which discourages our growers to grow a commodity which has a foreign demand.

It was argued that this measure would discourage the diversion of land from food crops to oilseeds. Well, I

am a grower myself and I know that—and this is something which the hon. Finance Minister and also the hon. Food Minister should bear in mind—if a man has 20 acres of land he does not grow only one crop on it. He grows or raises his crops by rotation. Otherwise the crops will not come up. If he grows groundnut on his land, he cannot grow groundnuts on the same land for two or three years. People who are acquainted with agriculture know that only by rotation crops can be grown well. So the ryots will not divert land from food crops to commercial crops. As has been suggested, there has been no such large diversion of acreage of land from food to commercial crops. If this was also one of the considerations that weighed with the Government I would ask Government to consider this point, because Government is in a mood to encourage the agriculturists. If you impose such duties without justification will it encourage agriculturist? I would ask the Finance Minister to consider the present ruling price so that we may give our support to the resolution.

Shri C. D. Deshmukh: I confess that I am somewhat surprised at the depth of interest evinced by the House in this particular question. This is not the first time that a resolution of this kind has been brought before the House and I do not remember to have had such heavy weather on previous occasions. That, I think, is the explanation why I did not consider it necessary to give an elaborate note setting out all the possible statistics that might be required. I did, as I pointed out, take the trouble to give some of the important significant statistics and although I admit that the suggestion is a very valuable one for future occasions, I do think that for the present case there is not very much that could have been added to the information that has already been furnished.

Much was made of the absence of figures relating to the price of oils and oilseeds in foreign countries. For one thing they are given for some of the major commodities in the Indian Trade Journal for certain selected markets. For another thing, it is my view that foreign prices are reflected in our internal price quotations and therefore for our purposes it is sufficient I think to take into consideration the trends in our internal prices.

That brings me to the next point and that is the motives for imposing these export duties. In the course of my speech I did refer to speculation and the rising trends of prices. In the course of the debate I think Mr. Sar-

[Shri C. D. Deshmukh]

wate thought that the duties are brought in for revenue purposes, an impression which I took occasion to dispel there and then. In the present context the two principles served by export duties are reduction of internal prices, if they show an alarmingly rising trend and reducing the purchasing power in the hands of people, if again that threatens to impinge on the store of goods available to be purchased. It is these considerations rather than considerations of revenue that apply in the present case. If you compare conditions in other countries also you will find that the main problem arising out of the outbreak of war in Korea has been the problem of absorbing the excess purchasing power. That happened in the case of wool in Australia and that has happened in our case in oilseeds and certain other commodities in respect of which we have put export duties.

Theoretically export duties are not one may concede, a very convenient form of taxation. It is almost a necessary evil and one would be happier if one can do without them. In particular it is very difficult to decide precisely at what moment to increase them or precisely at what moment to lower them. There is always an operational time lag, which I am afraid is inevitable, although it is one's duty to minimise it as far as possible. That is the only explanation that I can offer to the charge that has been made that Government has acted always too late. I think that charge was made by Mr. Shah. The real difficulty in these matters is to satisfy oneself that a trend has been established. It is quite easy in retrospect to say what kind of trend has obtained but as you go along it is not quite so certain to infer whether prices are showing a rising tendency that will continue or whether it is just a flash in the pan. Therefore a certain amount of time lag for that purpose is unavoidable.

I was charged with not having given the prices for a period subsequent to May and the argument was based on that, that if I had seen today's prices then I should not have advised Government to impose these duties. That, I think, perverts the whole logic of the situation. Take for example the price of groundnuts which I have quoted already. On 24th June, 1950 it was Rs. 43/14 and on the 5th May, 1951 it was Rs. 50/8. This was the sort of price which we took into account in deciding to impose the export duty. If you concede that it is a legitimate

object to impose an export duty in order to see that the internal prices are depressed and quantities are made available for internal consumption, then I think I should be able to prove that the change that has taken place in the price since then bears out our claim that the export duty is effective. The price for 21st July, 1951 was Rs. 44/4. That means that the export duty has more or less equalised the difference which existed at the time that we decided to impose the export duty. But I am not quite sure how much will go out. That for this purpose, especially in regard to groundnuts, does not matter very much. We are not interested in regard to this particular commodity to increase our exports, although we are not indifferent to the volume of exports of other commodities, for instance, castor oil or linseed. I will give a quotation now for linseed.....

Shri Rudrappa: I want to know the present day prices.

Shri C. D. Deshmukh: These quotations are for weeks. The last quotation is for 21st July, 1951. It takes sometime to obtain reliable quotations. Anyway that has not been entered in the register.

Shri Rudrappa: Is it not Rs. 35 today?

Shri C. D. Deshmukh: The hon. Member may be correct. My quotation is for 21-7-51 and that was Rs. 44. For linseed the price on 24-6-50 was 37/9 and on the 21st July, 1951 it was 37/12, on the 5th May it having reached Rs. 44-14-0. I think that is the figure which I have already quoted. Then, castor seed; well, there is no export of castor seed, so I do not think it matters very much.

In connection with this question of acting quickly or otherwise a reference was made to the jute export duty. I do not think that except by way of pointing a moral, according to the hon. Members, it had any great significance in the present debate.

Shri A. C. Guha: It was a sort of a warning only.

Shri C. D. Deshmukh: That was what was meant by saying, "point a moral".

I will refer to another important point which was raised and that was in regard to existing contracts, which has some bearing also on the timing of these duties. Existing contracts have always been a source of inconvenience to us in the imposition of duties. So far as the annual Budget modifications of duties are concerned,

it is a well-established practice that we do not bother about existing contracts—a point which many Members are apt to overlook. Now in regard to export duties, as far as possible, we try and see that they do not impinge too violently on existing contracts. Otherwise, there will be no period at which there will be no contracts, and I do not think it will serve any purpose to go into the question of what action Government intends to take in regard to the few residual contracts that might have been there on the 1st July, 1951. I refer to the question raised by Mr. Hussain Imam. I say that it is not possible to deal with specific residual contracts. Wherever we can temper the wind to the shorn lamb, so to speak we try and do so, that is as far as possible try and synchronise it with the date of the new licensing period. The House will remember that in some cases in the past we gave an extension of the shipping period. So we try to get over the difficulty, but it is quite impossible for us to concede the principle that in imposing import duties or export duties, that is to say customs duties in general, we ought to take account of existing contracts. There is a law that provides for that in the Sale of Goods Act, and that is, normally the purchaser has to bear the brunt of any increase in export duties unless he has contracted himself out as, for instance, I am told happens in some contracts with buyers in the U.S.A.; they protect themselves specifically and if those terms appeal to our sellers well, then they can make their own arrangements.

Much has been said about the effect on the cultivator of the export duties. Well, that takes us into a very wide question as to what return should be given to the cultivator, which I do not think this is the proper occasion to discuss. But I think from the figures that have been collected one may rest assured that the cultivator is no worse off today or, say, fifteen days ago than he was on the 24th June, 1950. And if one were to go deeper into the matter and look into the changes in the indices of various crops like food crops and oilseeds and so on, one would find that the cultivator has secured a much larger increase over these last few years in the prices of oils and oilseeds, that is to say in commercial crops generally, than in food crops. Therefore, I do not think there is any kind of hardship inflicted on him as a result of the imposition of these duties. It is sometimes very difficult to deal with these conflicting currents of opinion. On one day we are urged to revalue the rupee which, as I pointed out, has the direct result of reducing exports:

the next day we are asked not to do anything that would affect exports; then one day the Finance Ministry is charged with being supine in the matter of bringing down prices and the moment some specific action is taken in that direction then there are complaints on all sides. I think one might conclude that these complaints rather tend to exaggerate certain sectional interests and that if you look at the matter from the point of view of the community at large, the action that is reflected in this present proposal would be found to be for the benefit of the community.

I think, I have dealt with most of the important points that have been raised. I have taken note of the complaint made by Mr. Sarwate about the discrepancies in the figures given in the two trade journals, the Indian Trade Journal and the monthly abstracts, and I hope the Central Statistical Organisation which has been recently set up will look into these sources of information and see that the information supplied is not so confusing as it appears to the hon. Member now.

There is one point made by Mr. Rudrappa that this not a sort of a measure that should be permanently on the statute book. Well, obviously it is not going to be on the statute book; it is in exercise of the delegated power which is vested by the statute book in the Government. As I said before, although there might be a certain operational time lag, Government are committed to review the incidence of these export duties from time to time and take appropriate action.

With these words, I would again urge the House to accept this resolution.

Shri Himatsingka: May I ask whether in connection with the existing contracts mentioned by the hon. Minister he will consider this point of view, that in the case of contracts which have been made at a very good price and which the contractors want to carry out Government will take steps to see that they are allowed to export? In the case of export contracts entered into on the 1st July, which are still existing, if the exporter wants to carry out the contracts will the change of policy not stand in the way because the prices have gone down? Will Government take that into consideration?

Shri Sidhva: How can that be?

Shri Himatsingka: Why not? There are a number of contracts that have

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been entered into and which have not been affected by the new policy.

Shri C. D. Deshmukh: New duty?

Shri Himatsingka: The duty will not affect it because it will fall on the purchaser abroad but the change in the policy of giving certain quotas might affect those contracts. The people who have the contracts may not have the quotas. Will Government consider their case if the prices be favourable and if the parties abroad be willing to take them?

Shri C. D. Deshmukh: I have no objection to considering the suggestion made—it will have to be examined.

Mr. Chairman: The question is:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), this House hereby approves the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 52-Customs, dated the 30th June, 1951, by which the export duty on groundnuts was raised from Rs. 80 per ton to Rs. 150 per ton and new export duties were levied on 'Oilseeds, not otherwise specified' and 'Vegetable oils, not otherwise specified' at the rate of Rs. 150 per ton and Rs. 300 per ton, respectively, with effect from the 1st July, 1951."

The motion was adopted.

EVACUEE INTEREST (SEPARATION) BILL

The Minister of State for Rehabilitation (Shri A. P. Jain): I beg to move for leave to introduce a Bill to make special provisions for the separation of the interests of evacuees from those of other persons in property in which such other persons are also interested and for matters connected therewith.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to make special provisions for the separation of the interests of evacuees from those of other persons in property in which such other persons are also interested and for matters connected therewith".

The motion was adopted.

Shri A. P. Jain: I introduce the Bill.

PUNJAB STATE LEGISLATURE (DELEGATION OF POWERS) BILL

The Minister of Home Affairs (Shri Rajagopalachari): I beg to move:

"That the Bill to confer on the President the power of the Punjab State Legislature to make laws and to authorise him to delegate such power to any other authority, be taken into consideration."

In moving it, I have only to say that we have discussed the problem lying at the bottom of this legislation the other day and it would be hardly necessary even for the sake of form to go through it again. The logical conclusion has to be followed now and we have to authorise the President to act under article 356 in order to get the necessary powers of legislation. Article 357(1) provides for Parliament enacting a law conferring on the President the powers and authorising him to delegate his power to any other authority subject to such conditions as he may think fit. If every legislative measure that it may be necessary to enact from time to time for the State of Punjab were to be taken up by Parliament it would require a great deal more of time than we can possibly spare and it would hold up all other measures of all-India importance. This Bill seeks during this emergency period to confer on the President the necessary powers. I do not think that I need take up any more time of the House and the House will agree to consider the Bill clause by clause.

Mr. Chairman: Motion moved:

"That the Bill to confer on the President the power of the Punjab State Legislature to make laws and to authorise him to delegate such power to any other authority, be taken into consideration."

Shri Sidhva (Madhya Pradesh): On a point of clarification, Madam. The Bill says that even when Parliament is sitting the power will be vested in the President to enact laws and he will in turn delegate his power to somebody else, who is the Governor. May I know why we cannot legislate when we are in session?

Shri Rajagopalachari: I thought I already explained it. It is because of the comparative volume of the work to be taken up and the comparative quality of the work. We have now, under the article I have quoted, to

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conduct the affairs of the Punjab State but there is a limitation on our time. For instance, if I brought any measures which are necessary and of urgent local importance, still we would not be able to do it. It is to provide for that that we have proposed delegation of the powers to the President.

Shri Kamath (Madhya Pradesh): The Bill just now moved by the Home Minister is a sequel to the resolution which this House has already approved. In so far as that is so, the Bill has to be supported and will be supported in principle. But to my mind there are certain matters arising out of the provisions of this Bill which merit serious consideration by the Home Minister and the House.

Mr. Chairman: May I ask the hon. Members to bear this in mind that this particular Bill is consequential to the resolution which we have passed the other day and therefore I do not want the hon. Members to traverse the whole ground that has been already covered.

Shri Kamath: I am afraid, Madam, the Chair was absentminded perhaps. I said that at the outset.

Mr. Chairman: It is meant for those Members who did not hear it.

Shri Kamath: The House I am sure, is very thankful, Madam, for your direction in this matter and will duly bear it in mind when we proceed to discuss the provisions of the Bill.

Shri E. K. Chaudhuri (Assam): On a point of order. Just now my hon. friend Mr. Kamath said that the Chair was absentminded. Is it in order or is it parliamentary to say that the Chair is absentminded? I am asking because I may use the same expression some time. Therefore, I want to be clear about it.

Shri Kamath: May I explain? I did not say 'is absentminded'. I only said 'was absentminded perhaps'. And if the Chair is or was not absentminded I would be prepared to say so.

Mr. Chairman: It is better for the Chair not to enter into this controversy?

Shri Kamath: It is a minor controversy and it is better that it is left alone.

I was saying that there are certain points in connection with this Bill which deserve some amount of serious consideration by the hon. Minister and by the House. The House will see that action has been taken under

article 357 of the Constitution, which is a sequel to article 356 of the Constitution and the House is now asked to confer law-making power upon the President in accordance with article 357(1) of the Constitution. That article merely states that after a Proclamation has been issued by the President under article 356, it shall be competent for Parliament to confer power upon the President. It is not mandatory or obligatory for Parliament to confer such power upon the President. Parliament is competent to do so. We must now consider here whether it is absolutely essential or necessary for Parliament to act according to this provision of the Constitution and confer the law-making power upon the President. I am not aware—perhaps on this point my hon. friends from the Punjab may be able to throw some light—how much time is usually taken up by the Punjab Legislature to enact legislative measures and how much time is taken to legislate important measures and how much for minor measures. If that information were available, the House would be in a better position to judge as to whether certain important measures could not have been brought before this House, leaving the minor ones for the President's enactment. About that point I am not competent to say anything because I do not know how many Acts have been passed by the Punjab Legislature during the last few years and how much time has been occupied by the major and how much by the minor ones. That is a point on which we may have some light either from the Home Minister or from the Members from the Punjab in this House.

12 NOON.

The House would do well to take itself back to the days when these articles were discussed in the Constituent Assembly. The House will see that action was taken under article 356 first and a Proclamation was issued when a situation arose in which the Government of the State could not be carried on in accordance with the provisions of the Constitution. There is an article antecedent to that, prior to that, article 355, wherein a duty, an obligation, has been cast or laid upon the Central Government, upon the Union Government, to ensure that the Government of every State was carried on in accordance with the provisions of the Constitution. That has been discharged, in my humble judgement, in the case of Orissa recently, where if the provisions of article 360 were to be construed very strictly, a

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financial crisis had arisen. Article 360 reads thus:

"If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory thereof is threatened, he may by a Proclamation make a declaration to that effect."

He did not do so; it was well that he did not. He sanctioned Rs. three crores or so as loan or grant to the State and a crisis was averted. Orissa has been treated very generously and very democratically too. But the Punjab has been treated—if I may say so in all humility—in a different manner. That argument I realise is not perfectly relevant today's debate, but I touch that in passing.

Having treated the Punjab in a manner different from the way in which the Union treated Orissa, now the Centre must think very seriously as to whether the Punjab is going to be treated in the same cavalier fashion, or whether this Parliament will exercise the authority conferred on it by the Constitution in such a grave emergency as has arisen already, and to meet which action has been taken. That, to my mind, is the moot point—the crux of the matter. If the House assents to the provisions of the Bill, how far are we going to conform to the provisions of the Constitution, and how far we as the Union Parliament, are going to relinquish consciously and with eyes open relinquish, the authority conferred on us by the Constitution and how far we are going to make the President—I will not use the word 'dictator', because that has a malodour—all in all so far as the Punjab is concerned. Is it right for Parliament to confer unbounded power, complete power upon the President, though Parliament is competent to do so? No doubt Parliament can do that, but the question is whether it should. Parliament can certainly delegate powers to the President, but the point is whether Parliament should confer powers in such a sweeping and undefined manner. If the House will read the language carefully of clause 3 of this Bill.....

Mr. Chairman: Have we not covered this ground in passing the resolution. In fact, you have given that power to the President by the resolution. This measure is only consequential, as was earlier stated.

Shri Kamath: With due deference, Madam, to your sober and mature judgment, I think this point has not

been entirely covered. It may have been adverted to or referred to by Members; but I do not think it was exhaustively dealt with. I am saying this subject to your ruling and judgment. But that is my impression and I believe you will be inclined to agree with me. Now that you do not contradict me, I think you agree with me.

Clauses 3 and 4 are the main operative provisions of the Bill and upon these two clauses the House must now bestow its attention. Sub-clause (2) of clause 3 says that whether Parliament is or is not in session this law-making power of the Parliament will be exercised by the President. That point was briefly referred to by Mr. Sidhva. But it is a vital issue. The President may enact a measure; Parliament may confer upon him the power to enact legislative measures for the Punjab. But should we or should we not define or demarcate the limits of the President and Parliament? In regard to measures affecting the liberty of citizens, measures relating to the vital necessities of the people, such as food, and measures affecting important State matters, should not Parliament spare four or five days, or even a week to consider and enact those important measures and leave the rest to the President? Maybe we may have to postpone consideration of some other measures. An hon. friend behind me suggests that the Hindu Code Bill may be postponed. I do not wish to venture a definite opinion as to whether it should be postponed or not, but as between the safety and the liberty of the people in the Punjab and the Hindu Code Bill I will certainly give preference to the safety and liberty of the people of the Punjab. The Hindu Code Bill may wait. One or two other Bills that have been brought for this session may stand over in deference to important measures affecting the people of the Punjab. If, however, the hon. Minister thinks that it is not possible to make a distinction between important measures and unimportant measures, measures which are vital and which are not vital, if he is not competent to pronounce a judgment upon what is not vital for the people of the Punjab, then the next thing that must be done, and which cannot be avoided in any circumstances, is that any Act of the President in regard to the Punjab must be laid before Parliament within a week or so of its enactment, if Parliament is in session. If Parliament is not in session it should be brought before Parliament when it meets. That is the right and power of Parliament which I hope my friends assembled here in this august House

will in no circumstances abrogate, or will not let Government take away this right from them. This Parliament shall have and must have at least the power to scrutinize the Acts enacted by the President for the Punjab, and it is more or less supervision exercised by Parliament over the President. The Constitution itself is explicit on this point that the powers of the Punjab Legislature shall be exercisable by or under authority of Parliament. If we do not lay it down specifically in this Bill that the Acts enacted by the President shall and must come before the House, then we are violating the provision and consciously forfeiting the right conferred by the Constitution upon Parliament. The Constitution expressly confers the right, to legislate for the Punjab, upon Parliament, and the powers and rights of the Punjab Legislature shall be exercisable by and under the authority of Parliament. We should see that this Bill in no way detracts from this right conferred by the Constitution upon Parliament.

I think the hon. Minister is getting impatient. I do not know why he should not have a little more patience for the Punjab people. I do not know what he is pointing to—to heaven? I do not know what he is pointing at.

Shri Rajagopalachari: I was pointing to much nearer, the clock.

Shri Kamath: Oh! The clock? We are timeless. The Home Minister knows we are timeless. The clock is always there, has been there always, and will be there always to guide and warn us, but also to help us in our proceedings. Therefore, I hope that the Government and the Minister will have a little more patience in going through this Bill and will not be hasty. There is no need for haste. We have sat long enough and we are going to sit longer still. Government is well aware of that, and I do hope the Home Minister, wise as he is and ripe in his wisdom, will consider this particular point I have made.

There is one other point which I would like to stress. The Statement of Objects and Reasons in its last paragraph states that the Bill seeks to confer on the President the power of the Legislature of the State of Punjab and also to authorise him to delegate it to the Governor subject to such conditions as he may think fit to impose. The only authority mentioned here is the Governor. But I find from clause 4 of the Bill that

some other thing, which may not however be actually contemplated, is mentioned. That vagueness must disappear from the body of the Bill. Clause 4 authorises the President to delegate the power conferred upon him "to such authority as may be specified in the Order". In the Statement of Objects and Reasons it is only the Governor—the President shall delegate it only to the Governor and not to any other authority. This inconsistency ought to be removed. I know the language used in the Bill is the language of the Constitution. Why then this inconsistency between the Statement of Objects and Reasons and the body of the Bill itself? The one or the other must be remedied.

This House has in the first week of its present session considered two important matters. The very first was a matter of cession of Indian territory. The second was supersession. The first was cession, the second was supersession of the Punjab Legislature. The first itself, a matter of cession of a strip of territory of Assam to Bhutan, provoked a very—I would not say fierce—but a very interesting controversy, a very interesting debate. And not merely in this House. I have it on reliable authority and personal knowledge and personal talk that not merely the House but also people outside, have appreciated and benefited from it. It is therefore incumbent upon this House not to be ruffed by the unpatriotic of the hon. Minister but to discuss the pros and cons, the vital, constitutional issues embodied in this Bill, so that not merely the House which consists of very wise Members—they may not need much enlightenment—but others outside too may be enlightened. We are here talking and discussing not merely for our own sakes but also for the people outside, the millions who are dumb, and these that are not dumb, and we cannot afford to forget those people who wish to know and understand what is going on in Parliament. Therefore I cannot emphasise too much that a matter like this should not be disposed of lightly or cursorily. The power conferred upon the President to legislate, whether Parliament is in session or not, is, to my mind at any rate, not at all just routine matter. It has to be discussed and we have to see how far it detracts from our own rights and powers and how far we are prepared to abrogate the powers conferred upon us by the Constitution.

Article 357 of the Constitution in sub-clause (c) of clause (1) refers to

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the President's power to authorise expenditure from the Consolidated Fund of the State when Parliament is not in session—not when Parliament is in session. That is a mandatory provision and of course, as the Bill is silent on the subject, the Minister may argue that the President cannot act contrary to the Constitution. But to my mind it is wise for us to embody it in the Bill itself. I do not know if the power to authorise expenditure from the Consolidated Fund of the Punjab will be exercised even when Parliament is in session. When the provision is there in the Constitution we must embody it in the Bill itself and make it clear that the President will have authority—or some such wording, it is the substance that matters, not the wording—to authorise expenditure when Parliament is not in session, and that he can only do so, pending the sanction of such expenditure by Parliament. That is to say, he can authorise expenditure from the Consolidated Fund of the State pending its sanction by Parliament. This safeguard, I am convinced, must be there in the body of the Bill itself.

In short, I only wish to say that we have got to circumscribe the authority of the President. After all who is the President? The President is part of Parliament. As the Constitution defines, Parliament consists of the two Houses—of course we have got only one House now—and the President. But so far as legislation is concerned, Parliament, that is this House, must be supreme. When we confer a right on somebody else, we have to see to it that there are safeguards. It is not right for this House to confer such undefined, unlimited and unbounded powers upon the President to be exercised by him in spite of the fact that Parliament is in session. While, therefore, I support the principle of the Bill, I do appeal to the hon. Minister and to the House to see that the authority of Parliament is in no way stultified and that Parliament retains in its own hands full control and supervision over the Acts and actions of the President with reference to the legislation of the Punjab.

Sardar B. S. Man (Punjab): The present Bill is a logical conclusion of what we have already passed and in my opinion in the existing circumstances, this is the only feasible solution. A good solution, perhaps better still there would be, but I beg to differ from my hon. friend, Mr. Kamath in this respect when he wishes to assert

the powers of Parliament and to arrogate to itself with regard to the legislative powers which are now being given to the President and which in its own turn are to be delegated to the Governor or such authority as he may deem fit. I do not dispute the authority or the sovereignty of Parliament but I hesitate in delivering myself entirely in the hands of the present Parliament which may not sit again and when the General Elections are coming so near and certain legislative measures, which are of great importance to us there, may not be brought about into existence. In fact, if I agree to that, I shall be simply stultifying myself and reducing my State into a worse position than a Part C State. I would rather submit in the present circumstances to a benevolent autocracy of one man the Governor rather to a majority of my friends here who may be absolutely ignorant about certain local conditions. Just as the circumstances are, Members from the South, Members from far away places, from Assam and Bengal may not be knowing absolutely anything about certain local conditions and certain matters which are now in the State List and which are there because of certain constitutional proprieties. When we take them over to Parliament the fact and our experience show that before this very Bill came before the House, very few people, were taking a very keen interest and if I agree to leave certain measures and certain legislative measures at the mercy of the present Parliament, I am afraid, full justice may not be done. Apart from certain hypothetical considerations or otherwise, there is no practical utility about it when we know that this session is sitting for a very short time and after that there will be no session at all.

Shri Kamath: We will be sitting till the middle of October.

Sardar B. S. Man: My hon. friend has raised one point about a certain inconsistency regarding clause 4. The inconsistency is between the words "authority" and "Governor." I personally prefer the words "such authority" because in that case it will be of such a permissible nature that apart from the Governor, if tomorrow the Government thinks fit to have certain advisers or certain other people and delegate such powers along with the Governor to such people, it will be of a permissive nature but if we have only the Governor, I will be reducing myself absolutely to one man's rule.

I claimed before that it would be a good solution in the existing circumstances but better still, in order

to allay the fears of such critics as my hon. friends, Mr. Kamath and others who have criticised that it will be absolutely lapsing democracy in the Punjab, in that case—perhaps a point can easily be made—if the Government were to consider a second possible solution, my suggestion would be an improvement upon the first, namely to associate public opinion in the form of choosing or nominating certain advisory boards. In that case we will be having a certain semblance of associating public opinion along with the benevolent autocracy of the Governor.

Another point which I would like to bring to the notice of the hon. Mover here is that his resolution on that day and certain steps which have been taken now have hit rather badly an institution, whose neutrality and integrity we are all jealous to maintain—I mean the position of the Speakership of the Punjab Legislative Assembly. There are precedents no doubt generally but in this particular case the Speaker of the Punjab Assembly refuses to associate himself with any of the internecine strifes, party, jealousies and group formations going on in the Punjab. In fact this particular Speaker refused a Ministership when it was offered on several occasions, and when we, in the present case,—there is no escaping it—have passed a stricture or a censure about the status of the Ministry there and the status of the Legislative Assembly, could we not allow the office of the Speaker to continue?

Shri Sidhva: When the Legislature is superseded what is the object of the Speaker continuing in office?

Sardar B. S. Man: It would be possible for us to allow the Speaker to maintain his office and his own position. The Speaker is absolutely neutral. The integrity and neutrality of the office of the Speaker would be maintained. In my opinion this has only hit that individual very much.

With these words I commend this Bill and such other apparatus which we are trying to incorporate would be of a dilatory value. The Bill in its present form will be a very expedient measure and we should not try to bring in the authority of the supervision of Parliament too much. I think after this, a right will accrue to us to ask questions. And if there is anything going wrong we can certainly ask questions here and that will be fairly a safety value. Therefore, with these words, I commend the present Bill for the acceptance of the House.

पंडित डाकुर दास भार्गव : यह बिल जो हमारे सामने पेश किया गया है, यह अपनी तरह का निराला बिल है। इस में कोई शक नहीं कि हाउस (House) ने जेरे दफा ३५६ एक रिजोल्यूशन (Resolution) पास कर दिया है। लेकिन यह कहना, जैसा कि मूवर (Mover) साहब ने फरमाया है, या सरदार मान साहब ने फरमाया कि यह लाजिकल कन्क्लूजन (logical conclusion) है ३५६ का या उस का नेसेसरी कन्क्लूजन (necessary conclusion) है, यह खयाल कतई गलत है, न यह लाजिकल कन्क्लूजन है और न नेसेसरी कन्क्लूजन है। सवाल यह है कि आया ३५६ दफा के मामले को तय कर के अब ३५७ दफा पर किस हद तक इस पार्लियामेंट (Parliament) को अमल करना चाहिये।

मैं यहां यह अर्ज कर देना चाहता हूँ कि मैं इस सवाल के सिर्फ उन्हीं हिस्सों पर बहस करना चाहता हूँ जो कि कांस्टीट्यूशनल (Constitutional) किस्म के हैं और हाउस इस को एप्रीशिएट (appreciate) भी करेगा क्यों कि जो रिजोल्यूशन जेरे दफा ३५६ पेश किया गया था उस के अन्दर हम ने कोई हिस्सा नहीं लिया और सरदार मान साहब की शिकायत बिल्कुल दुस्त है कि हाउस ने उस रिजोल्यूशन को इस तरह पास कर दिया जैसे कि वह उन के हम बतनों से ताल्लुक नहीं रखता। उस के ऊपर कांफी बहस नहीं हुई। लेकिन साथ ही मैं अपने आप को इस काबिल नहीं पाता कि मैं उस रिजोल्यूशन पर या उस के अन्दरूनी हालात पर या जिन हालात में वह पास हुआ है या उस के नकायस या खूबियों पर बहस जारी कर सकूँ। मैं इस बिल के कांस्टीट्यूशनल आस्पेक्ट्स (aspects) पर अपने आप को

[पंडित ठाकुर दास भार्गव]

इकतफा करना चाहता हूँ। मेरे दोस्तों की याद होगा कि जब कांस्टीट्यूट असेम्बली (Constituent Assembly) में यह ३५६ और ३५७ का सवाल पेश हुआ था तो ५ घंटे तक इस मामले पर बहस हुई थी। बहुत से उजूल पेश किये गये थे। पुरानी गवर्नमेंट ने दफा ९३ में बहुत सी कांग्रेस गवर्नमेंटों को सस्पेंड (suspend) कर दिया था। वह सारी बातें हमारे सामने थीं और हाउस के बहुत से मेम्बरान की वह राय थी कि दफा ९३ को नये सिरे से हमारे कांस्टीट्यूशन में न लाया जाय। लेकिन ड्राफ्टिंग कमेटी (Drafting Committee) ने इस को पसन्द किया और ३५६ और ३५७ पर जो उस समय २७७ और २७८ दफात थीं मुझे भी बोलने का मौका मिला था और मैं ने २७७ ए और २७८ को जोर से सपोर्ट (support) किया था, क्यों कि हमारी इस यूनियन गवर्नमेंट को जितनी भी स्टेट गवर्नमेंट्स (State Governments) हैं उन के ऊपर कुछ अस्तियार देना चाहिये और मैं आज भी ऐसा ही यकीन रखता हूँ कि यूनियन गवर्नमेंट को प्राविशियल गवर्नमेंट (Provincial Government) पर अस्तियार होना चाहिये कि अगर कांस्टीट्यूशनल मैशिनरी (Constitutional machinery) फेल (fail) हो जाय या और ऐसे बाकयात हो जायें कि जिस से वहाँ की गवर्नमेंट का चलना मुश्किल हो जाय तो इस यूनियन गवर्नमेंट (Union Government) को अस्तियार होना चाहिये। उस वक्त जो सारे हाउस की सेंस (sense) थी और जो सेफगार्ड (Safeguard) हम ने ३५६ और ३५७ के वास्ते रखे थे वह निहायत जरूरी थे और वे सेफगार्ड ऐसे थे कि हम ने

ही उन को स्वीकार नहीं किया था बल्कि कुल मेम्बरान ने जिन्होंने उस बहस में हिस्सा लिया था सब ने उन सेफगार्ड्स को माना था। वह सेफगार्ड्स निहायत जरूरी थे। मैं यहाँ सिर्फ उन्हीं सेफगार्ड्स का जिक्र करना चाहता हूँ। एक सेफगार्ड तो इस कांस्टीट्यूशन में हम ने लिख दिया था लेकिन दूसरा सेफगार्ड लिखा नहीं गया था और उस वक्त जब कि बहस जारी थी डाक्टर देशमुख साहब ने मुझ से सवाल पूछा था कि तुम कैसे कहते हो कि यह सेफगार्ड मौजूद है जब कि यह लिखा हुआ नहीं है। उस वक्त मैंने जो जवाब दिया मैं जरूरी समझता हूँ कि मैं उस को यहाँ पुहराऊँ। पेशतर इस के कि मैं उन सेफगार्ड्स की तरफ आऊँ मैं बड़े अदब से अर्ज करना चाहता हूँ कि जहाँ हम को मालूम था कि यूनियन गवर्नमेंट को स्टेट गवर्नमेंट पर पावर (power) हासिल होगी वहाँ हम ने दफा ३५५, ३५६ और ३५७ के पहले पेश की और पास की। वह दफा इस तरह थी :

"355. It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

इस के अलवा मैं हाउस की इजाजत से २५६ को भी हाउस के सामने पेश करना चाहता हूँ। वह इस तरह है :

"356. The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government

of India to be necessary for that purpose."

यह दोनों इस वजह से मैं ने पढ़ कर सुनाये हैं कि मैं उस पावर (power) को काफी नहीं समझता जिस की रूढ़ से जेरे दफा ३५६ पंजाब की सारी गवर्नमेंट तकरीबन मुअत्तिल कर दी गई है। उस जमाने में जब वह मुअत्तिली का हुकम सादिर हुआ हमारे बुजुर्ग श्री बख्शी टेक चन्द साहब ने एक अखबार में अपनी राय छपवाई थी और वह राय में हाउस के सामने सारी तो नहीं पर उस का कुछ हिस्सा पढ़ कर सुनाना चाहता हूँ और यह बतलाना चाहता हूँ कि उन्होंने उस को किस तरह महसूस किया था। उन्होंने उस राय में फरमाया था जो कि २२ जून के अखबार में छपो हुई है। मुझे इस वक्त वह अखबार नहीं मिल रहा है, मगर उन्होंने उस में आहिर किया था कि यह पंजाब की मुअत्तिली पंजाबियों के लिये निहायत शर्म का मौका है। उन्होंने लिखा था कि हमारे सिर दुःख और हू मिलियेशन (humiliation) (के मारे झुके जाते हैं। उन्होंने लिखा है कि उस पंजाब में जिस की कि उन्होंने ने इनिमिटेबिल (inimitable) अल्फाज में तारीफ की थी, जिस में इतने बड़े बड़े बुजुर्ग हुए हैं जिन का उन्होंने नाम लिया था, भूमि जो कि लाला लाजपत राय की भूमि थी और जिस में कि बड़े बड़े बुजुर्गों ने जन्म लिया था आज वहाँ इस तरह की हुकूमत है कि जिस को जान कर रोना आता है। इसी हू मिलियेशन के मातहत में इस वक्त जो कहना चाहता हूँ वह नहीं कह पा रहा हूँ। जिस वक्त कांस्टीट्यूट असेम्बली में दफा ३५६ पास की गई थी उस वक्त मैं जानता था कि हमारी जिन्दगी में तो वह किसी स्टेट के साथ बरती नहीं जायेगी। कहा गया था कि यह पावर्स तो हम ऐसे ही रखे देते हैं इस को इन्तेमाल

नहीं किया जायेगा और जिन मेम्बरान ने इस बहस में हिस्सा लिया उन को वाजह कर दिया गया था कि इन दफत को इस्तेमाल नहीं किया जायगा। दूसरी बात जो इस सिलसिले में तसलीम की गई थी वह यह थी कि किसी स्टेट के खिलाफ मुअत्तिली का हुकम उस वक्त तक नहीं दिया जायगा जब तक यह साबित न हो जायगा कि वहाँ कांस्टीट्यूशनल मैशिनरी चल नहीं सकती और मुअत्तिली के पेशतर उस गवर्नमेंट को एक वार्निंग (warning) दी जायेगी। और यह मुअत्तिली का हुकम उस वक्त तक नहीं दिया जा सकता जब तक कि गवर्नर (Governor) यह तसलीम न कर ले कि वहाँ कांस्टीट्यूशनल मैशिनरी नहीं चल सकती। और गवर्नर यह उस वक्त तक तसलीम नहीं कर सकता था जब तक कि दूसरा इलेक्शन (election) न हो जाय। और दूसरे हाउस में यह न साबित हो जाय कि इस स्टेट में गवर्नमेंट नहीं चल सकती।

Shri Rajagopalachari: I am sorry to intervene, and I would not intervene if the hon. Member is going to end. But if he intends to proceed much longer in that direction I would like to point out as a matter of order, that we have disposed of the question which he legitimately—but he lost his opportunity at the proper time—is raising. Though perfectly just and legitimate, I think as a matter of order, he should have raised it on the last occasion. But if he is going to stop presently, I do not wish to raise this point.

Pandit Thakur Das Bhargava: I am sorry I have not been able to catch what the hon. Minister was saying.

Shri Rajagopalachari: The operation of article 356 was fully discussed on the occasion of the last resolution. On this Bill, if we are going to dilate too long on that, it will, I submit, be out of order.

पंडित ठाकुर दास भार्गव : मुझे अफसोस है कि हमारे आनरेबिल

[पंडित ठाकुर दास भार्गव]

मूवर साहब का स्याल सही नहीं है। यह स्याल जो हाउस के सामने है,

Shri Rajagopalachari: I was quite able to follow the previous arguments and I did not raise objection because of the peculiar circumstances. But if the hon. Member is going to contest in the present debate the propriety of the action taken under article 356, I submit with respect that it is out of order.

पंडित ठाकुर दास भार्गव : मैं अदब से अर्ज कलंगा कि मैं इस के ऐतराज का जवाब दे रहा था उस के दोहराने से जो मेरे जवाब देने की मजबूती थी वह और भी ज्यादा हो गई है और इस की वजह यह है। ऐतराज यह है कि वह सवाल तय हो गया है। मैं ने खुद अर्ज किया था कि उस सवाल को खोलना नहीं चाहता। इसी वजह से नहीं कि हाउस ने उस को अप्रुवल (approval) दे दिया है बल्कि इस वजह से कि इस का कांस्टीट्यूशनल आसपैक भी है जिस की वजह से मैं इस सवाल को खोलना नहीं चाहता। लेकिन मैं अदब से अर्ज करना चाहता हूँ कि आप इस बिल में क्या चाहते हैं। आप चाहते हैं कि पार्लियामेंट की पावर, जो जेरे दफा ३५६ में ला मेकिंग (Law making) की पावर पार्लियामेंट को हासिल है वह प्रेसीडेंट (President) को दे दी जाय। और इस के म हैं प्रेजेंट गवर्नमेंट (present Government) को दे दी जायें। दफा ३५६ से इस हाउस के मेम्बरों को जो पावर हासिल हो चुकी है यह बिल यह चाहता है कि वह सब पावर्स अम्बल में इन २० आदमियों को दे दी जायें जो प्रेसीडेंट साहब के माने हैं। प्रेसीडेंट साहब का तो नाम है। जो उन्होंने यहां एड्रेस (address) पढ़ा उस में किस की स्पीच (speech)

थी ? क्या वह प्रेसीडेंट साहब की स्पीच थी क्या प्रेसीडेंट साहब चाहते थे कि हिन्दू कोड बिल (Hindu Code Bill) इसी सेशन (session) में पास हो जाय। वह स्पीच थी गवर्नमेंट की। प्रेसीडेंट साहब के माने हैं गवर्नमेंट। तो पहली चीज तो यह है कि जो पावर इस पार्लियामेंट को है वह प्रेसीडेंट को दी जाय।

अब मैं दिखाना चाहता हूँ कि प्रेसीडेंट साहब ने इस मामले में जो कुछ किया वह ऐसा नहीं था कि उस से हम को यह इतमीनान हो सके कि हम यह नयी ताकत प्रेसीडेंट साहब को दे दें, यह बात है नम्बर एक। मूवर (Mover) साहब मुझे माफ करेंगे कि इस तरह, इस नुज्जे निगाह से प्रेसीडेंट साहब को पावर देन के लिहाज से सब बातें रिलेवेंट (relevant) हो जाती हैं।

दूसरी चीज इस बिल में जो है वह यह है कि आज पार्लियामेंट बैठी हुई है। अब इस पार्लियामेंट के बैठे हुए हम से यह कहा जाता है कि वह पावर गवर्नमेंट को दे दो जो किसी को भी हासिल नहीं है। दफा २१३ में गवर्नमेंट आर्डिनेन्स (Ordinances) पास कर सकती है। प्रेसीडेंट साहब को हक है कि वह आर्डिनेंस जारी कर दें। लेकिन वह आर्डिनेंस फौरन ही हाउस के सामने आते हैं। लेकिन अब हम से क्या कहा जाता है ? कहा जाता है कि चाहे पार्लियामेंट बैठी हो या चाहे न बैठी हो, प्रेसीडेंट साहब को अख्तियार दे दिया जाय कि वह जो चाहें कानून पास कर सकें। और इस में एक बात और है। अभी प्रेसीडेंट साहब के माने हैं मौजूदा गवर्नमेंट के। और जो अभी गवर्नमेंट है उस पर हम को भरोसा है। मुझे इस गवर्नमेंट पर अभी

ऐतबार है और मैं नहीं समझता कि ग्रह गवर्नमेंट पंजाबियों के साथे इन्साफ नहीं करेगी। लेकिन प्रैसीडेंट साहब को पावर देना तो अलग है, यह बिल उस से दूर जाता है। यह बिल चाहता है कि प्रैसीडेंट साहब को नहीं इस गवर्नमेंट को नहीं बल्कि एक गवर्नर को न सिर्फ सारे एग्जीक्यूटिव पावर (Executive power) बल्कि सारे लैजिस्लेटिव पावर (Legislative power) दे दिये जायें। यह बात हम से चाही जाती है, जिस को मेरे लायक दोस्त सरदार मान बेनीवालेंट आटाकैसी (Benevolent autocracy) कहना चाहते हैं। मैं एक माने में बहैसियत कांस्टीट्यूशनल लायर (Constitutional Lawyer) के बगैर इस को देखते हुए कि हमारे गवर्नर साहब कैसे हैं या हमारे प्रैसीडेंट साहब कैसे हैं मैं इस आटाकैसी को न्यूड (Nude) आटाकैसी के नाम से याद करता हूँ। एक आदमी को ही सारे पावर दिये जाते हैं। वह हर एक चीज का फंसला कर दे। एक शास्त्र को यह पावर देना हरगिज जायज नहीं। मैं अदब से अर्ज करूंगा कि इस बिल में तीन चीजें चाही जाती हैं। सारे पावर्स प्रैसीडेंट को दिये जायें, प्रैसीडेंट के ऊपर जो २१३ में सेफ़गार्ड हैं वह भी हटा दिये जाय और यह पावर्स अकेले एक आदमी को, गवर्नर को दे दिए जाय मैं बहुत अदब से अज करना चाहता हूँ और मूवर साहब से बहुत अदब से पूछना चाहता हूँ कि इस को देखने के लिये मूझे गवर्नर का ऐक्ट (Act) या प्रैसीडेंट साहब का ऐक्ट नहीं देखना है। मुझे देखना है कि अब तक पंजाब के साथ कांस्टीट्यूशनल तरीके से चला गया है या नहीं। इस नुकते स्याल से जब मुझ से यह स्पेशल (special) पावर्स चाही जाती हैं तो मेरा यह कांस्टीट्यूशनल राइट (right) है कि मैं देखू कि किस रू से यह पावर्स में दूँ। मैं अर्ज कर रहा था कि जब दफा

३५६ और ३५७ पेज की गई उस वक्त यह सब बातें आई थीं। मैं आप की इजाजत से दफा ३५७ के बाबत जो हुआ वह बताना चाहता हूँ। जब दफा ३५६ आती है तो फिर ३५७ आती है, ३५६ और ३५७ एक ही चीज के दो फैसेट्स (facets) हैं। ३५७ नहीं आता जब तक कि ३५६ नहीं आता।

Shri Rajagopalachari: On a point of explanation. When I said that, I referred to what the Member had already said and was inclined to say. What he has now said is perfectly in order.

पंडित ठाकुर दास भार्गव : मैं निहायत मशकूर हूँ राजा जी का। वह हमेशा ही हमारे ऊपर, जूनियर मेम्बर्स (Junior Members) पर इनायत फरमाते हैं।

Shri Rajagopalachari: Because of the point I raised, probably it has had its effect and the Member is coming...

Pandit Thakur Das Bhargava: I am sorry I did not hear the last few words of my hon. friend.

Shri Rajagopalachari: When I raised the objection I was right—the hon. Member was proceeding on the subject matter of the previous resolution. But after I raised the objection the hon. Member is proceeding on right lines and I do not wish to raise any point.

पंडित ठाकुर दास भार्गव : मेरी अदब से गुजारिश यह है कि आबजैक्शन (Objection) के बाद तो मैं ने प्रोसीड (proceed) ही नहीं किया, मैं ने तो सिर्फ आबजैक्शन का ही जवाब दिया है। लेकिन अब इस लाइट (light) में कि आप इस आबजैक्शन के जवाब को दुस्त मानते हैं मैं प्रोसीड करूंगा।

जब राजा जी ने आबजैक्शन फरमाया तो मैं यह अर्ज कर रहा था कि दर असल हम को यह देखना है कि आया प्रैसीडेंट साहब को या गवर्नर साहब को जो पावर्स ३५६ से हासिल है उन को अब तक कैसे इस्तेमाल किया गया

[पंडित ठाकुर दास भार्गव]

है जिस से हम को इतमीनान हो सके कि पार्लियामेंट की सारी ताकत हम गवर्नर को या प्रेसीडेंट को दे दें या न दे दें। मैंने शुरू में अर्ज किया था कि जिस वक्त यह प्रावीजन (Provision) बना उस वक्त गवर्नर के ऊपर दो जिम्मेदारियां डाली गई थीं और प्रेसीडेंट साहब पर भी दो जिम्मेदारियां डाली गई थीं। एक जिम्मेदारी यह थी कि जिस तरह ड्यूटी (Duty) होती है तो उस के साथ राइट (Right) भी होता है। राइट है प्रेसीडेंट साहब को कि अगर रिपोर्ट ऐसी पहुंचे तो सब को मुअत्तल कर दें। लेकिन इस में ड्यूटी भी दी हुई है, दफा ३५५ में। मैं अब से पूछता हूँ कि इस ड्यूटी के बारे में क्या किया गया ? मे ने बड़ी तवज्जह से वह स्पीच सुनी जो रिजोल्यूशन के बारे में राजा जी ने इस हाउस में दी थी। मैंने आज भी बुजुर्ग राजा जी की तक्ररीर सुनी। लेकिन मुझे इन तक्ररीरों से अब तक नहीं मालूम हुआ कि हमारे प्रेसीडेंट साहब ने या हमारी सेंट्रल गवर्नमेंट (Central Government) ने क्या ऐसे ज़राए अस्तियार किये, क्या मेज़र्स (Measures) उन्होंने लिये जिन से यह ज़ाहिर हो कि जिस वक्त पंजाब की गवर्नमेंट चलती कर रही थी उस वक्त उन्हें ने क्या डाइरेक्शन्स (directions) दिये थे। किस तरह की कार्यवाही उन्होंने की जो कि इन अकार्डेंस विथ कांस्टीट्यूशन (In accordance with Constitution) होती, यह मुझ को अब तक पता नहीं लगा। और इस से मैं यह नतीजा निकालता हूँ कि कभी किसी किसम की कार्यवाही, कोई मेज़र (measure) गवर्नमेंट की तरफ से नहीं लिया गया जो दफा २५६ और ३५५ के नीचे जायज़ और

दुफ्त होता और जिस से कांस्टीट्यूशन के अनुसार कार्यवाई कराई जाती।

इस के अलावा मैं अब से आप की खिदमत में यह अर्ज करना चाहता हूँ कि जिस वक्त हम ने यह दफा पास की थी उस वक्त भी यह मामला उठा था। इस सिलसिले में मैं सब से पहले डाक्टर अम्बेदकर के चन्द फिकरे आप की खिदमत में पढ़ कर सुनाऊंगा जो उन्होंने दफा ३५६ और ३५७ के बारे में कहे थे। उन्होंने ने यह फरमाया था :

"In regard to the general debate which has taken place in which it has been suggested that these articles are liable to be abused, I may say that I do not altogether deny that there is a possibility of these articles being abused or employed for political purposes. But that objection applies to every part of the Constitution which gives power to the Centre to override the Provinces. In fact I share the sentiments expressed by my hon. friend Mr. Gupta yesterday that the proper thing we ought to expect is that such articles will never be called into operation and that they would remain a dead letter. If at all they are brought into operation, I hope the President, who is endowed with these powers, will take proper precautions before actually suspending the administration of the Provinces. I hope the first thing he will do would be to issue a mere warning to a Province that has erred, that things were not happening in the way in which they were intended to happen in the Constitution. If that warning fails, the second thing for him to do will be to order an election allowing the people of the province to settle matters by themselves. It is only when these two remedies fail that he would resort to this article. It is only in those circumstances....."

Mr. Chairman: I am afraid the hon. Member is again speaking on the resolution which was passed.

Pandit Thakur Das Bhargava: I am submitting that as a matter of fact these safeguards were not resorted to, and these obligations which were laid down by the Constitution for the President were not fulfilled before the order was passed. In the circumstances, we have to consider whether

we should be advised to give these powers to the President. That is the line of my argument.

Mr. Chairman: I think the hon. Member himself said that he is speaking on the resolution.

Pandit Thakur Das Bhargava: Not at all. I am not speaking on the resolution. It is passed.

Shri Rajagopalachari: I think the hon. Member means to say that because the President has failed in his duty on such and such an occasion he is now reluctant to give powers to him.

Pandit Thakur Das Bhargava: The hon. Minister has correctly interpreted me. When this article 357 was being debated in the Constituent Assembly I had the good fortune to take part.

Shri Rajagopalachari: How is the quotation from the Constituent Assembly proceedings relevant? It would apply to the past resolution and not to this.

Pandit Thakur Das Bhargava: If the background of the resolution is not seen, I fail to see how we would be able to understand why we gave these powers.

When Mr. Naziruddin Ahmad was speaking, this is what I submitted:

"I think the constitutional machinery cannot be regarded ordinarily to have failed unless the dissolution powers are exercised by the Governor under article 153."

and when I spoke I made it absolutely clear that no Constitution could be taken to have failed unless and until this power was exercised. Mr. Kamath and others were not of the same view as I and the Drafting Committee were. In regard to that, I submitted:

"These critics seem to have failed to see that no constitutional remedies relating to the State are exhausted. In my humble opinion as soon as such a situation arose, the first duty that the Governor will perform will be to dissolve the House. Unless and until every attempt has been made, and unless he finds that even the ordinary liberties cannot be enjoyed by the people, he will not come to the conclusion that the Constitution has failed....."

Mr. Chairman: May I know what bearing this quotation has on this debate?

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Pandit Thakur Das Bhargava: The Governor whom this Bill seeks to empower as the sole monarch of what he sees was enjoined upon by the Constitution to behave in a particular way and since he did not behave in that way, I am very reluctant now to give these powers to him. This is my line of argument. I am saying that it was admitted on all hands that the only way in which the Governor could exercise the power was to dissolve the House. This is not all. I am going to give you more information. At that time Dr. Deshmukh raised an objection. He interrupted and asked:

"On a point of information, Sir, may I ask the hon. Member to tell us where is the provision in the articles that we have agreed to for the dissolution of the House by the Governor, in any emergency?"

He expressed similar sentiments yesterday. Then I replied:

"May I put a counter question to my hon. friend and ask him where is the provision to say that the Governor shall not act under article 153? I also understand that the Constitution requires that the Governor shall act in this respect, in his discretion, and so as soon as he finds that the situation is such that the dissolution of the House is necessary, then it is his duty to act in such a manner. The Central Government also will look into the matter, and will not take up the administration of the State lightly, because it is a very hard task. Why do you think that the Governor will not act? That is the question which my friend has to answer before he puts the question to me".

I can quote from the speeches of every Member, but I do not want to dilate on this point. At the same time, it will not be correct if I do not refer to the statement of one of the Members of this House—Mr. Santhanam. He made it absolutely clear that this convention must grow and without this convention article 356 will become an engine of oppression.

Mr. Chairman: I wish to draw the attention of the hon. Member that these quotations were more appropriate when we were considering the question as to whether action should be taken under article 356 or not. Now, I would like him to confine his arguments to the provisions of this Bill.

पंडित ठाकुर दास भार्गव : मैं आप की इस राय की निहायत कद्र करता हूँ और

[पंडित ठाकुर दास भार्गव]

मैं आप का मशकूर हूँ कि यह आप ने मुझ पर छोड़ दिया है कि मुझे उस वक्त यह एतराज उठाना चाहिये था जब कि ३५६ दफा पेश थी, तो उस के मुताल्लिक तो मैं ने खुद अर्ज किया है कि ३५६ दफा को हम अप्रूव (Approve) कर चुके और हम उसे रीओपन (Reopen) नहीं करना चाहते। मैं ने कब कहा कि हमारे बुजुर्ग लोग कि जिन्होंने ने इस को मुअत्तल कर दिया और सारे पंजाब के कांस्टीट्यूशन (constitution) को सस्पेंड (suspend) कर दिया, उन्होंने ने कोई गलती की। कांस्टीट्यूशनल गलती एक चीज है और वाक्यात्त की गलती दूसरी चीज है। अप्रूवल (Approval) हम ने माना, हम अपने बुजुर्गों के बरखिलाफ अर्ज नहीं करना चाहते कि उन्होंने ने हम को जमीन पर रूगा दिया और करीब करीब कल कर दिया, कल कर दिया या नहीं कर दिया, हम उस की शिकायत नहीं करना चाहते। लेकिन जब आप नई पावर्स (Powers) देना चाहते हैं तो मैं जरूर उस के मुताल्लिक अपने ह्यालात रक्खूंगा। मैं कांग्रेस पार्टी का मेम्बर हूँ और इस देश में कांग्रेस ही एक ऐसी जमाअत है जो इस देश की हिफाजत कर सकती है और करती है और उस के अलावा मुझे कोई दूसरा संस्था नजर नहीं आती जो कांग्रेस की तरह इस देश की हिफाजत करे या इस देश की सिविल लिबर्टी (Civil Liberties) को सेफगार्ड (safeguard) कर सके। हालांकि सारा देश कांग्रेस नहीं है और लाखों आदमी ऐसे हैं जो कांग्रेसी नहीं हैं लेकिन वह सब कांग्रेस के साथ हम दर्वी करते हैं और कांग्रेस की बात को मानते हैं। पंजाब के बारे में आज लोग मुझ से पूछते हैं कि पार्लियामेंटरी बोर्ड (Parliamentary Board) ने तो ठीक ही

कांग्रेसी हुकूमत के बारे में यह फंसला कर दिया, लेकिन गैर कांग्रेसी जो वहां रहते हैं उन के हुकूम की क्या हिफाजत हुई?, खैर वह तो आप की बनाई हुई कांग्रेसी हुकूमत थी और कांग्रेस के ही पार्लियामेंटरी बोर्ड ने यह मानला कर दिया और यह ऐक्शन (Action) ले लिया, लेकिन वह कहते हैं कि अपोजीशन (opposition) के जो सात मेम्बर गैर कांग्रेसी थे उन को गवर्नर ने क्यों नहीं वज्जारत बनाने के लिये कहा, उन को क्यों इस बात के लिये दवात नहीं दी, तो मेरे पास इस का कोई माकूल जवाब कतई नहीं है और मेरा सिर उन के सवाल करने पर शर्म से झुक जाता है। यह मैं मानता हूँ कि दरअसल मैं उन सात मेम्बरों की क्या हैसियत थी कि वह गवर्नमेंट बनाते, लेकिन जो कांस्टीट्यूशनल चीज गवर्नर को करनी चाहिये थी, वह नहीं की गई और उस का मैं उन लोगों को कोई माकूल जवाब नहीं दे सकता, और यह भी मुमकिन हो सकता था कि ऐसे समय जब पंजाब की आम्नादी और इज्जत का सवाल दरपेश होता, तो असेम्बली के बहुत से मेम्बरान उस वक्त अपोजीशन में शामिल हो जाते और वज्जारत का काम चला सकते, मुझ से जब वह ऐसा कहते हैं तो मेरे पास उस के लिये कोई जवाब नहीं रहता कि गवर्नर ने ऐसा क्यों नहीं किया और इस सवाल का जवाब मैं चाहता था कि राजा जी की तक्रीर सुनने के बाद मुझे मिल जायगा और मैं लोगों को बतला सकता कि दरअसल गवर्नर की कोई गलती नहीं है। मैं समझता हूँ कि दरअसल उसकी इच्छा थी कि वह उन को मौका देता, लेकिन वह शिकायत करते हैं कि गवर्नर साहब यहां तशरीफ ले आये और यहां से सब कुछ पूछताछ कर के सलाह कर के यहां से गये,

लेकिन मुझे इस से बहस नहीं है कि उन्होंने गलत किया या दुस्त, लेकिन लोगों को इस गवर्नर के खिलाफ यह शिकायत है कि उन्होंने ने ऐसा किया। उन की पर्सनलिटी (personality) से मुझे कोई मतलब नहीं है, वह चार वर्ष से पंजाब में हैं और मैं जानता हूँ कि वह बहुत शरीफ आदमी है, तो जैसा मैं ने पहले बर्ष किया पर्सनेलिटी का सवाल नहीं है, यह कांस्टीट्यूशनल ला (Constitutional law) का सवाल है कि गवर्नर जो कांस्टीट्यूशनल ला था उस को पूरी तौर से अदा नहीं कर सकता। सवाल यह है कि आज क्या हम इस गवर्नर को सारे पंजाब की ला मेकिंग पावर (law making powers) दे सकते हैं? अभी हमारे दोस्त सरदार मान ने कई बातें कहीं थीं। जिन्हें मैं मुन कर हैरान रह गया। वह फरमाते हैं कि अगर इस पार्लियामेंट के अन्दर कहीं ऐसा हुआ और हम को यह काम करना पड़ा तो यह पार्लियामेंट के जितने मेम्बर सहवान हैं यह जो मध्य प्रदेश मद्रास से बंगाल से और दूसरी दूसरी जगहों से आये हैं, यह पंजाब के सवाल को नहीं समझेंगे। खुद पंजाब के गवर्नर साहब पंजाब के रहने वाले नहीं हैं। इस के अलावा सारे जितने कानून हैं जो कि सेंट्रल लिस्ट (Central list) में हैं, उन को यह पार्लियामेंट पंजाब के वास्ते लेजिस्लेट करती है और वह सारे कानून पंजाब के वास्ते पास करती है। कौनकरेंट लिस्ट (concurrent list) में जितने कानून आते हैं उन को यह पार्लियामेंट पास करती है। मैं इस चीज को नहीं मानता कि पंजाब के एक छोटे से सुबे के लिये यह पार्लियामेंट उस का काम नहीं कर सकती मुझे इस पार्लियामेंट पर और अपने दोस्तों पर पूरा एतबार है और कामिल यकीन है कि यह पंजाब के सुबे के लिये काम कर सकती

है और मैं चाहता हूँ कि पार्लियामेंट को जो पावर प्रेसीडेंट साहब ने धारा ३५६ में दी है, वह पावर जो हमें मिली हुई है, उस को न हम गवर्नमेंट को दें और न हम गवर्नर को दें। 1 P.M. अब जो एग्जिक्यूटिव (executive) को पावर्स हैं धारा ३५६ के मातहत, उन को मैं क्वेश्चन (question) नहीं करता। वह प्रेसीडेंट साहब के पास हैं, हमारी गवर्नमेंट के पास हैं ताकि वह इस्तेमाल करें। लेकिन कानून बनाने की पावर को मैं नहीं चाहता था कि वह हमसे छीन ली जाय। और तो कोई पावर है नहीं, सिर्फ ला मेकिंग की पावर है, उस के लिये बेहतर यह होता कि जो मेम्बर वहां मौजूद थे उन्होंने को अस्तियार दे दिया जाता कि वह कानून बनायें। उन लोगों ने कौन सी गलती की है। कौन सा ला पंजाब असेम्बली ने बनाया है जो इतना खराब है कि उन को ला मेकिंग पावर छीन ली जाय। अगर किसी शक्श के खिलाफ कोई कुसूर साबित नहीं हुआ तो उस की पावर को छीनने के माने क्या है। अब कौन सी मसीनरी जारी होगी मुझे इस का पता नहीं है, लेकिन मैं अदब से पूछना चाहता हूँ कि ला मेकिंग के सिवा ३५६ के अन्दर कोई हक नहीं है। उस के अन्दर यह अश्वास एक्ट बनायेंगे जो सरदार मान के कहने के मुताबिक पंजाब की हालत से वाकिफ हों। क्या हमारे स्पीकर साहब (hon. Speaker) जिन का जिक्र अभी सरदार मान ने किया, वह इस तरह के स्पीकर नहीं जो सारे हाउस को अच्छी तरह से कंट्रोल कर सकें और कानून पास कर सकें। स्पीकर साहब का जिक्र शायद इस सब्जेक्ट का मौजू नहीं है, लेकिन मैं निहायत अदब के साथ अज्ञ करना चाहता हूँ कि हमारे स्पीकर साहब पंजाब के एक निहायत दयानतदार आदमी हैं, सरकार को नहीं चाहिये था कि उनका आफिस (office) बन्द

[पंडित ठाकुर दास भागंब]
 (vacate) कराती । लेकिन मैं तो अर्ज करना चाहता हूँ कि बहुत खुशी की बात है कि पार्लियामेंट अपना फर्ज कानून बनाने का पूरा करे । मैं इस को नहीं मानता कि पार्लियामेंट इस काम को नहीं कर सकती, पार्लियामेंट सारे कानून बना सकती है, यह कहा जा सकता है कि उस को कानून बनाने का अस्तित्कार है इस लिये वही बनाये । इट शैल बी काम्पीटेंट (It shall be competent) इस के माने यह नहीं है कि सिर्फ उन्हीं को अस्तित्कार है कि वह कानून बनायें । अस्तित्कार किसी को भी हो सकता है, मुझ को अस्तित्कार है कि मैं खुदकुशी कर लूँ, कुएं में कूद पड़ूँ, लेकिन मैं इस अस्तित्कार को कभी इस्तेमाल नहीं करता : मैं कभी खुदकुशी करने या कुएं में कूदने नहीं जाता। मैं तो कहता हूँ कि मुनासिब था कि पार्लियामेंट की सावरेन पावर्स (sovereign powers) आज सारे पंजाब की बहबूदी के काम में आतीं । इस वक्त तो हम पाटं सी स्टेट्स में भी डिम्मेदार सरकार बनाना चाहते हैं । छोटी छोटी स्टेट्स में भी ऐडवाइजर्स (advisers) की कमेटियां बन रही हैं और हम पंजाब के रहने वाले इस हिउमिलिएशन (humiliation) के नीचे मरे जा रहे हैं । पता नहीं किसी ने कुछ कहा या नहीं कहा लेकिन हम किसी को हर्गिज मुंह दिखाने की भी जुरत नहीं कर सकते ।

Sardar B. S. Man: The solution which my hon. friend is suggesting will be a standing humiliation—it will be a reminder to them day in and day out.

पंडित ठाकुर दास भागंब : अगर यह सूत्र है तो मेरे ख्याल में यह जो बिल है, अगर हमारे रोज मर्रा के काम के लिये पार्लियामेंट का काम करना हिउमिलिएशन है तो इस बिल का पास हो जाना एक एक

मिनट, एक एक लमहा हमें तकलीफ देगा । हमारे पंजाब के हाउस (house) की, जिस में इतने मेम्बर हैं, अगर उस की पावर जाती रही और इस हाउस में हमारे पंजाब के मामले आयें तो इस में हमारा फायदा है । यहां हमारे बीस काबिल मिनिस्टर हैं, हम अच्छे से अच्छे कानून बनायेंगे, इस से हमारा फायदा है । मैं तो इस पार्लियामेंट का दिल दादा हूँ और उस ने हमें अच्छे कानून दिये हैं । लेकिन मैं निहायत अदब से पूछना चाहता हूँ, अगर आप प्रेसीडेंट साहब को अस्तित्कार दें, अगर आप गवर्नमेंट को अस्तित्कार दें तो गवर्नमेंट में कौन हैं ? हमारे राजा जी हैं, पंडित नहरू साहब हैं, और हमारे दूसरे बुजुर्ग हैं । क्या हमें गवर्नर के मुकाबले में इन लोगों पर कम एतबार है ? मैं निहायत अदब से दरयाफ्त करना चाहता हूँ कि क्या राजा जी पंजाब के बारे में नहीं जानते, हमारे सरदार बलदेव सिंह नहीं जानते ? हमारे मौलाना साहब जिन के पास सच्चर साहब, कैरों साहब दीड़-दीड़ कर तशरीफ लाते हैं, वह सारी बातें सुनाते हैं, सारी उम्र उन की पंजाब का काम करते गुजर गई, हमारे बुजुर्ग प्राइम मिनिस्टर साहब जिन्होंने पंजाब को मार्शल ला (Martial law) से बचाया, रिहैबिलिटेशन (rehabilitation) के लिये जा कर इतना काम किया, क्या यह लोग वाकिफ नहीं हैं, सिर्फ गवर्नर साहब ही वाकिफ हैं ।

کہانی جی - ایس - مسافر :
 واقف ہوں نہیں تو یہ فیصلہ دیا
 مناسب سمجھکر کہ اس طرح کا راج
 ہونا چاہئے -

पंडित ठाकुर दास भागंब : हमारा इस तरह पर राज्य होना चाहिये, मैं इस को डिस्प्यूट (dispute) नहीं

करता, उन्होंने फैसला दे दिया, सही या गलत। मैं इस को नहीं देखता। वह गवर्नर काफी काबिल हैं लेकिन मैं एक बात जरूर अर्ज करना चाहता हूँ और वह सोचने की बात है, सारे हिन्दुस्तान के सोचने के काबिल है और वह यह है कि हमारी गवर्नमेंट का कान्स्टिट्यूशन और हमारी कांग्रेस का जो कान्स्टिट्यूशन है उस के अन्दर एक ऐसी चीज है, एक ऐसा पेच पड़ा हुआ है जिस की वजह से गैर कांग्रेसियों की तसल्ली नहीं हो सकती। जिन साहबान के हाथ में उस गवर्नमेंट की बागडोर है उन्हीं साहबान के हाथ में इस गवर्नमेंट की बागडोर है। इस के माने यह है कि जो वहाँ से सिफारिश करते हैं भारत सरकार को, वही यहाँ जज के तौर पर फैसला करते हैं। यह सोचने की चीज है। मैं अदब से अर्ज करूंगा राजा जी की खिदमत में कि इस का कोई तरीका निकालें। सारे देश में यह चीज हम को सख्त दुःख दे रही है। प्राविन्सल गवर्नमेंट से प्राविन्सल कमेटीज के मुकाबले में, आल इंडिया कांग्रेस में हमारी सेंट्रल गवर्नमेंट के मुकाबले में फ्रिक्शन (friction) हो जाता है। यह सवाल कांग्रेस का नहीं है जितने गैर कांग्रेसी हैं सारी हिन्दुस्तान की हुकूमतों में वहाँ के लिये, हुकूमत का दारोमदार इसी बात पर है कि इस सवाल को हल किया जाय। मैं अर्ज करूंगा कि इस सवाल के हल हो जाने से सब जगहों पर सुभीता हो जायगा। मैं सिर्फ पंजाब के लिये अर्ज नहीं करता। यह मुसीबत उड़ीसा में आ सकती है, बम्बई में आसकती हैं मद्रास में आ सकती है। मैं अदब से कहना चाहता हूँ कि सारे हिन्दुस्तान में जो दिक्कतें हैं वह सब के लिये एक हैं कर्प्शन (corruption) में समझता हूँ कि पंजाब में और सबों के मुकाबले में बहुत कम है, लेकिन यह तो राय का सवाल है। कानफ्लिक्ट (conflict) को दूर करने के लिये यह

जरूरी है कि जब ऐसा भीका आये, उस वक्त न जल्दी का मुकाम है, न झूठे प्रेसटिज (prestige) का सवाल है, बल्कि ठंडे दिल से सोचने की बात है। मैं अदब से अर्ज करता हूँ कि मैं यह सिर्फ बहस के लिये अर्ज नहीं करता, मेरा यह ख्याल है कि इस वक्त जो बिल है, उस के अन्दर अगर हाउस हम को चार दिन का वक्त दे तो उस के अन्दर पंजाब के बारे में जितने जरूरी बिल हैं वह पास किये जा सकेंगे। इस के अलावा सरदार मान साहब ने एक तख्तीज रखी थी, उन्हीं ने फरमाया था कि इस के अन्दर लिखा हुआ है, टु सच अथारिटी ऐज मे बी स्पेसीफाइड इन-दि आर्डर, (To such authority as may be specified in the order) प्रेसीडेंट को अस्तयार है कि किसी दूसरी अथारिटी को अस्तयार दे दें जिस को वह स्पेसिफाई कर के कंडीशंस लगा दें। इस के बारे में अगर यह होता तो शायद मुझे यह तसल्ली होती कि हमारे प्रेसीडेंट साहब या हमारी गवर्नमेंट चार दफा सोचेगी पेस्तर इस के कि वह सवा करोड़ आदमियों की किस्मत को एक गवर्नर के हाथ सोंपे मगर यह चीज साफ है कि वहाँ किसी अथारिटी का जिक्र नहीं है, Objects and Reasons में जिक्र है: "and shall authorise him to delegate it to the Governor subject to such conditions" यह अथारिटी सिर्फ गवर्नर को सौंपी जायेगी। गवर्नर कानून बनाने वाले वही सेफ्टी ऐक्ट (Safety Act) का कानून बनाने वाले, वही नाफिज करेंगे। मेरी अदब से गुज्राशिश यह है इन हालात में यह निहायत जरूरी है कि हम यह सोचें कि क्या और कोई अथारिटी नहीं हो सकती। अगर इस हाउस का फैसला जल्दी न हो सके, तो जैसा मेरे लायक दोस्त ने कहा कि हिंदू कोड बिल की अभी क्या जरूरत है, फौजें सरहद पर तनी खड़ी हैं अभी आप हिन्दू कोड बिल को न लें बड़ा वक्त बच जायेगा, पंजाब ऐक्ट का

[पंडित ठाकुर दास भागवत]

निहायत गौर के साथ मुताला कर के और कानून बना सकते हैं ।

इस के अलावा एक हफ्ते से ज्यादा इस पार्लियामेंट को नहीं बैठना होगा, लेकिन यह कहा जाता है कि हमें इस सेशन को ५ अक्टूबर को खत्म कर देना है । यह कौन सी किताब में लिखा हुआ है । जब हम ने अपने ऊपर जिम्मेदारी ली है और करोड़ों आदमियों के हकूक को हसब किया है तो उस के जो नतायज हैं वह भी हम को भुगतने पड़ेंगे । पार्लियामेंट एक हफ्ते बैठ कर यह सब कानून बना सकती हैं । वह सी० स्टेट्स जैसे भौपाल, कुर्ग और दिल्ली के वास्ते तो इतना खर्च करती हैं । दिल्ली का किराया कंट्रोल का बिल आने वाला है जो कि दो तीन दिन खा लेगा । क्या इस के मुकाबले में पंजाब के जमींदारों की और पंजाब के दूसरे लोगों को कोई बकअत नहीं है ।

मैं आप की खिदमत में अर्ज करना चाहता हूँ कि सरदार मान साहब ने अपनी तकरीर में एक और ब्याल का इजहार किया था । मैं उस को थोड़ा सा डेवेलप (Develop) करना चाहता हूँ अगर इस हाउस के पास वक्त नहीं है तो मैं वह तो नहीं कहना चाहता जो कि सुबुक्तगीन से उस बुकिया ने कहा था कि अगर तेरे पास ताकत नहीं है तो तू उस जगह की हुकूमत क्यों करता है, लेकिन मैं यह अर्ज करना चाहता हूँ कि हाउस की एक सब कमेटी बनाई जाय जिस के अन्दर सरदार मान साहब हों, हमारे बख्शी जी हों और पंजाब के चार पांच मेम्बर हों और कुछ दूसरे प्राविसेज के मेम्बर हो सकते हैं और वह सब-कमेटी वहाँ के वास्ते कानून बना सकती है । आखिर इस ज़रूमी पंजाब में आप कोई जिन्दगी कायम रहने देना चाहते हैं या नहीं क्या आप हर एक आदमी को

यह यकीन दिलाना चाहते हैं कि वहाँ के लिये डिमाक्रेसी (Democracy) खत्म हो चुकी है । मैं इस वक्त बड़े फीलिंग (feeling) से बोल रहा हूँ । जब कांग्रेस ने सारे हिन्दुस्तान के अन्दर आबादी के लिये लड़ाई लड़ी थी तो गवर्नमेंट बाई आर्डिनेंस (Government by Ordinance) के लिये लड़ाई नहीं लड़ी थी । यह तो गवर्नमेंट बाई आर्डिनेंस ही है । यह ज़रूर है कि हमारे ऊपर हमारे प्रेसीडेंट साहब की छत्रछाया है और हमारी गवर्नमेंट की छत्रछाया है । लेकिन प्रैक्टिकली (practically) यह छत्रछाया हमारे काम नहीं आयेगी । जो गवर्नर साहब चाहेंगे वही करेंगे । मुझे इस से भी शिकायत नहीं है । लेकिन जब मैं देखता हूँ कि डिमाक्रेसी खत्म होने के बाद किस तरह लोगों ने गवर्नर्स रूल (Governor's Rule) की तारीफें शुरू कर दी हैं तो मुझे अफसोस होता है । इस में शक नहीं कि डिमाक्रेसी में हमारे सामने दिक्कतें आयेंगी, पर हम उन का मुकाबला करेंगे और आखिर अपने मंजिले तक पहुँच जायेंगे । मैं पूछना चाहता हूँ कि आखिर कौन सी ऐसी गवर्नमेंट है जिस ने गलती नहीं की । हर एक आदमी का यह हक है कि गलती करे और उस से सीखे और ठीक रास्ते पर आजाये । इस बिल में उस कांस्टीट्यूशनल स्प्रिट से काम नहीं लिया गया है जो कि होनी चाहिये । मैं अर्ज करूंगा कि सारे हाउस का फर्ज है कि इस गिरे हुए पंजाब के साथ मुहब्बत से पेश आये । इस तरह पेश न आये कि जो पावर उस को मिली है वह उस के हाथ से छीन ली जाय । यह हो सकता है कि एक सब-कमेटी राजा जी के मातहत होती । वह हमें मंजूर होती जो कानून बनाने की शिफारिश करती ।

मैं यह अर्ज कर रहा था कि पार्लियामेंट की पावर्स कांस्टीट्यूशन में डिफाइन्ड

(defined) हैं और गवर्नर की पालसं भी डिफाइन्ड हैं दफा २१३ में। जो पावसं लेजिस्लेचर (Legislature) ने गवर्नर को दी हैं वह उन पावसं से ज्यादा नहीं हो सकतीं जो कि कांस्टीट्यूशन में दी हुई हैं।

(English translation of the above speech)

Pandit Thakur Das Bhargava (Punjab): The Bill which has been presented before us is a peculiar type of Bill. There is no doubt about the fact that the House has passed a Resolution according to Article 356. But, it is absolutely incorrect to say that it is the logical or the necessary conclusion of article 356, as has been stated by the Mover or by Sardar Man. Neither is it a logical conclusion nor is it a necessary conclusion. The question is how far are we going to act under article 357 after having passed a resolution according to article 356. I would like to state that I am going to touch only a few points which relate to the constitutional aspect of it and I hope, the House will appreciate this because we took no part in the passing of the Resolution according to Article 356 and Sardar Man was perfectly justified in complaining that the Resolution was passed in such a way as if it had nothing to do with any of our fellow-countrymen. It was not adequately discussed. But, at the same time, I do not find myself in a position to go into the merits or demerits of that resolution or the provisions contained therein or the circumstances in which it was passed. I simply want to limit myself to the constitutional aspects of this Bill. My friends might remember that when Articles 356 and 357 were presented before the Constituent Assembly, the discussion had continued for five hours. A number of principles were put forward. The previous Government had suspended many Congress Governments under section 93. All these things were before us and many Members of the House were of the opinion that section 93 should not be incorporated in our Constitution in a new shape. But the Drafting Committee was in favour of including articles 356 and 357 and I had an opportunity of speaking on articles 356 and 357 which were Articles 277 and 278 of the Draft Constitution and I had strongly supported Article 277-A and 278. I was of the opinion that the Union Government should have some power over the State Governments and I hold the same opinion

even today because if the constitutional machinery fails or some such thing happens that it becomes difficult to run the Government, then the Union Government might exercise this power. The safeguards which we had suggested at that time in connection with Articles 356 and 357, and which represented the sense of the House, were most essential and they were not only acceptable to us but to all those Members as well who had participated in the Debate. I just want to speak about those very safeguards. One of those safeguards was incorporated in our Constitution but the other was not. During the Debate Dr. Deshmukh had asked me as to how could I say that the other safeguard was there when it was not embodied in the Constitution. I think it necessary to repeat the answer which I gave at that time. Before I take up the question of safeguards, I would like to submit that even then we were aware of the fact that the Union Government would have power over the State Governments, we first took up article 355 and passed it before articles 356 and 357. The Article was like this:

"355. It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

With the permission of the House, I would like to quote Article 256 as well. It is like this:

"256. The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose."

I have read out both the articles because I do not think that that power is sufficient for the supersession of the entire Government of Punjab under Article 356. When this order of supersession was passed, Bakshi Tek Chand got his views published in one of the newspapers. Though I am not going to read the whole of it to the House I would like to quote some portions from it so that we may know how he felt about it all. Those views were published in the newspapers of the 22nd June, 1951. Though, at present, I am unable to trace out that newspaper, I remember that he had said

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that the supersession of the Punjab Government was a matter of shame for the Punjabis. They could not raise their heads due to mental distress and humiliation. The Punjab, which he had praised in such an inimitable language, the land, which had produced great leaders like Lala Lajpat Rai etc., was being governed in such a manner that the less said about it the better. Due to this very humiliation, I am not in a position at present to say all that I want to say. When this Article 356 was passed in the Constituent Assembly I thought that it was not going to be applied to any State at least during our lifetime. At that time, it was said that these powers were being incorporated only by the way and that they would not be exercised. It was made clear to the Members who took part in the Debate that those Articles would not be called into operation. The second thing which was accepted in this connection was that the proclamation regarding suspension would not be issued in the case of any State till the time it was proved that no constitutional machinery could function there and that the Government had been issued a warning. This proclamation of suspension would not be issued till the time the Governor was satisfied that no constitutional machinery could function there and he could do so only if elections were held and it was proved that no Government could function in that State.

Shri Rajagopalachari: I am sorry to intervene, and I would not intervene if the hon. Member is going to end. But if he intends to proceed much longer in that direction I would like to point out as a matter of order, that we have disposed of the question which he legitimately—but he lost his opportunity at the proper time—is raising. Though perfectly just and legitimate, I think as a matter of order, he should have raised it on the last occasion. But if he is going to stop presently, I do not wish to raise this point.

Pandit Thakur Das Bhargava: I am sorry I have not been able to catch what the hon. Minister was saying.

Shri Rajagopalachari: The operation of article 356 was fully discussed on the occasion of the last resolution. On this Bill, if we are going to dilate too long on that, it will I submit, be out of order.

Pandit Thakur Das Bhargava: I am sorry to say that the hon. Mover's objection is not correct. The question before the House is.....

Shri Rajagopalachari: I was quite able to follow the previous arguments and I did not raise objection because of the peculiar circumstances. But if the hon. Member is going to contest in the present Debate the propriety of the action taken under Article 356, I submit with respect that it is out of order.

Pandit Thakur Das Bhargava: I submit that the answer which I was giving in reply to his objection has become more forceful for the following reason. The objection is that this matter has been settled. I, myself, said that I did not want to open it again. I do not want to open it, not because the House has given its approval but because there is a constitutional aspect of it as well. I ask you, what do you want from this Bill? You want that the law-making power conferred on Parliament under article 356, be transferred to the President that is, to the present Government. It is the intention of the Bill that the power which has been conferred on the Members of this House, in the first instance, be transferred to these 20 persons who are supposed to represent the President. Whose speech was there in the address which he delivered? Was that the President's speech? Was it the intention of the President that the Hindu Code Bill should be passed in this session? That was a speech of the Government. The President means the Government. Then, the first thing is that the power which Parliament enjoys should be transferred to the President.

Now, I want to show that whatever the President did in this matter was not of such a character that we could confer on the President this new power in confidence. This is the first thing to be borne in mind. I think the Mover will, kindly, excuse me as everything becomes relevant when considered from this point of view i.e. conferring power on the President.

The second thing is that Parliament is in session. Now, when Parliament is in session they want that we should transfer this power—a power which is enjoyed by nobody else—to the Government. The Government can pass an ordinance under Article 213. The President has got the power to issue ordinances. But, those ordinances are presented before the House immediately. But, what do they ask us to do? They say that the President should be authorised to pass any order he likes whether Parliament is in session or not. There is one thing more in it. At present, the President means the present Government and we have got confidence in the present

Government. I have still got confidence in this Government and I do not think that it will not do justice to the Punjabis. This Bill does not simply propose to delegate the power to the President; it goes a little further. This Bill intends to confer not only the executive power but all the legislative power not on the President or the Government but on a Governor. That is what they want from us. My hon. friend Sardar Man calls it by the name of 'benevolent autocracy'. Not going into the fact as to what sort of man our Governor or President is, I for one, as a constitutional lawyer, would call this kind of autocracy as 'nude autocracy'. You are conferring all the powers on one person. He is the final judge for everything. It is not at all justifiable to confer so much power on one person only. I submit that there are three things involved in this Bill. All powers are to be conferred on the President; the safeguards provided under Article 213 against the powers of the President are to be removed and all these powers are to be delegated to one person, the Governor. For this, I would submit that I have not to examine the acts of the Governor or the President but have only to consider whether Punjab has been treated constitutionally or not. From this point of view, when special powers are demanded from me, it is my constitutional right to see as to on what basis I could delegate them. I was saying that all these things were there when Article 356 and 357 were discussed. Madam, with your permission I would like to state as to what happened when article 357 was debated upon. When article 356 comes, naturally it is followed by Article 357—in fact articles 356 and 357 are the two facets of the same thing. Article 357 would not be there if article 356 were not there already.

Shri Rajagopalachari: On a point of explanation. When I said that, I referred to what the Member had already said and was inclined to say. What he has now said is perfectly in order.

Pandit Thakur Das Bhargava: I am grateful to Shri Rajagopalachari. He is always indulgent towards us, junior members.

Shri Rajagopalachari: Because of the point I raised, probably it has had its effect and the member is coming.....

Pandit Thakur Das Bhargava: I am sorry I did not hear the last few words of my hon. friend.

Shri Rajagopalachari: When I raised the objection I was right—the hon. 224 P.S.D.

Member was proceeding on the subject matter of the previous resolution. But after I raised the objection the hon. Member is proceeding on right lines and I do not wish to raise any point.

Pandit Thakur Das Bhargava: I submit that I did not proceed after the objection was raised. I have only replied to the objection. But, in the light of the fact that you have admitted my answer to your objection as correct, I will proceed further.

When the objection was raised by Shri Rajagopalachari, I was saying that we have to see as to how the powers assumed under article 356 have been exercised so far by the President or the Governor, so that we might be in a position to decide as to whether we should delegate all the powers of Parliament to the Governor or the President or not. I had stated at the beginning of my speech that when this provision was made, two responsibilities were laid on the Governor and on the President as well. The President could suspend the whole machinery if he was in receipt of such a report but there is always a duty attached to every right and the duty in this case is mentioned in Article 355. I would like to ask respectfully what was done in regard to this duty? I heard very attentively the speech of Shri Rajagopalachari which he made in connection with the Resolution. I have heard Shri Rajagopalachari's speech today as well. But, so far, I have not been able to make out anything from his speeches as to what measures were adopted by our President or the Government and what directions were given by them when the Punjab Government was not functioning properly. So far, I do not know what measures were adopted by them in accordance with the Constitution. And, therefore, I conclude that no measures were adopted by the Government under Articles 256 and 355 which could be just and proper and whereby things could be regulated according to the Constitution.

Further, I submit that this matter was also raised when we passed these Articles. In this connection, firstly, I would repeat a few sentences which were said by Dr. Ambedkar in connection with these articles 356 and 357. He said:

"In regard to the general debate which has taken place in which it has been suggested that these articles are liable to be abused, I may say that I do not altogether deny

[Pandit Thakur Das Bhargava] that there is a possibility of these articles being abused or employed for political purposes. But that objection applies to every part of the Constitution which gives power to the Centre to override the Provinces. In fact I share the sentiments expressed by my hon. friend Mr. Gupta yesterday that the proper thing we ought to expect is that such articles will never be called into operation and that they would remain a dead letter. If at all they are brought into operation, I hope the President, who is endowed with these powers, will take proper precautions before actually suspending the administration of the Provinces. I hope the first thing he will do would be to issue a mere warning to a Province that has erred, that things were not happening in the way in which they were intended to happen in the Constitution. If that warning fails, the second thing for him to do will be to order an election allowing the people of the province to settle matters by themselves. It is only when these two remedies fail that he would resort to this article. It is only in those circumstances.....".

Mr. Chairman: I am afraid the hon. Member is again speaking on the resolution which was passed.

Pandit Thakur Das Bhargava: I am submitting that as a matter of fact these safeguards were not resorted to, and these obligations which were laid down by the Constitution for the President were not fulfilled before the order was passed. In the circumstances, we have to consider whether we should be advised to give these powers to the President. That is the line of my argument.

Mr. Chairman: I think the hon. Member himself said that he is speaking on the resolution.

Pandit Thakur Das Bhargava: Not at all. I am not speaking on the resolution. It is passed.

Shri Rajagopalachari: I think the hon. Member means to say that because the President has failed in his duty on such and such an occasion he is now reluctant to give powers to him.

Pandit Thakur Das Bhargava: The hon. Minister has correctly interpreted me. When this article 357 was being debated in the Constituent Assembly I had the good fortune to take part.

Shri Rajagopalachari: How is the quotation from the Constituent Assembly proceedings relevant? It would apply to the past resolution and not to this.

Pandit Thakur Das Bhargava: If the background of the resolution is not seen, I fail to see how we would be able to understand why we gave these powers.

When Mr. Naziruddin Ahmad was speaking, this is what I submitted:

"I think the constitutional machinery cannot be regarded ordinarily to have failed unless the dissolution powers are exercised by the Governor under article 153,"

and when I spoke I made it absolutely clear that no Constitution could be taken to have failed unless and until this power was exercised. Mr. Kamath and others were not of the same view as I and the Drafting Committee were. In regard to that, I submitted:

"These critics seem to have failed to see that no Constitutional remedies relating to the State are exhausted. In my humble opinion as soon as such a situation arose, the first duty that the Governor will perform will be to dissolve the House. Unless and until every attempt has been made, and unless he finds that even the ordinary liberties cannot be enjoyed by the people, he will not come to the conclusion that the Constitution has failed....."

Mr. Chairman: May I know what bearing this quotation has on this debate?

Pandit Thakur Das Bhargava: The Governor whom this Bill seeks to empower, as the sole monarch of what he sees was enjoined upon by the Constitution to behave in a particular way and since he did not behave in that way, I am very reluctant now to give these powers to him. This is my line of argument. I am saying that it was admitted on all hands that the only way in which the Governor could exercise the power was to dissolve the House. This is not all. I am going to give you more information. At that time Dr. Deshmukh raised an objection. He interrupted and asked:

"On a point of information, Sir, may I ask the hon. Member to tell us where is the provision in the articles that we have agreed to for the dissolution of the House by the Governor, in any emergency?"

He expressed similar sentiments yesterday. Then I replied:

"May I put a counter question to my hon. friend and ask him where is the provision to say that the Governor shall not act under article 153? I also understand that the Constitution requires that the Governor shall act in this respect, in his discretion, and so as soon as he finds that the situation is such that the dissolution of the House is necessary, then it is his duty to act in such a manner. The Central Government also will look into the matter, and will not take up the administration of the State lightly, because it is a very hard task. Why do you think that the Governor will not act? That is the question which my friend has to answer, before he puts the question to me."

I can quote from the speeches of every Member, but I do not want to dilate on this point. At the same time, it will not be correct if I do not refer to the statement of one of the Members of this House—Mr. Santhanam. He made it absolutely clear that this convention must grow and without this convention article 356 will become an engine of oppression.

Mr. Chairman: I wish to draw the attention of the hon. Member that these quotations were more appropriate when we were considering the question as to whether action should be taken under article 356 or not. Now, I would like him to confine his arguments to the provisions of this Bill.

Pandit Thakur Das Bhargava: I highly value your advice and I am thankful to you for pointing out that I should have raised this objection when Article 356 was under consideration. For that, however, I have myself submitted that we had already approved Article 356 and do not want to reopen the matter. When did I say that our leaders who dissolved the Ministry and suspended the constitutional set-up in the whole of Punjab committed a mistake? A Constitutional mistake is different from a mistake of facts. We have given our approval. We do not want to blame our leaders that they floored us and nearly murdered us. We do not want to complain for all that. But when you want to delegate new powers I must put forth my views in that regard. I am a member of the Congress Party and the Congress is the only organization in the country that can safeguard the country. I see no other organization that could protect the country as the Congress would or could safeguard the civil liberties of the people. Although all our

countrymen are not congressites—there are lakhs of people who are not Congressmen—yet they all sympathise with the Congress and submit to it. People today ask me about Punjab. They say it was all right that the Parliamentary Board decided against the continuance of the Congress rule there, but in what way were the rights of the non-Congressmen preserved? They remind me that the Congress Ministry was of their own making and as such the Congress Parliamentary Board took action against them; but why were the seven non-Congress members of the Opposition not invited by the Governor to form a Ministry? My head hangs down in shame for I have no proper reply. I know that these seven members could in no case have formed a Ministry, but the Governor refrained from doing a Constitutional thing and so I am unable to give them any suitable reply. And it was also possible that since it came to the question of the freedom and prestige of Punjab, many members of the Assembly might have joined hands with the Opposition and run the Ministry. When they question me thus, I am left with no reply as to why the Governor did not do so. I thought I would find the answer to this question in Rajaji's speech and would then be able to tell the people that the Governor made no mistake. I believe that it was really his desire to give them a chance; but they complain that in fact the Governor came here and returned after having consultations. However, I have not to argue whether he did right or wrong. But the people complain against the Governor that he did so. I am not concerned with his personality. He is there in Punjab for these four years and I know he is a thorough gentleman. But, as I said, it is not a question of personalities; it is a question of Constitutional Law—that the Governor did not fully carry out his obligations under the Constitutional Law. The question is whether we can delegate to the Governor the law making power for the whole of Punjab. Just now Sardar Man put forth certain points. I was surprised to hear him. He said that it would be improper for us to legislate here in Parliament for Punjab because the Members from Madhya Pradesh, Madras, Bengal and other places would be ignorant of the conditions obtaining in Punjab. The Governor himself does not belong to Punjab and, moreover, this Parliament legislates for the subjects in the Central List all of which apply to Punjab. It passes all laws that are covered by the Concurrent List. I do not agree that Parliament cannot do that job for the small State of Punjab. I have full confidence in

[Pandit Thakur Das Bhargava]

this Parliament and I am sure that it can legislate for Punjab and I want that the power which has been conferred upon the Parliament by the President under Article 356, the power that we have got, should not be delegated either to the Government or to the Governor.

I do not question the powers that the executive has under Article 356. They are with the President and with our Government, so that they may use them. But I do not want that the power to legislate should be taken away from us. The Assembly has no other power excepting the law-making power and for that it were better if it had been given to the Members that were there. What wrong have they done after all? What law has the Punjab Assembly made which may be so unworthy as to warrant taking away from them their law-making power? When no guilt is proved against a person, where is the justification for taking away power from him? I do not know what machinery would now be set up, but I want to submit that there is no other power except that of law-making under Article 356. Under that those persons would make laws who, according to Sardar Man, are familiar with the conditions in Punjab. Is not our Speaker (of Punjab), whom Sardar Man mentioned just now, capable of controlling the whole House and making laws? The mention of the Speaker is perhaps not relevant to the subject, but I wish to submit that our Speaker of Punjab is a person of great integrity. The Government should not have got his office vacated. However, I want to say that it would be a matter of pleasure that Parliament does its duty of passing legislation. I am not prepared to concede that Parliament cannot do this work; Parliament can make all kinds of laws. 'It shall be competent' does not mean that only they have the right to make laws. Anybody can have a right. I have the right to commit suicide or to jump into a well. But I never use that right. I never go to commit suicide or to jump into a well. I say it were but proper that the sovereign powers of Parliament were utilised today in the interest of Punjab. We now want to instal responsible Governments even in Part 'C' States. Advisory Committees are being formed even in the smaller States and we in Punjab are overwhelmed with a sense of humiliation. We cannot dare show our faces to anybody.

Sardar B. S. Man: The solution which my hon. friend is suggesting will be a standing humiliation—it will be a reminder to them day in and day out.

Pandit Thakur Das Bhargava: If that is the position, if legislating by Parliament for our daily business is a humiliation, then each and every minute, each and every moment would mean torture for us, after the passage of this Bill. If the power of the Punjab Assembly with so many Members is gone, it would in that case be in our interest if this House deals with the affairs of Punjab. We have got twenty able Ministers here; we will make the best possible laws. That would be to our advantage. I have great love for this Parliament for it has given us good laws. And, after all, who are the persons in the Government? There is Rajaji, there is Nehruji and there are other leaders. Do we have less faith in them than in the Governor? I beg to ask: are not Rajaji or Sardar Baldev Singh acquainted with conditions in Punjab? Mr. Sachar and Mr. Kairon every now and then used to go with their problems to Maulana Azad who has been working life-long for Punjab. Our Prime Minister saved Punjab from the Martial Law and did so much for rehabilitation. Are not then these persons familiar with Punjab. Is only the Governor familiar with the conditions there?

Giani G. S. Musafir (Punjab): They are familiar; that is why this decision to establish such a regime was made considering it to be right and proper.

Pandit Thakur Das Bhargava: I do not dispute the setting up of that regime. They gave the decision, right or wrong; I do not disregard it. He is a very able Governor. But I want to submit one thing which should be given due thought, which the whole country should consider, and that is that there exists a certain snag in the Constitution of our Government and in the Constitution of the Congress due to which non-Congress people cannot feel satisfied. Those who hold the reins there also hold the reins of this Government. That means that decisions are made here on their recommendations. That is something to be considered. I would request Rajaji to find some solution for that. This thing prevailing all over the country is giving us much pain. Frictions occur between the Provincial Governments and the Provincial Congress Committees and between the Central Government and the All India Congress Committee. That is not a thing for the consideration of the Congress only. That is also for the consideration of all the non-Congressmen in Governments all over the country. The very existence of the Government depends upon the solution of this problem. The situation would ease everywhere with the solving of

this problem. I do not speak of Punjab particularly. This trouble can arise in Orissa, Bombay or Madras. The difficulties existing in the country are the same for all. I think corruption in Punjab is much less as compared to other Provinces. However, that is a matter of opinion. It is essential that when there comes an occasion for resolving the conflicts, we should not hurry nor should the question of prestige come in our way, but we should think over with a cool mind. I am not saying this just for the sake of argument. I think that if the House allots us four days' time, all Bills relating to Punjab could be passed during that period. Besides, Sardar Man has also made a proposal. He has said, that it is laid down: "to such authority as may be specified in the Order". So the President can specify the authority, delegate powers to it and impose certain conditions. Had that been the case, I would have the consolation that the Government would think half a dozen times before transferring the fate of 1½ crores of people to a Governor. But it is very clear that there is no mention of any authority there. The Objects and Reasons say: "and shall authorise him to delegate it to the Governor subject to such conditions". That is, this authority would be delegated to the Governor only. He will be the person to make laws, to legislate above the Safety Act and to enforce the laws. I think under these conditions it is very necessary for us to think whether there cannot be any other authority. If the decision of this House is not forthcoming soon, then, as my learned friend said, we should not be in a hurry to take up the Hindu Code Bill; that would save much of our time. In that case we can study in detail the Punjab Acts and legislate for them. Parliament would not have to sit for more than a week to dispose of this work. It is, however, said that we have to end this session by the 5th of October. What leads us to take such a decision? When we have usurped the rights of crores of people and taken the responsibility upon ourselves, we must also have to face the resultant consequences. Parliament can make all necessary laws relating to Punjab in a week's time. So much time is spent by Parliament for Part 'C' States such as Bhopal, Coorg and Delhi. The Delhi Rent Control Bill is shortly to come up before Parliament and it would take two or three days. Have not the Zamindars and other people of Punjab any value compared to that?

Sardar Man made one more point in his speech which I want to develop a little. If the House has no time, I

would not relate to them what the old woman had said to Subuktgin: "If you have not the power why do you rule over this area?" But I want to submit that this House may appoint a Sub-Committee comprising Sardar Man, Bakshiji and four or five Members of Punjab; some Members from other states may also be included. That Sub-Committee would make laws for Punjab. After all do you want to leave any life in the wounded Punjab or not? Do you want to make all people believe that democracy has no place in Punjab? I am, at this time, speaking with great feeling. The Congress did not fight out the battle of freedom for running government by ordinances. This is government by ordinances. It is true that we have the protection of our President and our Government. But this protection will practically be of no use to us. The Governor will do what he likes. However, I would not complain even about that. But when I see how with the ending of democracy, the people have begun to praise the Governor's rule, I feel grieved. No doubt difficulties will come in our way in the working of democracy, but facing them we would reach our goal. I want to ask which is that Government that has not committed some mistake? Everybody makes mistakes and it is his duty to take lessons from them and come round to the right path. The present Bill shows a lack of constitutional spirit that should have been there. I would urge upon the House to mete out a kindly treatment to Punjab. They should not take away the power that Punjab has got. A Sub-Committee under Rajaji could have been acceptable to us, the work of which would have been to make recommendations regarding legislations for Punjab.

The powers of Parliament have been defined in the Constitution and in article 213 the powers of the Governor have also been defined. The powers that the legislature has given to the Governor cannot exceed those that have been laid down in the Constitution.

Mr. Chairman: May I know whether the hon. Member wishes to continue his speech?

Pandit Thakur Das Bhargava: Yes, certainly.

Mr. Chairman: What time is he likely to take?

Pandit Thakur Das Bhargava: About 20 minutes more.

Mr. Chairman: The House now stands adjourned to 8-30 A.M. tomorrow.

The House then adjourned till Half Past Eight of the Clock on Tuesday the 14th August, 1951.