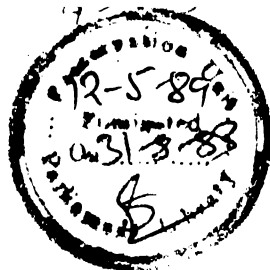


Tuesday, 21st August, 1951



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME IX, 1951

(7th August to 21st September, 1951)

Fourth Session

of the

PARLIAMENT OF INDIA

1951

CONTENTS

Volume IX—From 7th August to 21st September, 1951.

	<i>Columns</i>
Tuesday, 7th August, 1951—	
Member Sworn	1
Oral Answers to Questions	1—27
Written Answers to Questions	27—46
Wednesday, 8th August, 1951—	
Oral Answers to Questions	47—73
Written Answers to Questions	73—92
Thursday, 9th August, 1951—	
Oral Answers to Questions	93—125
Written Answers to Questions	125—154
Friday, 10th August, 1951—	
Oral Answers to Questions	155—183
Written Answers to Questions	183—206
Monday, 13th August, 1951—	
Oral Answers to Questions	207—235
Written Answers to Questions	235—258
Tuesday, 14th August, 1951—	
Oral Answers to Questions	259—293
Written Answers to Questions	293—308
Thursday, 16th August, 1951—	
Oral Answers to Questions	309—338
Written Answers to Questions	338—342
Friday, 17th August, 1951—	
Oral Answers to Questions	343—372
Written Answers to Questions	372—398
Saturday, 18th August, 1951—	
Oral Answers to Questions	399—420
Written Answers to Questions	420—428
Monday, 20th August, 1951—	
Oral Answers to Questions	429—457
Written Answers to Questions	457—472
Tuesday, 21st August, 1951—	
Oral Answers to Questions	473—503
Written Answers to Questions	503—518
Wednesday, 22nd August, 1951—	
Oral Answers to Questions	519—545
Written Answers to Questions	545—566
Thursday, 23rd August, 1951—	
Oral Answers to Questions	567—595
Written Answers to Questions	595—612
Saturday, 25th August, 1951—	
Oral Answers to Questions	613—641
Written Answers to Questions	641—652

	<i>Columns</i>
Monday, 27th August, 1951—	
Oral Answers to Questions	653—684
Written Answers to Questions	684—702
Tuesday, 28th August, 1951—	
Oral Answers to Questions	703—734
Written Answers to Questions	734—742
Wednesday, 29th August, 1951—	
Oral Answers to Questions	743—774
Written Answers to Questions	775—786
Thursday, 30th August, 1951—	
Oral Answers to Questions	787—818
Written Answers to Questions	818—830
Friday, 31st August, 1951—	
Oral Answers to Questions	831—870
Written Answers to Questions	870—876
Monday, 3rd September, 1951—	
Oral Answers to Questions	877—909
Written Answers to Questions	909—932
Tuesday, 4th September, 1951—	
Oral Answers to Questions	933—967
Written Answers to Questions	967—986
Wednesday, 5th September, 1951—	
Oral Answers to Questions	987—1014
Written Answers to Questions	1014—1036
Thursday, 6th September, 1951—	
Oral Answers to Questions	1037—1065
Written Answers to Questions	1065—1074
Friday, 7th September, 1951—	
Oral Answers to Questions	1075—1104
Written Answers to Questions	1104—1120
Monday, 10th September, 1951—	
Oral Answers to Questions	1121—1154
Written Answers to Questions	1154—1164
Tuesday, 11th September, 1951—	
Oral Answers to Questions	1165—1201
Written Answers to Questions	1201—1208
Wednesday, 12th September, 1951—	
Oral Answers to Questions	1209—1256
Written Answers to Questions	1256—1274
Friday, 14th September, 1951—	
Oral Answers to Questions	1275—1309
Written Answers to Questions	1309—1324
Saturday, 15th September, 1951—	
Oral Answers to Questions	1325—1355
Written Answers to Questions	1356—1364

Monday, 17th September, 1951—	<i>Columns</i>
Oral Answers to Questions	1365—1400
Statement by Deputy Minister of Defence in Connection with Starred Question No. 747 of 4th September, 1951 re Control Committee on Cantonments	1400—1401
Written Answers to Questions	1401—1414
Tuesday, 18th September, 1951—	
Oral Answers to Questions	1415—1445
Written Answers to Questions	1445—1470
Wednesday, 19th September, 1951—	
Oral Answers to Questions	1471—1500
Written Answers to Questions	1500—1512
Thursday, 20th September, 1951—	
Oral Answers to Questions	1513—1543
Written Answers to Questions	1543—1548
Friday, 21st September, 1951—	
Oral Answers to Questions	1549—1580
Written Answers to Questions	1580—1594

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

473

474

PARLIAMENT OF INDIA

Tuesday, 21st August, 1951

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

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

ORAL ANSWERS TO QUESTIONS

FOOD POSITION

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

(a) the present stock of food grains in the country;

(b) the position as regards supplies of food grains from foreign countries;

(c) the effect of this season's crop;

(d) whether the target of procurement fixed by the various State Governments has been working satisfactorily; and

(e) whether any new contracts for import of foodgrains have been entered into after May, 1951 and if so, with whom and for what quantity?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) The total stock of foodgrains with the State Governments on 28th July, 1951 amounted to 15,20,400 tons.

(b) 26.3 lakh tons were received by the end of July and about 27 lakh tons including 11 lakh tons of grain purchased from U.S.A. loan is expected to arrive before the end of December, 1951.

(c) The *kharif* sowings have been delayed in a number of States in North India owing to inadequate rains in July.

(d) Yes. A statement showing the procurement target for 1951 and the quantity procured up to 28th July, 215 PS

1951, is placed on the Table of the House [See Appendix II, annexure No. 39.]

(e) Yes. Two new contracts were entered into after May, 1951, one with U.S.S.R. for 100,000 metric tons of wheat and the other with Burma for 240,000 tons of rice.

Shri Sidhva: Arising out of part (b) of the question, the hon. Minister stated that 26 and odd lakh tons have arrived; how much was rice out of this?

Shri Thirumala Rao: The total quantity for which orders have been placed is 976,000 tons. The total received is 451,553 tons.

Shri Sidhva: What is the reason why only 450,000 and odd have been received out of the total of 976,000 tons? Is the balance likely to be received before the year is over?

Shri Thirumala Rao: I said that the total order we have placed is for 976,000 tons out of which 451,553 tons have already been received.

Shri Sidhva: What about the balance? Is it likely to be received?

Shri Thirumala Rao: 976,000 minus 451,553 is the balance.

Shri Sidhva: Is it likely to be received by the end of the year?

Shri Thirumala Rao: That I cannot say. We hope to receive almost the whole quantity provided the people with whom we have contracted keep up the contract.

Shri Sidhva: From the statement supplied regarding procurement, I find, out of 26 States only 4 have practically complied with the target figures.

An Hon. Member: Names please.

Shri Sidhva: Madhya Bharat, Bhopal, Vindhya Pradesh, Kutch have

procured double the quantity. In the remaining 22 States, the procurement is from 40 to 60 per cent. less. May I know whether the hon. Minister has enquired from the State Governments as to how it is progressing and whether procurement will be completed by the end of the agricultural year?

Shri Thirumala Rao: Several big States from which we expected large quantities of procurement have suffered either from drought or heavy rains. Therefore, they plead that the conditions are not favourable for reaching the target.

Shri Sidhva: May I know if all the 22 States have suffered from want of rain? I want exact figures. A statement has been given from which I find that 40 to 60 per cent. has not been collected in all these States. For instance, in the Punjab.....

Mr. Deputy-Speaker: The hon. Member is arguing. The hon. Minister stated that the major States have suffered from drought and floods. He did not say about the minor States.

Shri Sidhva: I was talking of the 22 States. Out of them, in the Punjab, the target for rice is 53,500 tons. Only 6,941 tons have been procured.

Mr. Deputy-Speaker: Has the hon. Minister any more information?

Shri Thirumala Rao: With regard to the Punjab, gram is decontrolled there. The argument advanced by the Punjab Government is this. Because gram is fetching a higher price in the market, the producers are holding back wheat and rice and bring only gram into the market. Therefore, the procurement is less.

Shri Sidhva: What steps do Government intend to take? Yesterday, we were told by Mr. Sondhi that while people in the South are starving for rice, here rice is available and is not collected. This figure also confirms that statement.

Shri Thirumala Rao: I would draw the attention of my hon. friend to a statement recently made by Mr. Munshi that we are trying to get 20,000 tons of rice from the Punjab Government.

Shri Sondhi: What is the solution for the Punjab situation regarding procurement?

Shri Thirumala Rao: The solution is that the Punjab Government should apply with greater vigour.

Shri Sondhi: About the gram position: when people can sell gram at a higher rate than wheat, why should they.....

Shri Thirumala Rao: It is a Cabinet decision that gram will not be controlled in the Punjab.

Seth Govind Das: After the Government received the procured quantity of grains and also grains from abroad, does it expect to have any reserve in the beginning of the next year?

Shri Thirumala Rao: We hope so.

Seth Govind Das: How much will it be?

Shri Thirumala Rao: It is too early to compute; it may be 1.5 million tons.

Mr. Deputy-Speaker: Mr. Kesava Rao.

Shri Sondhi: On a point of information, Sir.....

Mr. Deputy-Speaker: Let him put it later as a question. All questions are points for information.

Shri Kesava Rao: By what time will the hon. Minister be able to get 20,000 tons of rice from the Punjab?

Shri Thirumala Rao: As soon as the Punjab Government responds to our request. We are pursuing them.

Shri Sondhi: How is it that the Press Gallery is vacant? It is something abnormal.

An Hon. Member: There are four persons.

Mr. Deputy-Speaker: I do not think we have got any control over them. They may come or may not come. What is the use of putting questions?

Shri Rathnaswamy: May I draw the attention of the hon. Minister to a statement by the hon. Food Minister of Madras, contradicting the statement made by the hon. Shri Munshi, the other day, on the floor of the House, saying that the stock position in Madras is not so high as stated by the hon. Minister for Food?

Shri Thirumala Rao: I have seen a statement in the Papers this morning. But, there is no dispute about the stock position of rice in Madras.

Dr. Ram Subhag Singh: May I know whether foodgrains procured internally and imported from foreign countries are selling at the same price?

Shri Thirumala Rao: There is difference in price; it has been said so many times.

Dr. Ram Subhag Singh: How much is that?

Mr. Deputy-Speaker: We are now going into the question of prices.

Shri A. C. Guha: May I know whether the procurement in West Bengal is only 50 per cent. of the target and if so whether it is due to the fact that procurement price is unjust and uneconomic?

Shri Thirumala Rao: From the figures here, the target was 350,000 tons and the procurement 316,569 tons. That is, more than 80 per cent.

Shri A. C. Guha: Was there a committee appointed to enquire into the procurement price? What was the report of that committee?

Shri Thirumala Rao: A committee has been appointed. I am awaiting the report of the committee.

Dr. V. Subramaniam: What is the procurement target for Madras? How much has been procured till now? What is the stock position now?

Shri Thirumala Rao: I have laid a statement. The target is 1,067,670 tons.

They have procured 669,541 tons.

Mr. Deputy-Speaker: May I make one suggestion. The statement has been placed in the Notice Office. All hon. Members who want to put supplementaries will kindly look into that Statement before asking details of the Statement here. The statement is available not only to the hon. Member who puts the question, but to other hon. Members also. Next question.

Shri Sidhva: With your permission, Sir, I would like to ask one question. Arising out of part (e) of the question, I want to know whether any contract has been placed for foodgrains with the Government of Iraq this year.

Shri Thirumala Rao: No, Sir, I have given the places with which contracts have already been entered into.

Shri Sidhva: May I know whether Iraq has not undertaken to supply 20,000 tons of wheat and 5,000 tons of rice this year?

Mr. Deputy-Speaker: This only refers to U.S.S.R.

Shri Sidhva: My question was whether any new contracts for import of foodgrains have been entered into after May, 1951. I am referring to the contract with Iraq.

Shri Thirumala Rao: I have given all the information in my possession in the answer.

Mr. Deputy-Speaker: Next question.

Shri Kamath: As regards the Statement laid in the Notice Office, there are only one or two copies placed. If a large number of Members want to see the Statement, it is quite impossible unless at least half a dozen copies are made available.

Mr. Deputy-Speaker: I shall enquire. If the copies are too short, I shall ask some more to be placed. Next question.

MOVEMENT OF WAGONS

*386. **Shri Sidhva:** Will the Minister of Railways be pleased to state:

(a) the present position of the broad gauge and metre gauge wagons;

(b) the number of goods wagons introduced in the year 1950 and up to date in 1951;

(c) whether it is a fact that for want of adequate wagons many a time consignments of petrol, coal, steel, sugar and cement have suffered on account of their diversion for movement of foodgrains;

(d) whether it is a fact that for want of fuel movement of commodities on the Ahmedabad-Prantij Railway has been considerably affected;

(e) whether it is also a fact that Ahmedabad and Bombay textile mills could not obtain transport facilities for movement of cotton from Dhanduka, Dholka and other producing centres; and

(f) whether it is a fact that the Gujerat Chamber of Commerce has drawn the attention of Government to the congestion at the railway yards at Sabarmati and Viramgam where goods are awaiting despatch for months and if so, what steps Government have taken in this matter?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The wagon position on both broad gauge and metre gauge is at present difficult, more so on the metre gauge due to acute shortage of stock.

(b) The number of wagons put into service during the year 1950 was 2509 broad gauge and 50 metre gauge

and during the half year ending 30th June, 1951, 793 broad gauge 38 metre gauge.

(c) The heavy movement of imported foodgrains has had its inevitable repercussion on the movement of other traffic particularly from the ports but traffic in petroleum products, coal, steel, Government sponsored sugar and cement has been least affected.

(d) For the reasons mentioned in parts (a) and (c), the movement of traffic in cotton and charcoal from stations on Ahmedabad-Parantij Railway was also delayed. The cotton traffic has however been since cleared and charcoal has also commenced to move.

(e) There was some difficulty to meet demands in full during certain periods due to heavy movement of foodgrains.

(f) No. The second part does not arise.

Shri Sidhva: The hon. Minister gave us in the last session a rosy picture of the wagon position; but now in answer to this question, he says that the wagon position on both broad gauge and metre gauge is at present difficult. What is the cause for this change? Has there been any extraordinary event? Is it because of the heavy movement of foodgrains that the wagon position is bad? Was there not the same movement of foodgrains when he made his statement last time?

Shri Santhanam: The hon. Member is mixing up too many matters. I did not say that the broad gauge wagon position was difficult now due to shortage of stock. Only in the metre gauge is the difficulty due to the shortage of stock. In certain sections, the difficulty in the case of broad gauge wagons is due to the heavy movement of foodgrains from the ports. When foodgrains have to be moved from the ports, wagons have to return empty to the port in order not to waste any time. That leads to wastage of wagon loading because foodgrains cannot wait at the ports. This is the real cause of the difficulty in the case of broad gauge wagons.

Shri Sidhva: What is the reason for only 50 and 38 metre gauge wagons being put into service as against 2509 and 793 broad gauge wagons? Were not sufficient orders placed for the metre gauge wagons? What is the reason for their non-supply?

Shri Santhanam: The rehabilitation of broad gauge lines was taken up first and next the metre gauge. We have ordered about 9,000 wagons for metre gauge and these will be coming from this year onwards.

Seth Govind Das: Is it not a fact that a few months back even though there was this movement of foodgrains, this difficulty in wagons was not being experienced? And by what time do Government expect to get over this wagon difficulty?

Mr. Deputy-Speaker: Larger quantities of foodgrains are being imported now than before.

Shri Santhanam: I may give an illustration. In the Southern Railway, in May foodgrains were moved by 1,753 broad gauge wagons and by 3,743 metre gauge wagons. In June, 2,091, broad gauge and 4,231 metre gauge wagons were used for this purpose. Naturally the excess wagons given to foodgrains will be lost for the other purposes.

Seth Govind Das: But by what time do Government expect to remove this difficulty?

Shri Santhanam: As soon as the pressure due to the movement of foodgrains decreases and as soon as we get more metre gauge wagons.

Seth Govind Das: What is the expected time? I want to know by what time Government expect an improvement.

Shri Santhanam: I would like a forecast about the monsoon and other matters.

Shri Sondhi: Are Government aware of the acute shortage of cement in the Punjab where an individual cannot get even a bag or two of cement, all due to the wagon shortage?

Shri Santhanam: The wagon shortage is not the cause for the difficulty in getting cement. I investigated this matter while in Bombay and I found that the orders for cement were much more than the capacity of the factories. There may be a little difficulty in certain places due to shortage of wagons, but generally it is due to the shortage of stock itself. It is not possible to say without enquiry which cause is responsible at which place.

Shri Sidhva: The hon. Minister stated that so long there was the pressure due to the movement of food-

grains. this present wagon difficulty will continue. But in view of the Planning Commission's recommendation that for five years there should be this importing of foodgrains, are we to expect that this wagon difficulty will continue for five years?

Mr. Deputy-Speaker: That is inferential. The hon. Minister said that they had ordered about 9,000 wagons.

Shri Sidhva: But will that be sufficient?

Mr. Deputy-Speaker: If not sufficient, it will be increased. There is no use raising arguments on the floor of the House with respect to questions. The answers are given on the facts and inferences are to be drawn by hon. Members.

Shri R. Velayudhan: May I know, Sir, whether it is a fact that in most of the workshops large numbers of wagons are lying idle for the last four years or so without being repaired?

Shri Santhanam: That is wholly wrong and inaccurate. The hon. Member is talking without his book.

Shri R. Velayudhan: I could not catch the reply, Sir.

Mr. Deputy-Speaker: He said it is wholly wrong and inaccurate. **Shri Bhatt.**

Shri R. Velayudhan: Can I put a question?

Mr. Deputy-Speaker: No, no. I have called **Shri Gokulbhai Bhatt:**

श्री भट्ट : क्या माननीय मंत्री जी को मालूम है कि अबू रोड से साबरमती तक कई बंगल खाली जाते हैं और वे अनाज के लिए नहीं लेकिन और दूसरे कारणों से ?

[**Shri Bhatt:** Is the hon. Minister aware that a number of wagons run empty between Abu Road and Sabar-mati and this not for purposes of fetching food but for other reasons?]

उपाध्यक्ष महोदय : छोटी छोटी बातों को कैसे याद रख सकते हैं ।

[**Mr. Deputy-Speaker:** How can such trifles be remembered?]

Shri R. Velayudhan: Sir, on a point of information.

Mr. Deputy-Speaker: Order, order. All questions are points of information.

Shri Santhanam: It is not possible to state definitely. In certain cases certain wagons have to return empty to remove other urgent goods.

Shri Ramalingam Chettiar: Are Government aware that perishable goods like potatoes are lying for long periods without being moved with the result that the goods perish? Do they know that there is a loud complaint about this?

Shri Santhanam: I had such a complaint and I have instructed that efforts should be made to move the potatoes.

Shri R. Velayudhan: Sir the hon. Minister stated that my information was totally wrong. I did not state anything, on the other hand, I wanted some information. Can the hon. Minister then say that my information is totally wrong? I did not make any assertion.

Mr. Deputy-Speaker: The hon. Minister only said that that information was wrong.

Shri Sidhva: Sir, arising out of part (f), did the hon. Minister say that no representation was made by the Gujerat chamber of Commerce?

Shri Santhanam: That is my information.

FOOD GIFTS

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

(a) whether any gifts of wheat and rice have been received from various sources in response to appeals made by several organizations and missionaries;

(b) the quantity that was distributed out of these gifts in Bihar and other places; and

(c) how much of the gift has been received from foreign countries and how they have been distributed?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Gifts of wheat and rice from individuals and organizations are being received but it is not possible to say how much of these are in response to appeals made by organizations and missionaries.

(b) and (c). So far as gift food-grains collected in the country and distributed in Bihar and Madras are

concerned, information has been called for from the State Governments and will be laid on the Table of the House when received.

Out of the quantity of food gifts imported under the aegis of the Government, 81 long tons wheat, 7004 long ton wheat flour and 2-502 long tons rice have been allotted to Bihar, 10.3 long tons rice to Madras and 10.42 long tons of rice to Assam Earthquake relief for free distribution. Apart from this, 1843 tons of rice donated by the UNICEF have been received for free distribution to children, adolescents, and expectant and nursing mothers throughout the country. Besides, certain charitable organisations and relief workers also imported wheat, wheat flour and rice for free distribution.

Shri Sidhva: May I know whether these gifts to children were distributed all over the country? If not in which parts were they distributed?

Shri Thirumala Rao: They were distributed to Madras and Bihar primarily.

Shri Sidhva: What was the process of distributing these gifts among the children? Were they distributed through hospitals to the destitutes or other needy persons?

Shri R. Velayudhan: What was the agency for the distribution?

Shri Thirumala Rao: The State Governments are the agencies through which the distribution is made.

Shri Sidhva: But the gifts came to the Government of India and I want the information as to how they were distributed.

Shri Thirumala Rao: Usually these gifts are assigned to provinces like Madras and Bihar. The Central Government has passed them on to the State Government and the latter have their own organisation for distribution such as the health department to distribute such gifts.

Shri Sidhva: I want to know whether the State Governments have given any information to the Central Government regarding the places where they have distributed the food gifts.

Shri Thirumala Rao: In reply to parts (b) and (c) of the question I have definitely stated that we have asked the State Governments to give us the information and it will be placed on the Table of the House when received.

Shri Kamath: Is it a fact that in New Delhi a couple of days ago some American gifts were distributed to children by the daughter of a high-placed Minister and if so, what were those gifts, food gifts or something else?

Shri Thirumala Rao: It is too vague for me to answer.

Shri Kesava Rao: Is it a fact that some of the food parcels contained things like pencils, rubber, etc?

Shri Thirumala Rao: I have no idea.

Shri Kamath: Did the Minister say that he did not know in answer to my question?

Mr. Deputy-Speaker: Yes, he did not know.

Dr. Ram Subhag Singh: In view of the fact that India can afford or manage to pay for her food imports is it not beneath the dignity of the country to accept small food gifts from foreign countries?

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

ALL-INDIA WOMEN'S FOOD COUNCIL

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

(a) whether the All-India Women's Food Council propose to run Cafeterias in other parts of India on the model of 'Annapoorna' in New Delhi; and

(b) if so, where and when?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Yes.

(b) Simla—opened on 18th May, 1951.

Bombay—opened on 17th July, 1951.

Hyderabad, Madras, Calcutta—expected to be opened shortly.

Shri Kamath: Is there any proposal to open these cafeterias in other parts of India also?

Shri Thirumala Rao: Yes, there is a proposal to open them in as many centres as possible throughout India.

Shri Kamath: Are these cafeterias which are links in a chain run on similar lines as regards food and prices?

Shri Thirumala Rao: Generally, subject to local tastes and habits of food, they follow a common pattern.

Shri Kamath: Is it a fact that the cafeteria opened at Simla has not been named Annapurna but "Kusum Trivedi Bhojan Bhandar" and is it a fact that the suggestion made by the President or the Vice President of the All India Women's Food Council to name it as Annapurna was turned down?

Shri Thirumala Rao: I want notice for that matter of detail.

Shri Kamath: Am I to understand that the Minister does not know that this Simla cafeteria has been named differently at all?

Mr. Deputy-Speaker: It has not come to his notice.

Shri Lakshmanan: Is it a fact that several private restaurants in New Delhi have adopted the Annapurna technique and thus the Annapurna is running at a loss?

Shri Thirumala Rao: No, no. It is a compliment to Annapurna if others follow it.

Shri Sondhi: Is there any chance of Government doing anything in this line for poor Punjab's benefit also? We want something in places like Jullunder and Ambala in the plains and not alone on the hills.

Shri Thirumala Rao: Simla is the headquarters of the Punjab.

Shri Amolakh Chand: What is the number of Government officers and staff who are employed in the cafeterias?

Shri Thirumala Rao: I do not think that there are any government officers as such employed. They may be there in an advisory capacity.

Shri Rudrappa: What is the criterion for opening a cafeteria in a new place?

Shri Thirumala Rao: In all important centres where facilities exist we are trying to get them opened.

Shri Dwivedi: What is the total estimated amount of money which it is contemplated to invest in this connection and what are the conditions under which it shall be given.

Shri Thirumala Rao: This particular organisation is run by the All India Women's Food Council and they take the assistance of the All India

Coffee or Tea Board. This All India Women's Food Council have got their branches in all important centres.

Shri Dwivedi: I wanted to know who finances them and under what terms and conditions.

Shri Thirumala Rao: In certain places grants are given from the central fund as loans to be repaid afterwards.

Shri Dwivedi: What are the conditions of the loans?

Shri A. C. Guha: In view of the fact that Calcutta is too big a city with a huge population, is there any proposal to open more than one centre there?

Shri Thirumala Rao: They will start with one and it will multiply itself.

Shri A. C. Guha: Where will it be situated?

Shri Thirumala Rao: The Vice President of the All India Women's Food Council is just now visiting Calcutta and organising it.

Shri Kamath: In view of the fact that these cafeterias are run by the All India Women's Food Council, does not the Minister propose to name them uniformly as Annapurna?

EXPERIMENTAL POST OFFICES

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

(a) what is the number of Experimental Post Offices started during the first quarter of 1951-52;

(b) whether it is a fact that a large number of such Post Offices have been closed down and if so, what are the reasons for the same; and

(c) what is the average expenditure for maintaining a Post Office—rural and urban separately?

The Deputy Minister of Communications (Shri Raj Bahadur):

(a) Rural	55
Urban	4

(b) No.

(c) Rural	Rs. 61-8-0	monthly
Urban	Rs. 275-10-8	"

Shri Kesava Rao: Is it a fact that in most of the post offices in rural areas the staff are employed on a part-time basis?

Shri Raj Bahadur: That is right, Sir.

Shri Karunakara Menon: Are Government aware of the prevailing feeling in the country that instead of opening post offices in all villages inhabited by 2,000 people and over, people would like to have post offices for three or four villages with delivery arrangements, whereas the present rural post offices do not possess the advantage of delivery?

Shri Raj Bahadur: The Government is always trying to keep itself in the closest contact with the prevailing public opinion in this behalf and I think such steps are taken in this matter as are in consonance with public opinion and convenience. So far our experience, however, shows that the present system is working well.

LOCOMOTIVE ENGINES

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

(a) how many old locomotive engines were substituted by the new imported locomotive engines and on what lines are they being used; and

(b) whether orders were placed after consultation with Experts and if so, who were the experts?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The new engines replaced an equivalent number of old engines except in the case of 44 Broad Gauge Goods engines which were treated as addition. The new locomotives were allotted to Railways as under:

Railway	Number of locomotives allotted		
	B.G.	M.G.	N.G.
Assam.	..	4	..
B. N.	94	..	5
B.B. and C.I.	43	33	..
E. I.	249
E. P.	35
G. I. P.	117
M. and S. M.	31	34	..
O. T.	..	72	..
S. I.	20	64	..
	589	207	5

(b) In some cases the designs were similar to earlier types which had proved satisfactory in service for a number of years. Many of the new locomotives were, however, built to new standard designs developed by the Central Standards Office for Railways from experience gained during many years of locomotive performance under Indian conditions. The designs and specifications were carefully examined and approved by the Locomotive Standards Committee, which consists of the Chief Mechanical Engineers of Railways and also by British Consultants and American Experts.

Dr. M. V. Gangadhara Siva: What is the cost of these new imported locomotives and what are the countries from which they are imported?

Shri Santhanam: I have not got the details of the prices. It may be about four to five lakhs for broad gauge and three to four lakhs for meter gauge engines.

Dr. M. V. Gangadhara Siva: What are the terms under which they were imported?

Shri Santhanam: All these have been imported one or two years ago and that account is more or less complete.

Dr. M. V. Gangadhara Siva: May I know whether any requisition was sent to Russia for the supply of engines, in view of the fact that they are superior in quality and if not, why not?

Shri Santhanam: I am not aware that Russian locomotives are superior.

Shri Rathnaswamy: Is it a fact that some officials have been deputed by the Government to buy locomotive engines abroad?

Mr. Deputy-Speaker: It came out two days ago that some officials of the Railway Department were going.

Shri Santhanam: For the orders to be placed for 1952-53 two of our officials have gone to Europe.

Shri Barman: Are these new engines so designed that they will be run on low grade coal so as to conserve superior coal?

Shri Santhanam: Yes, that is one of the objectives in the new designs.

Shri R. Velayudhan: May I know whether there were any cases in which the American expert differed from the Indian expert about the

locomotives and the Government accepted the verdict of the American expert, which subsequently proved wrong when the engines came to India?

Shri Santhanam: I do not understand the question.

(Interruption)

Mr. Deputy-Speaker: Order. order. If there is difference of opinion between two experts something has to be accepted.

Shri R. Velayudhan: It involved a loss to the country.

Shri Ghule: What is being done with the replaced engines? Are all of them used or are some of them thrown away as scrap?

Shri Santhanam: They are scrapped if they are utterly useless, but if they are useful for shunting or other purposes they are used for those purposes.

Shri T. N. Singh: May I know if the services of the Chittaranjan Factory have been fully availed of for reconditioning and rebuilding the old engines which are being replaced by these new engines?

Shri Santhanam: That is the work of our repair Workshops. The Chittaranjan Factory is for making new locomotives and its valuable equipment cannot be wasted on reconditioning and repairing old ones.

Shri Dwivedi: Have any accidents happened because of the employment of new engines?

Shri Santhanam: Accidents have happened both with respect to new and old engines. None have happened as a result of the new engines.

Shri Amolakh Chand: May I know the number of locomotives to be imported into India in 1951 and 1952?

Mr. Deputy-Speaker: Possibly the information is there in the Budget speech. Whatever is available in the records or in the Library should not be asked for by way of questions on the floor of the House.

RURAL POST MASTERS

*391. **Dr. M. V. Gangadhara Siva:** Will the Minister of Communications be pleased to state the basis on which the pay of Rural Post Masters is fixed?

The Deputy Minister of Communications (Shri Raj Bahadur): By the term 'Rural Postmasters' perhaps Extra Departmental Sub Post Masters and Extra Departmental Branch Post Masters are meant. Their remuneration is really an 'allowance' and not 'pay' for they are expected to have other sources of income.

In the case of the Extra Departmental Sub-Postmasters, the allowance is determined at the discretion of the Head of the Circle concerned with reference to the merits of each office. No minimum rate has been prescribed; ordinarily their allowance does not exceed Rs. 30/- p.m., but in an exceptional case over Rs. 30/- but not exceeding Rs. 40/- p.m. can be granted.

The allowance of Extra Departmental Branch Postmasters varies between Rs. 10/- and Rs. 30/- per month. The amount is determined by a 'Point System' linked with the monetary value of the transactions done by the office.

Dr. M. V. Gangadhara Siva: Will Government consider the desirability of increasing the present allowance to these rural postmasters?

Shri Raj Bahadur: This position has been sufficiently examined and I may inform the hon. Member that so far it has satisfied the needs of these part-time employees of the Department.

Shri Chattopadhyay: Is it a fact that these Extra Departmental Postmasters have to meet the cost of stationery such as paper, pencil, nib, ink, etc. from their own allowance and are not paid for it departmentally?

Shri Raj Bahadur: Separate provision for stationery has been made.

Shri Chattopadhyay: When was this decision taken?

Shri Raj Bahadur: The hon. Member is perhaps aware that stationery provision at the rate of two annas per head has been provided and it is placed in the hands of the Circle officers concerned.

Shri Sondhi: What is the significance of these two annas in these days?

Shri Raj Bahadur: Two annas per month is the amount calculated per head.

Shri Chattopadhyay: May I know when this decision was taken and whether effect has already been given to it?

Shri Raj Bahadur: I require notice for giving you the exact date.

श्री द्विवेदी : पिछली लड़ाई के पक्षतर इन पोस्ट मास्टर्स को क्या डियरनेस अलाउन्स दिया जाता रहा है और उन को अब क्या अलाउन्स दिया जाता है और उन दोनों अलाउन्सों में क्या अन्तर है ?

[**Shri Dwivedi:** What was the dearness allowance that was being paid to these Post Masters before the last War, what dearness allowance is being paid now and what is the difference between the two?]

श्री राज बहादुर : मैंने निवेदन किया कि उन को डियरनेस अलाउन्स दिया जाता है, डियरनेस अलाउन्स की जो दर है, वह बही है जो इसी श्रेणी के साधारण कर्मचारियों की है और वह जो एक्सट्रा डिपार्टमेंटल ब्रांच पोस्टमास्टर्स हैं, उनको १० रुपया डियरनेस अलाउन्स मिलता है।

[**Shri Raj Bahadur:** As I said dearness allowance is paid to them. The rate of the dearness allowance is the same as that of the Class II subordinate staff. The Extra Departmental Branch Post Masters are paid Rs. 10/- as dearness allowance.]

Shri Sondhi: What is the break-up of these two annas?

Shri Raj Bahadur: There is no question of break-up. It has been calculated and it comes to two annas per head.

Dr. Deshmukh: The hon. Minister mentioned two annas per head. Is it per head of the population or per head of the people who come to the Post Office or is it per head of the postmaster?

Shri Raj Bahadur: Per employee.

Shri R. K. Chaudhuri: Are these unpaid postal employees allowed to make temporary use of the monies received from M.Os. etc. for their own purposes? I mean temporarily.

Shri Raj Bahadur: They are not unpaid; so, no such question arises.

Shri Harihar Nath Shastri: Are the Government aware that under this category there are postmasters in urban areas also who put in the same number of hours of work as regular

postmasters but they are treated as Extra-Departmental Postmasters for pay and conditions of work?

Shri Raj Bahadur: Generally speaking, the rules of working hours are there and such Extra-Departmental Postmasters are not compelled to work more than five hours. In fact, the average has been calculated and it comes to between two and three hours. If there are any specific cases where this rule has been infringed, I shall be grateful if the hon. Member brings them to my notice or the notice of the authorities concerned.

Pandit Munishwar Datt Upadhyay: What are the classes of post offices for which whole-time postmasters are employed and what are the classes of post offices for which part-time postmasters are employed?

Mr. Deputy-Speaker: We are going from one point to another. Next question.

FOODGRAINS FROM U.S.A.

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

(a) whether the Government of U.S.A. have asked the Government of India that the U.S.A. representatives should be associated in some way in the distribution of the food provided by U.S.A. to India under the Indian Emergency Food Aid Act of 1951; and

(b) if so, in what form the Government of U.S.A. have wished to be associated with the food distribution?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) No.

(b) The question does not arise.

Shri Krishnanand Rai: May I know whether any such request was made by the U. S. Government?

Shri Thirumala Rao: No such request was made.

Shri Krishnanand Rai: To which State has the first consignment of wheat from the U.S.A. under this agreement been allotted?

Shri Thirumala Rao: Monthly allotments are made from the total stock. No particular quantity of grain is allotted to a particular State. Some of it goes to some part, and some of it goes to another part.

Shri A. C. Guha: Are we to understand that there is no official of the U.S. Government who is here to

observe the working of this agreement, particularly in regard to the handling of the loan wheat in India?

Shri Thirumala Rao: They have sent Mr. Frank Gerald, their E.C.A. Administrator, as a member of their Embassy here. He will be making enquiries as to when the shipments are received here and how they are being disposed of. There is no obligation on our part to take him and treat him as part and parcel of our Department.

Shri T. N. Singh: Is it not a fact that out of the proceeds of the sales of these grains in India for rationing purposes, certain sums will be earmarked for specific purposes and their administration will be watched by persons other than Indians?

Shri Thirumala Rao: No, Sir. No such conditions prevail at present.

Shri Kamath: Will Government place a copy of the Agreement on the Table of the House?

Shri Thirumala Rao: I think it was placed on the Table of the House.

Shri Kamath: Not yet.

Mr. Deputy-Speaker: We shall find out.

Dr. Deshmukh: Is it a fact that the American official who has joined the American Embassy here has no other work except to give attention to the distribution of food obtained from America?

Shri Thirumala Rao: How are we expected to know the exact work of an official of the American Embassy?

Mr. Deputy-Speaker: What is the harm if he comes and sees? How can you prevent the American Embassy from watching this?

DEARNESS ALLOWANCE

*393. **Pandit Munishwar Datt Upadhyay:** Will the Minister of Railways be pleased to state:

(a) whether the increase in dearness allowance has replaced the grainshop concessions;

(b) how the grainshop concessions compare with the increased dearness allowance to Railway employees;

(c) whether there has been any increase in the grainshop concessions during the last three years; and

(d) whether Government are considering the scheme of having one uniform arrangement for all employees instead of this dual system of concessions?

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

(b) It is not possible to make any accurate comparison between the grainshop concessions allowed to Railway employees with relief granted in the shape of full cash dearness allowance, since the relief by way of grainshop concessions depends on several variable factors, principally the size of an employee's family and the current market prices of the commodities sold through Railway Grainshops at fixed concessional rates. On a very rough calculation, it has, however, been estimated that the average relief in the shape of the grainshop concessions plus dearness allowance at railway rates, which again, varies with the pay of an employee as also the area in which he resides, enjoyed by a railway employee on a pay below Rs. 40/- p.m. and having a family of 5 members including himself, amounted to Rs. 52/14/- in March 1951 as compared to the increased cash dearness allowance of Rs. 40/- p.m. admissible to such an employee.

(c) Not since 1st January, 1949.

(d) We do not propose to disturb the existing arrangement at present.

Pandit Munishwar Datt Upadhyay: May I know what classes of employees are allowed the grainshop concession and what classes dearness allowance?

Shri Santhanam: Before 1949 all railway employees who were not officers were allowed grainshop concessions and partial cash dearness allowance. From 1st January, 1949 all the employees were given an option either to choose cash dearness allowance or to continue limited grainshop concessions with partial cash dearness allowance. Those who opted for the concession are continuing to get it while those who opted for full cash dearness allowance are getting full cash dearness allowance.

Shri R. Velayudhan: May I know whether the Government is having any discussions with the All-India Railwaymen's Federation on these questions of grainshop concessions and dearness allowance?

Shri Santhanam: So far as I am aware no discussions are being held on either of these matters.

Pandit Munishwar Datt Upadhyay: Is it a fact that there have been a number of complaints against the working of these grainshops in the Railways and, if so, is it considered necessary to replace this system by cash dearness allowance?

Shri Santhanam: It was as a result of complaints that the Grainshop Enquiry Committee was appointed and its recommendation was adopted to limit the concessions to five articles. There is not much complaint now. The question of replacing the grainshop concession does not arise because some of the employees have chosen it voluntarily; we do not want to disturb the concession because only workers with large families have opted for it and it will be a great hardship to them now compulsorily to force them to take cash dearness allowance.

Shri R. Velayudhan: May I know whether grainshop concession and dearness allowance was not one of the points raised by the All-India Railwaymen's Federation in their recent communication to the hon. Minister?

Shri Santhanam: The House is well aware that dearness allowance was one of the points of dispute between the Railway Ministry and the All-India Railwaymen's Federation.

श्री भट्ट : क्या माननीय मंत्री जी बतावें कि जिन्होंने ग्रेनशाप अलाउन्स को पसन्द किया है वह अगर उसे न चाहें तो दूसरा मंहगाई भत्ता ले सकते हैं ?

[**Shri Bhatt:** Will the hon. Minister please state whether the employees who chose to avail of grain allowance can now be allowed to avail of the cash dearness allowance if they do not like the former?]

श्री सन्थानम : यह ठीक है ।

[**Shri Santhanam:** Yes, they can.]

FANS IN INTER CLASS COMPARTMENTS

*394. **Shri D. S. Seth:** Will the Minister of Railways be pleased to state:

(a) whether all Inter Class railway compartments have been provided with electric fans; and

(b) if the answer to part (a) above be in the negative, the reason for the delay and the time by which installation of fans will be completed?

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

(b) There has been no unreasonable delay. A large number of compartments has been fitted and the progress has been on the whole satisfactory. There are occasional delays in supplies of components of the electrical equipment and coaches can only be conveniently and economically fitted at the time they undergo thorough overhaul.

It is difficult to give a definite date for the completion of the work, but railways have been instructed that it should be completed as soon as possible.

Shri Amolakh Chand: May I know whether the fans which were installed in the Inter-Class compartments when they were converted into Class II ordinary, have been removed recently?

Shri Santhanam: We have got a statement which shows that many of the Railways have completed the electrification of the Inter-class compartment.

Shri Sidhva: May I know whether fans have been placed in III class compartments also and, if so, what is the number so far provided?

Shri Santhanam: We have got a programme for fitting up all third-class compartments; and as the hon. Member knows all new third-class compartments are fitted with electric fans. The old coaches are also being fitted, but a little more slowly than the inter-class compartments.

Seth Govind Das: By what time is it contemplated that all the inter-class and third-class coaches will be fitted with fans?

Mr. Deputy-Speaker: The hon. Minister has definitely said that it is not possible to give a definite date.

Seth Govind Das: Approximately?

Mr. Deputy-Speaker: As and when materials are available.

Seth Govind Das: Sir, agitation on this question has been going on for such a long time that we are entitled to know the approximate time required for this.

Mr. Deputy-Speaker: Most of the coaches have been fitted; and so far as the remaining coaches are concerned I hope it will be done as and

when materials are available. If anything more is asked will the hon. Member himself, if he were the Minister, be able to give any answer?

Seth Govind Das: I wanted to know at least as far as third-class coaches were concerned...

Shri A. C. Guha: Is it true that as for providing these amenities to inter and third-class compartments, the trains running on the eastern section of the E.I.R., that is those plying from Sealdah, have not got the least attention from the Government?

Shri Santhanam: It is not because it has got the least attention but because it was one of the latest to come into the Railway Department.

Mr. Deputy-Speaker: In individual cases it is better hon. Members give advance notice to the hon. Minister for information. There are nearly 42,000 miles of railways and the hon. Minister cannot go on remembering about every mile and every half-mile.

CALCUTTA PORT

***395. Shri S. C. Samanta:** Will the Minister of Transport be pleased to state:

(a) the total tonnage of imports and exports which passed through the port of Calcutta during the years 1948-49, 1949-50 and 1950-51 separately;

(b) the causes of decrease or increase in these years; and

(c) the number of vessels that entered the port in these years separately?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (c). A statement giving the information asked for is placed on the Table of the House. [See Appendix II, annexure No. 40.]

(b) The increase in the total tonnage handled during the year 1950-51 as compared to the figure for the previous year was primarily due to the liberal import policy followed by Government during the year which facilitated the import of goods from foreign countries on a larger scale.

The decrease in the total tonnage handled during the year 1950-51 as compared to the figures for the years 1948-49 and 1949-50, was mainly due to the uncertain trade conditions brought about by the war in Korea and the stock piling policy followed by foreign countries.

Shri S. C. Samanta: Is it not a fact that decrease in exports and imports is also due to the shipping difficulties at the ports?

Shri Santhanam: So far as I am aware exports and imports have not been affected by shipping difficulties.

Shri S. C. Samanta: May I know what steps have been taken by the Government to expedite exports and imports by means of a new scheme (which was to have been taken up by the Government) for constructing a ship canal from Diamond Harbour to Calcutta?

Shri Santhanam: That is a very difficult, complicated and perhaps problematic project which has been discussed for very many years and no conclusions have been arrived at.

Shri Kamath: Has Government, Sir, received reports or complaints or representations to the effect that a large part of the work at Calcutta Port is handled by Muslim seamen many of whom are not free from pro-Pakistani sympathies?

Shri Santhanam: It is a fact that a large number of seamen at Calcutta are Pakistani nationals but I don't think they have caused any particular trouble.

Shri Kamath: Is there no danger even in these times?

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

FOOD SUBSIDY TO TRAVANCORE-COCHIN STATE

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

(a) the food deficits of each deficit State calculated as a percentage of their total requirements;

(b) the procurement price and the issue price in each state;

(c) the price for different varieties at which the Central Government sell rice to Travancore-Cochin Government, and the price at which the State issue to the consumer;

(d) the total loss sustained by the Travancore-Cochin Government on this account in 1950; and

(e) the amount of subsidy granted to them in the previous financial year?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao) : (a) A statement showing the deficit declared by each State expressed as a percentage of the total quantity of food-grains required for meeting the Government commitment during the year 1951 is laid on the Table of the House. [See Appendix II, annexure No. 41].

(b) A statement showing the procurement and issue prices of different food-grains in the various States is laid on the Table of House. [See Appendix II, annexure No. 42.]

(c) The prices are as follows:

Varieties of Rice (imported).	Prices at which sold by the Central Govt. during 1951.	Average retail price at which issued by Travancore-Cochin.
	Rs./Md.	Rs./Md.
Fine rice:	26/8/-	} 18/12/- (approximately).
Coarse rice:	22/11/- (during 1-1-51 to 8-7-51)	
	23/8/- (from 9-7-51)	
Broken rice:	19/6/-	

(d) Rs. 129 lakhs.

(e) Rs. 233.01 lakhs.

Shri Alexander: Are the Government aware of the fact that while the price of a Madras measure is 9 annas in Madras, the issue price in Travancore-Cochin is about 12 annas?

Shri Thirumala Rao: Government calculate the price in terms of maunds; they cannot go into the details of local variations.

Shri Alexander: Are Government at least aware that there is a vast disparity in the issue price in the two States?

Shri Thirumala Rao: It all depends on the quality of rice that is imported.

Shri R. K. Chaudhuri: Is it a fact that Government have not been able to remove the deficit in the State of Assam on account of transport difficulties?

Shri Thirumala Rao: Government are trying their best to make allotments and carry them over to Assam with the available transport.

Shri R. Velayudhan: May I know whether the Ministers of the Travancore-Cochin State had discussions with the Food Minister about a month or two back and if so whether it was urged that on account of the extra expenditure they had to incur the food subsidy should be enhanced?

Shri Thirumala Rao: The answer to the first part of the question is in the affirmative—the Travancore-Cochin Ministers had come here and had discussions with the Food Minister. The second part of the question is a hypothetical one.

Shri R. Velayudhan: I had put a Short Notice question to the hon. the Food Minister on this subject.

Mr. Deputy-Speaker: Then he would have answered him.

Shri R. Velayudhan: But he did not answer the second part as to what happened to the question of enhancement of subsidy.

Shri Thirumala Rao: The Central Government have expressed their inability to accede to the request of the Travancore-Cochin Government regarding the enhancement of the subsidy.

Shri R. Velayudhan: May I know the reason that led to the refusal or rejection by the Central Government of the additional subsidy asked for by the Travancore-Cochin State?

Shri Thirumala Rao: That is a matter of discussion between the two Governments which I am not in a position to divulge.

Shri R. Velayudhan: Cannot this House get the information?

Mr. Deputy-Speaker: Information on matters under negotiation cannot be asked for.

Shri Alexander: May I know whether it is a fact that the Krishnamachari Committee on States Finance Integration recommended that the Travancore-Cochin Government should get 75 per cent. of the loss on food transactions in consideration of the abolition of land customs, and if so, why it has not been implemented?

Shri Thirumala Rao: That is a matter which is beyond the purview of the Food Ministry. But so far as

this transaction is concerned, I may give the House this information. We wanted that the sale price of this rice should be Rs. 19/1 a maund and of certain other varieties Rs. 19/7 and Rs. 20/5/6. But the Travancore-Cochin Government was not willing to sell the rice at this price and stuck to a lower price which resulted in a heavy loss.

Shri Alexander: In view of the fact—as pointed by me earlier—that the price per measure in Travancore was already three annas higher, than the neighbouring State, if they were to abide by the directions of the Centre, would it not have meant a further enhancement of one anna per measure?

Shri Thirumala Rao: That is a matter of long argument. The price of rice varies according to the quality and the place from which it is imported.

THEFT NEAR SHYAM NAGAR RAILWAY STATION

***397. Pandit Munishwar Datt Upadhyay:** Will the Minister of Railways be pleased to state:

(a) what articles were stolen from the Railway wagons between the stations Shyam Nagar and Kankinara on E.I. Railway near Calcutta in the first week of July 1951;

(b) how many persons were arrested for that theft and how many have been prosecuted;

(c) what valuation of property was recovered; and

(d) whether the theft was committed by Railway employees or outsiders?

The Minister of State for Transport and Railways (Shri Santhanam): (a) 14 bundles of raw hides.

(b) 14 persons have been arrested so far. The case is under investigation of the Government Railway Police and the number of persons prosecuted will be known after completion of the Police investigation.

(c) Rs. 1,000/- approximately.

(d) This will be known later after investigation is completed. Persons arrested include both railway employees and outsiders.

Pandit Munishwar Datt Upadhyay: May I know the date on which this theft was committed?

Shri Santhanam: It is already given in part (a) of the question—the first week of July 1951.

NEWSPRINT MANUFACTURE

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

(a) whether it is a fact that Government have approached some of the State Governments to examine the possibilities of starting newsprint industry in their areas;

(b) if so, which of the States have been asked to do so; and

(c) whether any negotiations in this connection are going on with the Government of Nepal?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). The Inspector-General of Forests has suggested to the Forest Departments of Uttar Pradesh and Punjab that the possibilities of starting this industry be examined and has sent them a note on the subject prepared by him.

(c) No.

Shri S. N. Das: Are Government aware of the fact that the Nepal forests contain raw materials for newsprint?

Shri Thirumala Rao: Our information is that Himachal Pradesh and a small area of Uttar Pradesh have these raw materials.

Shri S. N. Das: May I know whether the Ministry of Food and Agriculture have asked the various States to explore the possibilities of getting raw materials for this industry?

Shri Thirumala Rao: No, Sir.

Seth Govind Das: Is it a fact, Sir, that in Madhya Pradesh a mill has already been under construction for manufacturing newsprint and that the Planning Commission has recommended two crores of rupees to be given to Madhya Pradesh Government for that mill? If so, what is the Central Government doing in this respect?

Shri Thirumala Rao: I am not officially aware of the facts given by the hon. Member—this subject does not come under my portfolio.

Seth Govind Das: Is it not a fact that a mill for manufacturing newsprint is under construction in Madhya Pradesh?

Mr. Deputy-Speaker: That is true. Some limb of Government may know that—but not the Food Minister.

Seth Govind Das: That means that there is no co-ordination between the Commerce Ministry and the Food Ministry as far as these things are concerned.

Shri Karunakara Menon: Have the Madras Government reported about the possibility of starting newsprint industry in the Madras State and if so at what centre?

Shri Thirumala Rao: That question should be addressed to my hon. colleague on my left.

Mr. Deputy-Speaker: But how did the original question come to be addressed to the Food Minister?

Shri Thirumala Rao: This dealt with raw materials for newsprint and the Inspector-General of Forests happened to give a report about the availability of raw materials in Himachal Forests. Therefore, we thought we could give that information.

Seth Govind Das: Since the Deputy Minister of Commerce is in his seat, may I ask him to answer my question?

Mr. Deputy-Speaker: If he is willing to answer, I have no objection.

LOCUSTS

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

(a) the various parts of the country which have been invaded by locust swarms during the past three months; and

(b) the extent of damage caused to crops in each of them?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) The States of Rajasthan, Saurashtra, Bombay, Punjab, Ajmer, Delhi, PEPSU, Himachal Pradesh, Vindhya Pradesh, Madhya Bharat, Madhya Pradesh, Uttar Pradesh, Bihar, Orissa and West Bengal.

(b) No appreciable damage was caused as there were no standing crops in Northern India during May, June and July 1951.

residing in Pakistan are allowed to send money by Money Order to their dependents in India?

(b) If so, what amount of money are they allowed to remit per month?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No, Sir. The Money order service has been under suspension since 19th September, 1949. We have made suggestions to Pakistan about resumption of the service.

(b) Does not arise.

PRICES OF FOODGRAINS

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

(a) the prices that the Government of India are charging from the States Governments for various kinds of foodgrains supplied to them;

(b) the expenses that the Government of India have to incur for the import of foodgrains from foreign countries; and

(c) how the prices of foodgrains have varied during the current year?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) From 1st January 1951, the Government of India are charging the full pool price (landed cost to the Government of India) for overseas grains supplied to the States except for certain specified quantities which will be supplied at subsidised prices intended for consumption in certain selected industrial and deficit areas. A statement is laid on the Table of the House showing the subsidised rates charged. [See Appendix II, annexure No. 43.]

The statement laid on the Table of the House in reply to parts (b) and (c) of the question details the pool prices.

(b) and (c). A statement showing the pool prices fixed from 1st January, 1951 is placed on the Table of the House [See Appendix II, annexure No. 43.]

The pool price represents the average landed cost of the grain from all sources during the year and includes the cost, freight, and all incidental charges incurred by the Government of India upto delivery to the recipients at Indian ports loaded into wagons/trucks etc.

WRITTEN ANSWERS TO QUESTIONS

MONEY ORDERS FROM PAKISTAN

***400. Dr. Ram Subhag Singh:** (a) Will the Minister of Communications be pleased to state whether Indians

The increase in the pool price from the 9th July 1951 is due mainly to the increases in the f.o.b. cost of the foodgrains and the shipping freight rates.

RAILWAY WAGONS HELD UP IN PAKISTAN

*402. **Shri Kamath:** Will the Minister of Railways be pleased to refer to the answer given to my Unstarred Question No. 349 on the 8th June, 1951 regarding Railway wagons held up in Pakistan and state the position with regard to such wagons and carriages as on the 1st August, 1951?

The Minister of State for Transport and Railways (Shri Santhanam): The position of hold up of coaches and wagons in Pakistan as on 1st August, 1951 is:

Coaches	170.
Wagons	Nd.

SUGAR QUOTA FOR FRUIT PRESERVATION INDUSTRY

*403. **Shri Kamath:** Will the Minister of Food and Agriculture be pleased to refer to the answer given to my Unstarred Question No. 348 on the 8th June, 1951 regarding Sugar Quota for Fruit Preservation Industry and state:

(a) whether the Centre has taken over from the States the allotment of sugar to the Fruit Preservation Industry in the States;

(b) how much sugar has been allotted to each of the Fruit Preservation units or factories in Madhya Pradesh in July and August, 1951;

(c) whether owing to inadequate sugar allocation, some of the units in Madhya Pradesh have closed down or are about to do so; and

(d) if so, which are they?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) No, Sir. It is, however, proposed to do so from 1st October, 1951.

(b) A statement showing the allotment of sugar made by the Madhya Pradesh Government to fruit products manufacturers in the State, for the quarter July/September 1951, is placed on the Table of the House.

(c) Information received from the State Government shows that no factory has completely closed down or is about to do so.

(d) Does not arise.

STATEMENT

Fruit Products Manufacturers in Madhya Pradesh and quotas of sugar allotted to each of them by the State Government for the period July/September, 1951.

Name	Quantity in bags
(1) Central Hindustan Orange and cold Storage	15 bags
(2) Krishak Udyog, Nagpur	6 "
(3) Students' Fruit Products, Nagpur.	8 "
(4) Vanguard Fruit Industries Nagpur	3 "
(5) S.G. Phadke & Sons, Nagpur	3 "
(6) De Luxe Fruit Products, Jabalpur	3 "
(7) K. C. Warman & Sons, Jabalpur	3 "
(8) Abdul Aziz Factory, Bina	3 "
	<hr/> 59 bags

TRAVELLING FARES ON NARROW GAUGE RAILWAYS

*404. **Shri Ghule:** Will the Minister of Railways be pleased to state:

(a) whether Government have come to any decision about bringing the travelling fares on Narrow Gauge Railways in accordance with the fares on Broad and Metre Gauge Railways; and

(b) if not, when a decision will be taken?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (b). The question is still under examination of Government. It is expected, however, that a decision will be taken shortly.

CLOSURE OF OIL MILLS IN UTTAR PRADESH

*405. **Shri Amolakh Chand:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that 70 oil mills in Uttar Pradesh have been closed down due to the movement of oil seeds to other States by the Government of India; and

(b) if so, whether Government are looking into the matter and propose to take steps for the resumption of the working of the mills?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). We have asked the U.P. Government for information. Meanwhile it may be stated that the Government of India have not moved any oil seeds from the U.P. or anywhere else. The question will be fully considered on receipt of information from the U.P. Government.

NUTRITION OFFICERS

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

(a) whether there are Nutrition Officers working under the Ministry of Food and Agriculture;

(b) if so, what is their number; and

(c) the technical qualifications of the said Officers?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Yes.

(b) Two.

(c) Deputy Director (Nutrition).—Qualified in Biochemistry and Nutrition at the Indian Institute of Science, Bangalore. Ph. D. of Bombay University in Biochemistry and Microbiology (Milk and Milk products).

Food Executive Officer (Nutrition).—Graduate in Agriculture.

DELHI TRANSPORT SERVICE

*407. Giani G. S. Musafir: Will the Minister of Transport be pleased to state:

(a) whether D.T.S. authorities have deputed a permanent staff to collect the statistics of passengers travelling on different routes, to enable the department to make necessary changes in the number of buses on different routes; and

(b) if not, what is the procedure adopted to fix the number of buses on various routes?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (b). No part of the permanent staff of the Delhi Road Transport Authority is wholly engaged on collection of statistics of passengers travelling on different routes but one of the duties of the Traffic Inspectors and Travelling Ticket Examiners is to make daily reports about the flow of traffic, the volume of traffic offering, the frequency of services required etc., on the various bus routes operated by the Delhi Transport Service. These reports are scrutinised by Traffic Officers who carry out a personal inspection of the routes and a survey of the

traffic to determine the transport requirements of any particular area. The number of buses on the various routes is fixed in accordance with the recommendations of Traffic Officers.

BRIDGES

*408. Shri Kishorimohan Tripathi: Will the Minister of Transport be pleased to state the total number of river bridges which have been completed by the Government of India during the period from the 15th August, 1947 to the 15th August, 1950 for facilitating inter-state transport?

The Minister of State for Transport and Railways (Shri Santhanam): Eight on National Highways. Since then 4 more bridges have been completed. 39 other bridges are under construction on the National Highways.

INDIGENOUS PLOUGHS

*409. Shri S. C. Samanta: (a) Will the Minister of Food and Agriculture be pleased to state what improvements have been made in the indigenous ploughs used in Agriculture in India?

(b) In which parts of the country those improved ploughs have been experimented and with what results?

(c) Do Government propose to make further improvements?

(d) Has any mechanical plough been manufactured in India?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) The following improvements have been made in the Indian indigenous ploughs:

(i) attachment of double mould boards to the indigenous plough;

(ii) attachment of mould board, cultivator blades etc. to the indigenous plough; and

(iii) attachment of 2 bottoms of Indian Desi Ploughs to a single beam.

(b) (i) The plough under item (i) is used in Bihar for ridging in Sugarcane fields;

(ii) known as "Shanti Plough", it is experimented upon at Coimbatore by the Madras Department of Agriculture. A few have been distributed to the research stations in Madras State. This kind of plough is found useful for various farm operations; and

(iii) is the "Double Desi Plough" developed at the Indian Agricultural Research Institute

and sent to Nagpur, Patna, Indore and Jullundur for experimental purposes and the results of the trials at those places are awaited.

(c) Yes, as part of the regular programme of improvement of agricultural implements.

(d) Yes. Power drawn ploughs (say for tractors) are manufactured but in very small numbers by two firms, one in Punjab and the other in Bombay.

VEGETABLE OIL (COLOUR)

*410. **Shri Shivi Charan Lal:** (a) Will the Minister of Food and Agriculture be pleased to state whether Government have succeeded in finding a colour for mixing up in the vegetable oil?

(b) Have experiments been made about that colour and when do Government expect to mix that colour with that oil?

(c) Is it a fact that Sri Satish Chandra Das Gupta has sent to Government a colour which in his opinion will solve the question of mixing colour in the vegetable oil?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) No.

(b) Various experiments have been made but so far no effective colouring medium which would not affect the quality of vanaspathi, not be injurious to health, not be easily eliminated by heating or by some chemical process and non-toxic and not objectionable to sight has yet been found.

(c) Yes, but the colour has not been found suitable for the purpose.

ALLOTMENT OF RICE TO ASSAM

*411. **Shri R. K. Chaudhuri:** (a) Will the Minister of Food and Agriculture be pleased to state whether it is a fact that the Government of India have promised to allot one lakh tons of rice to the State of Assam?

(b) If so, what price has been charged for the same and how much of this has been already delivered to the State of Assam?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) No, Sir, Assam's import quota of 1 lakh tons for 1951 comprises all grains.

(b) Does not arise, but I may mention that the Government of India have so far allotted 44,870 tons of

rice to Assam. This consists of 15,800 tons from East Pakistan, the price of which is approximately Rs. 20/13/- per maund, 26,000 tons from imports, the price of which is Rs. 26/8/- per maund, for fine quality and Rs. 23/6/- for coarse varieties, and 2570 tons from Manipur, the price of which is not readily available.

FOOD PROCUREMENT

*412. **Shri M. Naik:** (a) Will the Minister of Food and Agriculture be pleased to state the amounts of grants paid to different States on account of food procurement bonus by the Government of India under the new procurement bonus policy?

(b) Is it a fact that in securing procurement of food the deficit areas in a surplus State are subjected to the same rigour as the surplus areas?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Under the revised bonus scheme no bonus will be paid on grain procured by a State for its internal consumption. Bonus payable will be on a sliding scale and related to the net export and import quota fixed for the whole year for each State for the purpose. Bonus payable can therefore be determined and paid only at the end of the year.

(b) No.

LAND UNDER JUTE CULTIVATION IN ORISSA

*413. **Shri M. Naik:** (a) Will the Minister of Food and Agriculture be pleased to state the acreage of land brought under jute cultivation in Orissa during the current year as compared with the last year?

(b) How much of the lands have been diverted, if any, from food crops to the jute crops as a result of the jute development scheme in Orissa State?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) It is estimated that 1.01 lakh acres will be under jute this year as against 1.10 lakh acres last year.

(b) The information is not available. Part of the increase in the jute area has come out of lands not growing food crops.

CONSTRUCTION OF NEW RAILWAY LINES

*414. **Shri M. Naik:** (a) Will the Minister of Railways be pleased to state how many new railway lines are being, or proposed to be, undertaken for construction during the financial year 1951-52 and where?

(b) How many dismantled lines have been or are proposed to be restored during the year?

(c) What is the progress, if any, made in each of the above cases?

The Minister of State for Transport and Railways (Shri Santhanam): (a) (i) Construction work on the following lines is already in hand:

(1) Diggi-Toda Rai Singh Section of the Sanganer-Malpura-Sawai Mangarh Line in Rajasthan.

(2) Kandla-Deesa in Bombay.

(3) Mukerian-Pathankot in the Punjab.

(4) Arantangi-Karaikudi in Madras.

(ii) Construction of the following two lines will be commenced during 1951-52:

(1) Chunar-Robertsganj in Uttar Pradesh.

(2) Pihij-Nadiad near Baroda in Bombay State.

(b) It has been decided to commence work on the restoration of eight dismantled lines during the current financial year.

(c) The up-to-date percentage of progress on the Works in progress is as follows:

Diggi-Toda Rai Singh ...	37 per cent.
Kandla-Deesa ...	43 per cent.
Mukerian Pathankot ...	65 per cent.
Arantangi Karaikudi ...	80 per cent.

As regards the remaining works, preliminary arrangements are in hand.

COLOUR FOR VANASPATI

*415. Shri Ghule: (a) Will the Minister of Food and Agriculture be pleased to state whether the committee appointed by Government to find a suitable colour to be mixed in the hydrogenated vegetable oils, has given its report?

(b) If so, what are its recommendations?

(c) If not, when is it likely to submit its report?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) No.

(b) Does not arise.

(c) The Committee is expected to submit its report by the end of September 1951.

PRICES OF RICE IN TRIPURA

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

(a) whether the prices of rice in certain areas of Tripura have gone up;

(b) the highest price of rice as reported by Government;

(c) whether there have been any reports of starvation in Tripura; and

(d) whether Government have introduced rationing in the State?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Yes, in northern parts of Tripura including Sadar Division during May to middle of July, 1951.

(b) The average price was between Rs. 40/- and Rs. 45/- per maund during the period mentioned in reply to part (a).

(c) No.

(d) Modified rationing has been introduced in scarcity affected urban areas and relief shops opened in some of the rural areas.

REGIONAL OFFICE FOR POSTS AND TELEGRAPHS AT VIJAYAWADA

74. Shri V. K. Reddy: Will the Minister of Communications be pleased to state:

(a) whether there is a proposal to start a Regional Office for Posts and Telegraphs at Vijayawada to serve the entire Telugu-speaking areas in Madras and Hyderabad States; and

(b) if the answer to part (a) above be in the affirmative, what are the areas which will be brought in this region?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Representations have been received to that effect from the public.

CLASS II POSTS IN RAILWAYS

75. Shri S. N. Sinha: Will the Minister of Railways be pleased to state:

(a) the total number of Class II posts in the Indian Railways; and

(b) how many of these are filled through direct recruitment and how many through promotions?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The total number of permanent and

temporary Class II posts on the Indian railways at present is 373 and 283 respectively.

(b) Except in regard to a few posts in the Mechanical Engineering Department and certain miscellaneous posts, all the posts are at present filled by promotion.

परिनियत तथा अपरिनियत राशन वाले नगर

७६. श्री खापर्डे : (क) क्या खाद्य तथा कृषि मंत्री भारत में परिनियत तथा अपरिनियत राशन वाले नगरों की संख्या बतलाने की कृपा करेंगे?

(ख) कितने परिनियत तथा अपरिनियत राशन वाले कस्बों तथा ग्रामों में लोगों को राशन कार्डों पर साक्षात् दिया जाता है ?

(ग) सभी राज्यों में राशन की मात्रा किस आधार पर निर्धारित की जाती है ?

(घ) क्या यह इकाइयों के आधार पर होता है अथवा किसी अन्य आधार पर?

STATUTORY AND NON-STATUTORY RATIONED CITIES

[76. Shri Khaparde: (a) Will the Minister of Food and Agriculture be pleased to state the number of the Statutory and Non-statutory rationed cities in India?

(b) What is the number of Statutory and Non-statutory towns and villages where foodgrains are supplied to the inhabitants on ration cards?

(c) What is the basis on which quantity of rations is determined in all the States?

(d) Is it on a unit basis or on some other basis?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). At present 353 cities and towns are under statutory rationing. Up-to-date information regarding the number of towns and villages under non-statutory rationing has been called for and will be placed on the Table of the House when received.

(c) and (d). The size of the ration is determined on the basis of availability and the type of rationing in

force. For all statutorily rationed areas, the prescribed basic scale for an adult is 12 ounces. In non-statutorily rationed areas, where a ration can supplement the ration by open market purchases, the quantum of the ration is determined on the basis of availabilities subject to a maximum limit of 12 ounces. Generally the quantum of basic ration admissible to an adult is treated as equivalent to two units and that to a child equal to one unit.

AVERAGE PRODUCTIVITY OF LAND

77. Shri Shiv Charan Lal: (a) Will the Minister of Food and Agriculture be pleased to state what was the average productivity per acre of land in the country comparatively during the last fifty years and what percentage in production has fallen during that period?

(b) What were the causes of the decline in the production per acre and what steps have Government taken to remove those causes?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) A study of trends in yields of principal crops viz. wheat, rice, jowar, bajra, Sugarcane and groundnuts has been undertaken by the Indian Council of Agricultural Research. The study is still incomplete owing to the non-availability of comparable estimates of yield relating to the same coverage.

(b) There is a belief that productivity in certain areas has declined. Among the causes are said to be exhaustion of the soil, changes in the water level, increased salinity. These are sought to be countered by propaganda for soil conservation and for use of organic manuring.

MINISTRY OF FOOD AND AGRICULTURE (STAFF)

78. Prof. K. T. Shah: Will the Minister of Food and Agriculture be pleased to state:

(a) the number of (i) Gazetted, and (ii) non-Gazetted Officers, clerks and Class IV servants in the Ministry separately for Food and Agriculture wings and its attached and subordinate offices on:

(i) 15th August, 1947; (ii) 31st March, 1948; (iii) 31st March, 1949; (iv) 31st March, 1950; and (v) 31st March, 1951; and

(b) the number of the officers, clerks and Class IV servants appointed temporarily in the first instance and subsequently (i) made permanent, (ii)

retired or (iii) retrenched, during each of the years 1947-48 (post-partition) 1948-49, 1949-50 and 1950-51?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b) Two statements relating to the Headquarters staff of the Food and Agriculture Wings are placed on the Table of the House. [See Appendix II, annexure No. 44.]

Information in respect of attached and subordinate offices is being collected and will be laid on the Table of the House in due course.

HINDI TELEGRAM SERVICE

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

(a) whether the Hindi telegram service has been extended to longer hours;

(b) if so, in which places and up to what time Hindi telegrams are received;

(c) whether it is a fact that Hindi telegrams are utilized by the press correspondents on the Poona side to a very great extent; and

(d) at what other places the press service is utilizing the Hindi telegrams?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) Calcutta, Patna, Gaya, Ranchi, Muzaffarpore, Indore, Jaipur, Agra, Allahabad, Banaras, Bareilly, Kanpur, and Lucknow work from 12 to 20 hours; Bombay, Belgaum, Bhusaval, Poona, Shalapur, Jabalpur, Nagpur, Ajmer and New Delhi work from 12 to 22 hours.

(c) No.

(d) New Delhi, Nagpur, Jabalpur, Agra and Lucknow.

MONKEYS

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

(a) whether the Madras Government have requested the Government of India to ascertain whether any foreign countries are willing to import monkeys from India on the ground that these monkeys are causing damage to crops and orchards; and

(b) if so, what reply have the Government given and whether there is any likelihood of the exports from India?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Yes.

(b) The Government of Madras have been informed that the export of monkeys is absolutely free except during the closed season, viz. from 1st April to 31st August, when their export by sea is restricted. The State Government have also been furnished with a list of leading monkey dealers in the country, as also a list of certain importers abroad of living animals and birds who may be interested in the import of monkeys from India.

Monkeys are already being exported in some numbers to foreign countries, as will be evident from the following figures:

Year	No. of monkeys exported from India by sea	
1945-46	--	7,525
1946-47	--	10,180
1947-48	--	13,153
1948-49	..	14,999
1949-50	—	21,748
Total export up to 1945-50		67,585

INDIAN COUNCIL OF AGRICULTURAL RESEARCH

81. Shri S. N. Das: (a) Will the Minister of Food and Agriculture be pleased to state what was the total number of existing schemes under operation financed by the Indian Council of Agricultural Research during the year 1950-51?

(b) How many new schemes will be sanctioned during the current year?

(c) In how many cases under these schemes have investigations resulted in successful discovery of new varieties of strains (breed)?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) 180.

(b) The Governing Body of the Council sanctioned 48 new Schemes at its meeting held in February, 1951.

(c) A note relating to new varieties evolved as a result of the working of Agriculture and Animal Husbandry schemes financed by the Council and in operation upto 1950-51, is placed on the Table of the House. [See Appendix II, annexure No. 45.]

NUTRITION SECTION

82. **Pandit Munishwar Datt Upadhyay:** Will the Minister of Food and Agriculture be pleased to state the amount of work done by Nutrition Section during the last six months:

(i) to improve and co-ordinate the nutrition activities of the State Governments specially of the Part 'C' State Governments;

(ii) to acquaint the people of well-balanced diets and correct method of cooking among low income people; and

(iii) to give publicity to the nutritive value of various foodstuffs?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(i) Quarterly reports of nutrition work are received from Part 'A' States and a certain amount of co-ordination is effected by the nutrition section at the Centre. There is very little activity in this respect in Part 'C' States.

(ii) This is being done by means of posters, charts, exhibitions, cooking classes, radio talks and opening of cafeterias.

(iii) A recipe book of non-rationed foods, describing the preparation of well-balanced meals and snacks, as well as their food values, has been published

CONTENTS

Volume XIV.—6th August, 1951 to 29th August, 1951

	<i>Columns</i>
MONDAY, 6th August, 1951—	
President's Address to Parliament	1—28
TUESDAY, 7th August, 1951—	
Motions for Adjournment—	
Exorbitant rise in the price of cloth	29
Civil Defence of India against invasion by Pakistan	29—31
Papers laid on the Table—	
President's Assent to Bills	31
Report of the India Delegation to the Twelfth Session of the United Nations Economic and Social Council	31—32
President's Proclamation assuming to himself all functions of the Government of Punjab	32
Expenditure incurred on Medical Treatment in India and abroad of Ministers	32
Toofan Express Accident	32
Ordinances promulgated after the termination of the Third Session of Parliament 1950-51	32
Essential Services (Prevention of Strikes) Bill—Introduced	33
Indian Railways (Amendment) Bill—Introduced	33
Parliament Prevention of Disqualification Bill—Further consideration of clauses—Postponed	33—79
Assam (Alteration of Boundaries) Bill—Discussion on motion to consider—Not concluded	80—100
WEDNESDAY, 8th August, 1951—	
Business of the House—	
Hours of Sitting	101
Papers laid on the Table—	
Expenditure from the Aviation Share of the Petrol Tax Fund	102
Indian Companies (Amendment) Bill—Introduced	102
Punjab State Legislature (Delegation of Powers) Bill—Introduced	102—03
Assam (Alteration of Boundaries) Bill—Passed, as amended	103—62
Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Bill—Discussion on motion to consider—Not concluded	162—90
THURSDAY, 9th August, 1951—	
Papers laid on the Table—	
Notifications under Section 2C of Insurance Act, 1938	191
Amendments to Cinematograph (Censorship) Rules, 1951	191
Notification in accordance with Section 4A of Indian Tariff Act, 1934	192
Appropriation Accounts—Defence Services, 1948-49: Audit Report, Defence Services, 1950; Commercial Appendix to Appropriation Accounts, Defence Services, 1948-49; Appropriation Accounts—Railways, 1948-49 (Parts I and II); Railway Audit Report, 1950; Balance Sheets of Railway Collieries and Statements of all-in cost of coal etc. for 1948-49; and Capital Statements, Balance Sheets and Profit and Loss Accounts of Govt. Railways, 1948-49.	192—93
Resolution re President's Proclamation on Failure of Constitutional Machinery in Punjab—Adopted	193—255
Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Bill—Further Consideration postponed	255—60

THURSDAY, 9TH AUGUST, 1951— <i>Contd.</i>	<i>Columns</i>
Business of the House—	
Change in Hours of Sitting	260—62
Employment of Children (Amendment) Bill—Passed, as amended	262—67
Opium and Revenue Laws (Extension of Application) Amendment Bill— Passed, as amended	267—71
Sea Customs and the Central Excises and Salt (Amendment) Bill—Passed	271—73
Resolution re Convention for Suppression of Traffic in persons and exploita- tion of Prostitution—Further discussion postponed	273—78
Notaries Bill—Motion to consider moved	278—80
 FRIDAY, 10TH AUGUST, 1951—	
Death of Shri Narayana Murthi	281
Motions for Adjournment—	
Dalkhowachar and Salapara Islands	281—83
Alleged election arrangement between Food Minister, U. P., and Sugar Industrialists	283—84
State Financial Corporations Bill—Presentation of Report of Select Committee	284
Tariff Commission Bill—Presentation of Report of Select Committee	284
Forward Contracts (Regulation) Bill—Extension of time for presentation of report of Select Committee	284—85
Delhi Premises (Requisition and Eviction) Amendment Bill—Extension of time for presentation of Report of Select Committee	285—93
Go-Samvardhan ¹ Bill—Extension of time for presentation of Report of Select Committee	293—94
Motion on Address by the President—Discussion not concluded	294—329
Papers laid on the Table—	330—72.
Correspondence between the Prime Ministers of India and Pakistan	329
 SATURDAY, 11TH AUGUST, 1951—	
Presentation of the Report of the Committee on the Conduct of a Member	373
Motion on Address by the President	373—500
 MONDAY, 13TH AUGUST, 1951—	
Papers laid on the Table—	
Statement re Railway Stores Enquiry Committee	503
Resolution re raising of export duty on groundnuts and levy of export duty on oilseeds and vegetable oils not otherwise specified—Adopted	504—43
Evacuee Interest (Separation) Bill—Introduced	543
Punjab State Legislature (Delegation of Powers) Bill—Discussion on motion to consider—Not concluded	544— 90
 TUESDAY, 14TH AUGUST, 1951—	
Message from the President	591
Business of the House	591—92
Punjab State Legislature (Delegation of Powers) Bill—Discussion on motion to consider—Not concluded	592—706
 THURSDAY, 16TH AUGUST, 1951—	
Indian Explosives (Amendment) Bill—Introduced	707—08
Punjab State Legislature (Delegation of Powers) Bill—Further consideration postponed	708—10
Indian Companies (Amendment) Bill—Referred to Select Committee	710—74
 FRIDAY, 17TH AUGUST, 1951—	
Papers laid on the Table—	
Statement showing action taken by Government on assurances etc., given during Third Session (Second Part) 1951	775
Punjab State Legislature (Delegation of Powers) Bill—Passed, as amended	776—821
Delhi and Ajmer Rent Control Bill—Referred to Select Committee	821—31

(iii)

	<i>Columns</i>
FRIDAY, 17TH AUGUST, 1951—Contd.	
Notaries Bill—Discussion on motions to consider and to refer to Select Committee—Not concluded	832—41
Import of Dates	842—52
SATURDAY, 18TH AUGUST, 1951—	
Displaced Persons (Debts Adjustment) Bill—Introduced	853
Notaries Bill—Referred to Select Committee	853—56
Evacuee Interest (Separation) Bill—Referred to Select Committee	856—99
Tariff Commission Bill—Discussion on motion to consider—Not concluded	899—930
MONDAY, 20TH AUGUST, 1951—	
Forward Contracts Bill—Presentation of Report of Select Committee	931
Displaced Persons (Debts Adjustment) Bill—Referred to Select Committee	931—74
Tariff Commission Bill—Discussion on motion to consider, as reported by the Select Committee—Not concluded	974—1014
TUESDAY, 21ST AUGUST, 1951—	
Papers laid on the Table—(i) Amendments to Delhi Motor Vehicles Rules, 1940, (ii) Amendments to Punjab Motor Vehicles Rules, 1940	1015—16
Tariff Commission Bill—Consideration of clauses—Not concluded	1016—98
WEDNESDAY, 22ND AUGUST, 1951—	
Papers laid on the Table—	
Declarations of Exemption under Registration of Foreigners Act, 1939	1099—1100
Agreement re Loan from U. S. A. for purchase of Foodgrains	1100—01
Motion for Adjournment—	
Fast by public men of Andhra re formation of Andhra Province	1101—03
Tariff Commission Bill—Consideration of Clauses—Not concluded	1103—80
THURSDAY, 23RD AUGUST, 1951—	
Resolution re measures for increased food production—Negatived	1181—1205
Resolution re necessity for an All India Bar—Withdrawn	1205—09
Resolution re opening of Provident Fund Accounts in Post Offices—Withdrawn	1209—11
Resolution re altering the boundaries of West Bengal—Negatived	1212—54
SATURDAY, 26TH AUGUST, 1951—	
Railway Companies (Emergency Provisions) Bill—Introduced	1255
Papers laid on the Table—	
Statement re Food Position	1255—56
Business of the House	1256—59
Tariff Commission Bill—Passed, as amended	1259—87
Benares Hindu University (Amendment) Bill—Referred to Select Committee	1287—1328
Aligarh Muslim University (Amendment) Bill—Referred to Select Committee	1287—1328
Government of Part C States Bill—Consideration of clauses—Not concluded	1328—56
MONDAY, 27TH AUGUST, 1951—	
Statement re Japanese Peace Treaty	1357—62
Business of the House	1362—63
Papers laid on the Table—	
Constitution (Removal of Difficulties) Order No. II (Third Amendment) Order 1363	1363
Third Annual Report of Industrial Finance Corporation	1363
Indian Companies (Amendment) Bill—Extension ³ of time for presentation of report of Select Committee	1363—64
Government of Part C States Bill—Consideration of clauses—Not concluded	1364—1426

TUESDAY, 28TH AUGUST, 1951—*Columns***Papers laid on the Table—**

(i) Recommendation by I. L. C. concerning Vocational training of adults including disabled persons; and (ii) Action proposed to be taken by Government of India on the recommendation	1427
Occupation of two islands in the Brahmaputra by Pakistan Police	1427—30
Government of Part C States Bill—Consideration of clauses—Not concluded	1430—1524

WEDNESDAY, 29TH AUGUST, 1951—**Motion for Adjournment—**

Maintenance of electrical equipment in Parliament Chamber	1525—27
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Papers laid on the Table—

Delhi Road Transport Authority (Advisory Council) Rules, 1951	1527
Madras Port Trust (Amendment) Bill—Introduced	1527
Government of Part C States Bill—Consideration of clauses—Not concluded	1528—94

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

1015

1016

PARLIAMENT OF INDIA

Tuesday, 21st 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.

PAPERS LAID ON THE TABLE

- (i) AMENDMENTS TO DELHI MOTOR VEHICLES RULES, 1940.
- (ii) AMENDMENTS TO PUNJAB MOTOR VEHICLES RULES, 1940.

The Minister of States, Transport and Railways (Shri Gopaldaswami): I lay on the Table, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, a copy of each of the following notifications issued by the Chief Commissioner, Delhi, amending the Delhi Motor Vehicles Rules, 1940:

- (1) No. F. 12 (4)/50-MLT, dated the 30th April, 1951.
- (2) No. F. 12 (24)/51-MLT, dated the 30th April, 1951.
- (3) No. F. 12 (132)/50-MLT, dated the 30th April, 1951.
- (4) No. F. 12 (160)/50-MLT, dated the 30th April, 1951.
- (5) No. F. 12 (26)/51-MLT, dated the 30th April, 1951.
- (6) No. F. 12 (5)/51-MLT, dated the 28th June, 1951.

[Placed in Library. See No. P-193/51]

Shri Gopaldaswami: I also lay on the Table, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, a copy of each of the two notifications issued by the Chief Commis-

237 PSD

sioner, Himachal Pradesh, No. J.96-26/49, dated the 3rd May, 1951, amending the Punjab Motor Vehicles Rules, 1940. [Placed in Library. See No. P-194/51.]

TARIFF COMMISSION BILL—contd.

पंडित ठाकुर दास भागवत: माननीय डिप्टी-स्पीकर साहब (Mr. Deputy-Speaker), कल मेरे माननीय दोस्त श्री भट्ट साहब ने हाऊस (House) में बड़े जोर से तकरीर की थी कि जहां तक ११(ए) का स्वाल है टैरिफ कमीशन (Tariff Commission) को वज खुद अस्तयार होना चाहिये कि वह बंगर गवर्नमेन्ट को रेफर (refer) किये हुए इस बारे में तहकीकात कर सके। दरअसल जिस वक्त यह बिल (Bill) सेलेक्ट कमेटी (Select Committee) के सुपुर्द हुआ उस वक्त खुद जनाबवाला ने यह तहरीक फरमाई थी कि यह लफज 'मे' (may) का 'शैल' (shall) में तबदील कर दिया जाय और जनाबवाला की राय थी कि हर एक इन्डस्ट्री (industry) को हक हो कि वह टैरिफ कमीशन (Tariff Commission) के सामने जा सके। जनाब की स्पीच (speech) के बाद हमारे माननीय मिनिस्टर साहब ने यह ख्याल जाहिर फरमाया था कि कई मामले इस के अन्दर ऐसे हैं, पोलिटिकल (Political) मामले, कई इन्डस्ट्रीज के मुतालिक जिस में गवर्नमेन्ट को ही अस्तयार

[पंडित ठाकुर दास भागवंत]

होना चाहिये, और टैरिफ कमीशन को गवर्नमेन्ट की पूरी वसातत हासिल होगी कि वह जिस तरह चाहे एन्क्वायरी (enquiry) कर सके। जनाव, मैं निहायत खुश हूँ कि जनाववाला ने सिलेक्ट कमेटी को इस बारे में लीड (lead) दिया। वह बिल्कुल मुस्तलिफ थी उस से जो कि उस वक्त दी थी जब जनाववाला इस हाउस के अन्दर तकरीर कर रहे थे। उस वक्त आपने यह ख्याल फरमाया था कि गवर्नमेन्ट को ही आखिरी अख्तियार इस बारे में होना चाहिये।

Mr. Deputy-Speaker: But there is the provision that the Commission may of its own accord inquire into those particular matters.

पंडित ठाकुर दास भागवंत : वह प्राविजन (Provision) सब-क्लाइज ११ और १२ (Sub-Clauses 11 and 12) के वास्ते है, लेकिन ११(ए) के वास्ते नहीं। जनाववाला ने जो तकरीर यहां फरमाई थी और जो सिलेक्ट कमेटी में हम को लीड दी थी उस में इस्तलाफ था, और दुस्त तौर पर इस्तलाफ था, क्योंकि दरअसल गवर्नमेन्ट को ही आखिरी अख्तियार होना चाहिये कि अगर गवर्नमेन्ट चाहे तो किसी भी मामले में टैरिफ कमीशन को इस तरह की तहकीकात से रोक दे। इस असूल को मैं मानता हूँ। जनाववाला ने जब वह तकरीर की थी कि हर एक इन्डस्ट्री को हक है कि टैरिफ कमीशन के सामने जाय चाहे गवर्नमेन्ट की मर्जी हो या न हो। उस के बाद सिलेक्ट कमेटी में आप ने अपनी राय तबदील कर ली इस वजह से मेरे ऊपर यह असर पड़ा कि दरअसल गवर्नमेन्ट को ही आखिरी हक होना चाहिये वह कि किसी इन्डस्ट्री को यह इजाजत दे या न दे कि उस के मुताल्लिक प्रोटेक्शन (protection) की तहकीकात हो सके। लेकिन ताहम यह होते हुए भी मैं ने अपने नोट आफ डिसेन्ट (Note of dissent) में ह आशा की थी और मैं

ने एक अमेन्डमेन्ट (amendment) भी दिया है, और मैं इस बात को बड़े जोर के साथ दोहराना चाहता हूँ कि जहां यह दुस्त है कि गवर्नमेन्ट को यह आखिरी इख्तियार होना चाहिये कि वह किसी इन्डस्ट्री के बारे में अगर चाहे तो वीटो (veto) इस्तेमाल कर ले, मेरी बड़े अदब से हाऊस (House) के सामने यह प्रार्थना है कि जहां तक टैरिफ कमीशन का सबाल है उस को खुद अख्तियार होना चाहिये कि वह जिस इन्डस्ट्री के अन्दर चाहे, उस के बारे में प्रोटेक्शन की एन्क्वायरी (enquiry) कर सके। अगर गवर्नमेन्ट न चाहे कि वह उस की एन्क्वायरी करे तो गवर्नमेन्ट को अख्तियार है कि उस को रोक दे। मैं इस वास्ते अजं करता हूँ कि कल हाऊस के अन्दर श्री भट्ट साहब ने जो वजूहात दी वह बड़ी माकूल थीं। हमें अभी तक नहीं मालूम कि कितनी दरखास्ते आईं, गवर्नमेन्ट ने कितनी अजियां लीं, गवर्नमेन्ट ने किन किन इन्डस्ट्रीज को इजाजत दी और किन को शुरू में ही स्क्रेप (scrap) कर दिया यह हमें मालूम नहीं। लेकिन भट्ट साहब ने कहा कि खुद कमीशन को भी यह इत्तला गवर्नमेन्ट ने नहीं दी। लेकिन जो इत्तला उन को पहुंचाई गई है वह माकूल और दुस्त नहीं है, यह उन की शिकायत थी। मैं एक वाया मीडिया (via media) पेश करना चाहता हूँ और वह यह है कि फिस्कल कमीशन (Fiscal Commission) ने यह सिफारिश की थी कि टैरिफ कमीशन को अख्तियार दिया जाय, इस से सिलेक्ट कमेटी ने उस को ज्यादा अख्तियार दे दिया। सिलेक्ट कमेटी ने चन्द एक बातों के बारे में जिन के बारे में फिस्कल कमीशन ने सिफारिश नहीं की थी, यह कबूल कर लिया है कि टैरिफ कमीशन को अब खुद तहकीकात करने का अख्तियार होना चाहिये।

और मुझे याद है कि सिलेक्ट कमेटी के मेम्बरान की ही मर्जी नहीं थीं लेकिन खुद मिनिसटर साहब ने भी यह बात कही थी कि उन को अख्यार होना चाहिये। दरअसल जैसा मैं ने कल अर्ज किया था कि यह टैरिफ कमीशन आइन्दा के वास्ते सारी इन्डस्ट्रीज का वाच डाग (watchdog) होगा। इस को वही हक होंगे जैसे गवर्नमेन्ट के अन्दर हाई कोर्ट (High Court) को हक है कि वह इन्डेपेन्डेन्ट (independent) हो। इन हालात में मैं अर्ज करना चाहता हूँ कि हम को इस के अन्दर तरमिम करना चाहिये कि दफा १३ में जैसे हम ने सुओ मोटो (suo-moto) अख्यार टैरिफ बोर्ड को दिये हैं, उसी तरह ११(ए) के अन्दर भी अख्यार होना चाहिये कि वह अगर चाहे तो अज खुद तहकीकात कर ले, गो कि मैं इस बात का मुखालिफ नहीं कि अगर गवर्नमेन्ट चाहे तो उस तहकीकात के वास्ते उन को मना कर दे। मैं इस वास्ते अर्ज करता हूँ कि वह ऐसी बाडी (body) होगी, जिस को हक होगा दूसरी इन्डस्ट्री की तहकीकात करने का। उन को पता लग सकता है कि फलां इन्डस्ट्री की देश के अन्दर तरक्की हो सकती है या नहीं और प्रोटेक्शन देना चाहिये या नहीं। वह खुद एक टेकनिकल बाडी (technical body) होगी जिस के दायरे इक्तदार में इन्डस्ट्रीज होंगी। सिलेक्ट कमेटी से, जहाँ आप ने सब बातों का अख्यार दिया है, मैं नहीं समझता कि क्यों ११(ए) में अख्यार देने के लिये एतराज किया जाता है। मैं चाहता हूँ कि इस के अन्दर गवर्नमेन्ट को वीटो की पावर (Power of Veto) दे दी जाये कि अगर गवर्नमेन्ट मुनासिब समझे तो ऐसी तहकीकात को बन्द कर सके। इस के अलावा एक नये तरह का अख्यार इस से

पहले सिलेक्ट कमेटी ने गवर्नमेन्ट को दिया है। संवधान ७(बी) में जो डिस्क्वालिफिकेशन्स (disqualifications) दर्ज हैं उस के अन्दर यह भी है :

"The Central Government may remove from office any member of the Commission who has so abused his position as to render his continuance in office detrimental to the public interest."

यह एक नई तरह की प्राविजन (provision) है जो आम तौर पर इन्डेपेन्डेन्ट कमीशन (Independent Commission) के बारे में नहीं रखी जाती, हाई कोर्ट जजेज (High Court Judges) के बारे में नहीं है। जुडिशल और इन्डेपेन्डेन्ट (Judicial and Independent) जितने महकमेजात हैं उन के बारे में यह नहीं आया कि गवर्नमेन्ट को यह अख्यार दे दिया जाय कि मेम्बर के खिलाफ यह शिकायत की जा सके, क्योंकि यह उन के इन्डेपेन्डेन्स पर स्लर (slur) है। लेकिन चूँकि यह चीज रक्की गई है इसलिये कभी टैरिफ कमीशन उस चीज को न करेगा जिस के अन्दर गवर्नमेन्ट अपने इस अख्यार को इस्तेमाल करेगी कि फलां इन्डस्ट्री की तहकीकात बन्द कर दी जाय। इन जुमला हालात को देखते हुए, उन की अपनी पोजीशन (position) को देखते हुए और देश के अन्दर जो शिकायत है उस को देखते हुए कि बहुत सी दफा गवर्नमेन्ट की लापरवाही से या और वजह से इन्डस्ट्री को प्रोटेक्शन के वास्ते नहीं भेजा जाता, मैं मुनासिब समझता हूँ कि हाऊस यह वाया मीडिया (via media) मंजूर करे कि टैरिफ कमीशन को अख्यार हो, जैसा अख्यार उन को दिया गया है दफा १३ में इसी तरह इस मद के मुताल्लिक भी उन को अख्यार हो कि अगर वह चाहें तो किसी भी मामले में तहकीकात ११(अ)

[पंडित ठाकुर दास भार्गव]

में कर सकें लेकिन गवर्नमेन्ट को वीटो (veto) हो कि अगर वह चाहें तो उस को बन्द कर सकें। इसलिये मैं यह बर्ज करूंगा कि जो हम ने दफा १३ में नहीं लिखा है उस को रिस्टोर (restore) कर देना चाहिये क्योंकि टैरिफ कमीशन से भी ज्यादा हम गवर्नमेन्ट को मुहाफिज समझते हैं देश की इंडस्ट्रीज का और गवर्नमेन्ट को जो अख्तियार दिये जायें वह ठीक है। कोई पोलिटिकल कंसीडरेशन (political consideration) हो सकता है कि किसी खास इंडस्ट्री को प्रोटेक्शन न दिया जाय। इस उसूल को मानते हुए मैं ने यह वाया मीडिया पेश किया है और मुझे उम्मीद है कि हाऊस इस को मंजूर करेगा। अब जो टैरिफ कमीशन को पावर्स (powers) दी गई हैं वह पहले के मुकाबले में ज्यादा है। टैरिफ कमीशन एक परमानेंट बाडी (permanent body) होगा, उस को दफा ११ के मुताबिक कस्टम ड्यूटी (Custom duty) को बटाने या घटाने का अख्तियार होगा, दफा १५ में उस की और ड्यूटीज (duties) दी हुई हैं, दफा १४ में जो असूल दिया गया है उस के मातहत इंडस्ट्रीज का बैलेंस (balance) करने का अख्तियार दिया गया है। जिस इंडस्ट्री को प्रोटेक्शन की जरूरत हो उस को दिया जाय, जो खराबी हो उस को दूर करे या अगर उस को कोई जरूरत हो तो वह दी जाय। उन की इतनी पावर्स को देखते हुए मैं समझता हूँ कि उन को यह भी पावर दी जाय कि वह खुद चाहें तो तहकीकात कर सकते हैं, हालांकि गवर्नमेन्ट को उस को बन्द करने का अख्तियार हो।

इस के अलावा एक और छोटा सा महत्त्वपूर्ण इम्पोर्टेंट (important) मामला

है जिस की तरफ मैं बड़े अदब से हाउस की तवज्जह दिलाना चाहता हूँ। हम ने एक दफा पास की है १४ अलिफ जिस के अन्दर यह उपूल रखा गया था कि टैरिफ कमीशन को यह रिपोर्ट करने के पहले कि प्रोटेक्शन दिया जाय या न दिया जाय यह देखना होगा कि डोमैस्टिक इंडस्ट्री की कास्ट (cost of the domestic industry) क्या है और इम्पोर्टेड आर्टिकल की लैंडेड कास्ट (landed cost of the imported article) क्या है इन दोनों का मुकाबला करना पड़ेगा।

१४ अलिफ में हम ने जो उसूल रखा है वह दो तरह का है। एक तो है :

“The cost of production of manufacture in the principal growing or manufacturing regions of India of the commodities produced.....”

और दूसरी चीज है :

“The cost which should be taken to be representative of the industry concerned.”

इस में दो चीजें रखी गई हैं। प्रिन्सिपल ग्रोइंग और मैन्युफैक्चरिंग सेंटर (principal growing and manufacturing centre) में उस का कास्ट आफ प्रोडक्शन (cost of production) और दूसरी चीज है उस का रिप्रेजेंटेटिव कास्ट (representative cost) मैं समझता हूँ कि यह प्रोवीजन किसी कंफ्यूज्ड (confused) है कि यह दोनों चीजों पर जोर देता है। मैं समझता हूँ कि सिर्फ रिप्रेजेंटेटिव कास्ट को देखना चाहिये और इम्पोर्टेड क्मोडिटो की लैंडेड कास्ट (landed cost of the imported commodity) को देखना चाहिये। चूनांचे इस कमीशन ने जब इस मामले पर तवज्जह

दो तो सफा १७१ पर उन्होंने यह राय जाहिर की है। :

"Regarding the cost of production of the domestic industry the first point to decide is whether it should be the cost of the most efficient unit, the marginal unit or the representative unit in the industry. Tariff Boards have generally taken into account the representative unit for determining the cost. There are no objective criteria for the selection of the representative form of unit in the industry....."

वहां पर सफा १७१ पर पैरा १८३ में जो मेयार कायम किया गया है हमें उस को देखना है और यह चीज इम्पारटेंट है कि सिर्फ रिप्रेजेंटेटिव कास्ट देखनी चाहिये और मोस्ट एफिशिएंट (most efficient) या लीस्ट एफिशिएंट कास्ट (least efficient cost) नहीं देखनी चाहिये। इस में जो पहला हिस्सा है उस को रखने की कोई जरूरत नहीं है क्योंकि वह तो मोस्ट एफिशिएंट यूनिट की कास्ट (cost of the most efficient unit) है। हम को तो रिप्रेजेंटेटिव कास्ट देखनी चाहिये ताकि क्वांटम आफ प्रोटेक्शन (quantum of protection) ठीक हो। चन्द इंडस्ट्रीज ऐसी हैं कि जिन की एफिशिएंसी (efficiency) ज्यादा से ज्यादा है लेकिन उस की कास्ट ज्यागराफिकल पोजीशन (geographical position) वगैरह की वजह से ज्यादा होती है। अगर किसी इंडस्ट्री में ऐसी खूब हो तो यह देखना चाहिये कि इस की कास्ट किस वजह से ज्यादा है। इस लिये मैं अर्ज करूंगा कि सिर्फ रिप्रेजेंटेटिव कास्ट देखनी चाहिये, मोस्ट एफिशिएंट यूनिट (most efficient unit) का मेयार वहीं रखना चाहिये।

एक चीज मैं और अर्ज करना चाहता हूँ वह दफा २१ के मुताबिक है। इस में एक क्रिमिनल प्रोसीड्योर (Criminal

procedure) का सवाल है। मैं अदब से अर्ज करता हूँ कि दफा २१ पर जो तबज्जह देनी चाहिये थी वह नहीं दी गई है। यह दो मानी चीज है। यह बिल्कुल ऐम्बिग्यूअस (ambiguous) है। जो लक्ज, स्टेटमेंट, (statement) प्रोवाइजो (proviso) में इस्तेमाल किया गया है वह २९ वीं लाइन (line) के स्टेटमेंट, के लिए भी लिया जा सकता है और ३२ वीं लाइन में जो लक्ज स्टेटमेंट है उसके लिए भी लिया जा सकता है यह साफ नहीं है कि कौन से स्टेटमेंट से मतलब है, वह स्टेटमेंट जो कि वह कोर्ट (court) में देता है या वह जिस से कि पर्जरी (perjury) का ताल्लुक है। यह चीज साफ नहीं है और यह आयन्दा किसी मुल्जिम को नुकसानदेह हो सकती है। मैं अदब से अर्ज करना चाहता हूँ कि हाउस इस मामले को साफ कर दे।

मही चार पांच बातें थीं कि जो मैं ने अपने नोट आफ डिसेंट (note of dissent) में भी लिखी थी जो कि हाउस के सामने नहीं आ सका। मैं हाउस के सामने निहायत अदब से यह अर्ज करना चाहता हूँ कि यह बिल जो आज हमारे सामने है वह देश के वास्ते निहायत जरूरी और निहायत ही मुनासिब बिल है। जो चीजें हम तै करने जा रहे हैं वह बहुत फार रीचिंग (far reaching) असर रखने वाली हैं इसलिये हमें इस को निहायत गौर के साथ पास करना चाहिये। इस पर देश का इंडस्ट्रियल-एडवांसमेंट (industrial advancement) निर्भर है। मैं अदब से अर्ज करूंगा कि जिस स्पिरिट (spirit) से फिस्कल कमीशन ने इस पर काम किया है और जिस तरह गवर्नमेंट इस बिल

[पंडित ठाकुर दास भागंब]

को लाई है दोनों ही मूबारकबाद के मुस्तहक है और अगर हाउस इस को उन अमेंडमेंट्स के साथ पास कर देगा जो कि मैं ने रखे है तो देश की बहुत तरक्की होगी और देश का बहुत बला होगा।

(English translation of the above speech)

Pandit Thakur Das Bhargava (Punjab): Sir, my hon. friend Shri Bhatt urged this point vehemently in the house yesterday that so far as Section 11(a) was concerned, the Tariff Commission itself should be empowered *suo motu* to make an enquiry into any particular matter without having to refer it to the Government. As a matter of fact when this Bill came up before the Select Committee, you yourself proposed that in place of the word 'may' the word 'shall' should be substituted; also you suggested that everybody should have a right to approach the Tariff Commission. After you had delivered your speech the hon. Minister pointed out that there were several political and industrial issues involved in it, and as such the Government alone should have the power to deal with them, adding further that the Tariff Commission would have the full assistance of the Government so that they could make any kind of inquiry they liked. Sir, I am so glad that you gave a lead to the Select Committee in this connection, although it was quite different from the line you took in your last speech in the House. Then you had expressed the view that the Government alone should have the final say in this connection.

Mr. Deputy Speaker: But there is the provision that the Commission may of its own accord enquire into those particular matters.

Pandit Thakur Das Bhargava: That provision is with regard to sub-clauses 11 and 12 and not with regard to the sub-clause 11(a). There was a difference in the speech which you made here and the lead which you gave us in the Select Committee: that difference was quite justified because, in fact, the Government alone should have the final power to keep the Tariff Commission from making an inquiry with regard to any particular matter. I concede that principle. Sir, in your earlier speech you propounded the idea that every industry had a right to approach the

Tariff Commission whether the Government liked it or not, but later on you changed your opinion in the Select Committee. That is the reason why I too have come to the conclusion that in fact the Government alone should have the final power to allow any industry to get its case regarding protection enquired into. But in spite of holding that view I have expressed the hope in my note of dissent—I have also submitted an amendment to that effect, and I would reiterate it most emphatically—that whereas it is right that the Government should have the final authority to use veto with regard to any particular industry, if they like, I humbly beg to submit that so far as the question of the Tariff Commission is concerned, they should have the power *suo motu* to enquire into the protection case of any particular industry. If the Government does not approve of any such inquiry, it has the power to stop it. I say this because the arguments that were advanced by Shri Bhatt in the House yesterday were very sound. We do not know even up till now the number of applications that have been received by the Government and the number that has been accepted by them, which of the industries have been given permission and which of them have been scrapped in the very beginning. Shri Bhatt has contended that the Government has not given that information even to the Commission itself. He has complained that the information that was supplied to him was neither adequate nor correct. I would like to suggest a 'via media'. The Fiscal Commission recommended that the Tariff Commission should be given certain powers, but, in fact, the Select Committee has given it more than that. With regard to certain matters about which the Fiscal Commission did not make any recommendations, the Select Committee has accepted the principle that the Tariff Commission would be empowered *suo motu* to make an inquiry. I remember that it was not the wish of the hon. Members of the Select Committee alone but the hon. Minister too stated that they should have these powers. In fact, as I said yesterday, this Tariff Commission would be the watch-dog of the industries in future. It shall have the same position *vis a vis* the Government as a High Court, and it is going to be an independent body. Under these circumstances, I would like to submit that we should make an

amendment in it to the effect that just as in section 13 we have conferred *suo motu* powers on the Tariff Board, similarly in 11(a) we should empower it to make an inquiry, *suo motu*, into any matter, if it so likes, even though I am not in any way against the idea that the Government might, if it so desires, stop it from making such an inquiry. Therefore, I submit that it would be a body which would have the powers to conduct inquiries with regard to other industries. They would be in a position to say whether any particular industry could be developed in the country, and whether or not it should be given any protection. It would be a technical body in itself, and industries would come under its jurisdiction. Whereas you have empowered them in the Select Committee to deal with all other matters I fail to understand why objection is being raised to the grant of powers with regard to 11-A. I am in favour of giving the power of veto to the Government so that when they think it proper they might stop such an enquiry. Besides this the Select Committee has already given a new type of powers to the Government. The disqualifications laid down in Section 7(b) contain the following:

"The Central Government may remove from office any member of the Commission who has so abused his position as to render his continuance in office detrimental to the public interest."

This is a peculiar type of provision which is not usually adopted with regard to an independent Commission. There is no such provision in the case of the High Court Judges. So far as independent and judicial departments are concerned there is no such provision by which the Government might have the power to bring that kind of charge against any of their members, as that would be a slur on their independence. But when this thing has been laid down there, the Tariff Commission would not go to such an extent that the Government might have to use their authority to stop an inquiry.

Keeping all these facts in view and also keeping in view our own position and the complaint which is prevalent in the country that many a time industries are not recommended for protection due to the carelessness of the Government or due to other reasons. I think it is proper for the

House to accept this *via media*, that the Tariff Commission should also have under clause 11(a) the powers that it enjoys under clause 13, *viz.*, to make an enquiry into any case they like but that, at the same time, the Governments should have the power to use its veto to stop any particular enquiry. So I would submit that we should restore what we have not specifically laid down in clause 13, because we think that the Government is an even better protector of the industries than the Tariff Commission, and so whatever powers the Government is given would be all right. There may be some political considerations for not giving any protection to a particular industry. While accepting that principle I have suggested this *via media*, and I hope the House will accept it. The Tariff Commission has greater powers now than it had previously. It will be a permanent body now. It will have the powers to enhance or to reduce custom duties under clause 11. It has been entrusted with further duties under clause 15; it has been empowered to balance the industries according to the principle laid down in clause 14. Any industry which is in need of protection should be given protection, its defects, whatever they may be, should be removed, and its needs, if any, should be met. Keeping in view all these wide powers I think it should also be empowered to hold any enquiry *suo motu*, of course subject to the overriding power of the Government to stop such an enquiry.

Besides this there is another small yet important matter, to which I would most humbly draw your attention. We have passed clause 14(a) which lays down the principle that before submitting any report as to whether or not any protection should be given, the Tariff Commission would be expected to consider the cost of the domestic industry and the landed cost of the imported article. The two must be compared. The principle that we have laid down in clause 14(a) is two-fold. It mentions firstly:

"The cost of production or manufacture in the principal growing or manufacturing regions of India of the commodities produced....."

and the other is "The cost which should be taken to be representative of the industry concerned."

[Pandit Thakur Das Bhargava]

Thus two factors have been laid down, viz., firstly, 'the cost of production in the principal growing and manufacturing centre' and secondly, 'the representative cost'. I think this provision is somewhat confused, as it lays emphasis on both the things. In my opinion only the representative cost should be taken into account and along with it the landed cost of the imported commodity. When the Commission considered this issue they expressed their opinion on page 171 in the following words:

"Regarding the cost of production of the domestic industry the first point to decide is whether it should be the cost of the most efficient unit, the marginal unit or the representative unit in the industry. Tariff Boards have generally taken into account the representative unit for determining the cost. There are no objective criteria for the selection of the representative form of unit in the industry....."

We have to consider the criterion that has been set up in Para. 183, on page 171, and it is important that we should look to the representative cost alone and not to the most efficient or the least efficient cost. There is no need to keep the first part there because that is the cost of the most efficient unit. We have to keep in view the representative cost, so that the quantum of protection should be appropriate. There are certain industries which possess the maximum efficiency but their cost of production is high because of their geographical position and other factors. If such be the condition of any industry, it should be looked into as to why its cost is so high. Hence I submit that representative cost alone should be taken into consideration and the standard that we should set up should not be of the most efficient unit.

I would like to submit one thing more, and that is about clause 21. It involves a question of Criminal Procedure. I most humbly submit that due attention has not been given to clause 21. It can have two meanings. It is quite ambiguous. The word 'statement' that has been used in the proviso, could be taken to refer to the word "statement" occurring in line 29 but may also be taken to mean the word 'statement' which occurs in the line 32. It is not clear to which statement it refers. Is it the state-

ment that he gives in court or is it the one that relates to the perjury? It is not clear and in future it might prejudice the interests of an accused person. I most respectfully request the House to clear this point.

These were the four or five points which I had raised in my note of dissent, which, however, could not come up before the House. I beg to submit that the Bill under consideration is a very essential and proper measure for the country. What we are going to decide here would have far-reaching effects, hence we should pass all these provisions after careful consideration. The industrial advancement of the country depends upon this measure. Looking to the spirit in which the Fiscal Commission has worked on it and the manner in which the Government has introduced it they are both worthy of our congratulations. If the House passes it with all the amendments that I have put forth, I have no doubt that the country would thereby march forward to increased progress and prosperity.

Prof. K. T. Shah (Bihar): In submitting my observations on the Tariff Commission Bill, I would like to begin by pointing out that the purpose of a Commission of this character is not, and cannot be nowadays, the same as it was 28 years ago when the first protective legislation was passed in this country, on the recommendation of a previous Fiscal Commission. This Bill also follows or purports to follow the recommendations of the Fiscal Commission, which, in its turn, must have been influenced by the Planning Advisory Board that was appointed in 1946. My submission in this connection is that while it is right and proper that the Tariff Commission should be a permanent integral part of the national economic machinery, we must realize that the object of this organization cannot be protection in the narrow and limited sense in which the old Tariff Boards used to function and they still function.

Our primary objective thirty years ago, when the policy of industrial protection was first accepted, and acted upon in a hesitating and half-hearted manner, was to guard Indian indigenous industries as much as we could against foreign and mainly British competition. That object could not be served in its fulness because the Commission's own recommendation, and the acceptance of the policy

as then formulated by the then Government, required certain conditions to be fulfilled by an industry before it could obtain protection, the so-called discriminating protection which could be obtained only if and when certain conditions laid down by the resolution of the House on that account were fulfilled.

While that may still be one of the requirements of a proper protectionist policy of this country, we must realize that the essence of that policy today would be totally different; it would have to be part of a well-considered, well formulated and planned policy of national development in which, as far as possible, we should try and aim at national self-sufficiency in the matter of industries, industries of vital national importance, industries which are mother industries for other industries, industries which are also of daily requirement, the so-called consumption industries and last but not least, industries of a small scale, the so-called cottage industries, with which this country is still very full and which make no small contribution to the total volume of national wealth produced every year in the country.

Bearing in mind this objective, the first point that would be worth noticing is that the very name of this measure might require some improvement or amendment. It is not only by means of tariffs, by means of fiscal arrangements, it is not only by means of just customs duties that we can expect to develop, to encourage and strengthen our national industries or such of them as are ripe for this kind of attention. There are ways and means no less important than mere customs arrangements by which we can protect and should protect the development and encouragement of indigenous industries to a point where we should be able to maintain and provide our needs, and utilise our production ourselves. There are two objectives which any country would be justified in having so far as the goal of industrial development within its borders is concerned. One may be to utilise as much as it can and work up within its own borders the raw materials that its land and natural resources enable it to produce, which may be sufficient to meet its own requirements and its own market, or even to provide a surplus for export outside its frontiers. The other may be to utilise at least so much of the raw materials produced at home and more

if necessary so as to meet the requirements for industrial consumption within its own markets. These are not necessarily opposed or conflicting aims. Therefore, bearing both these aims in mind, we can and should take measures for the industrial development of this country by means of all activities that Government can take, not only customs, but others, to which I shall refer in a moment, so that within a prescribed time,—the time-limit is also important—and by pre-determined stages we should be able to attain the development we have set out to accomplish.

I mentioned just now the two factors of time and stages of development. The time factor is, in a manner of speaking, provided already by the Planning Commission which has laid out a Five Year Plan in the first instance. We are not today discussing that Commission or its recommendations; nor are we examining the possibilities of achieving what it proposes to do. We are not considering also the stages by which such achievement could be accomplished. I am, however, concerned in pointing out that unless we have a definite programme of achievement in all the various sectors of industries, large or small, mechanised or hand-worked, so as to meet the two objectives that I just mentioned, we will not be really pursuing a scientific policy in regard to industrial development and fiscal arrangements of the country. This matter, I may also incidentally point out, is not purely or exclusively economic; nor is it confined only to the immediate requirements of this country. It has, and must have very important political bearings inasmuch as it is connected with taxation measures. It has and must have important bearings on international relations of a political character, if only because we have entered into a number of engagements or treaties, trade-barrier treaties, the removal of barriers in the way of international trade treaties, etc. In view of this, the consideration which we can give to this measure cannot be strictly economic, and I hope you would not object to my bringing, just in passing, certain considerations that will have to be borne in mind in working a measure of this character.

Coming to the details of the measure, it is important to notice that the machinery established, the Commission proper and its personnel and its staff, has taken a line which would secure from the public life of

[Prof. K. T. Shah]

the country elements versed in industrial matters, familiar with business requirements, and experienced in administration and accounts, which will enable them to judge accurately the needs of particular industries asking for protection. It is obvious that in trying to secure personnel of this character, with the qualifications laid down even in general terms as they are, you will not be able to get people in the same manner and at the same period of their lives as you might get for the higher branches of national public service. Presumably, you will get them somewhere in the middle of their lives and as such you will get them at a time when these individuals having made their mark in the several walks of life in which they have been hitherto engaged, would come to the public service of the country with, according to this legislation, the prospect of three or six years of employment that may not be quite sufficient for indemnifying them or compensating them for all the time and energy that they devote, and also with the prospect of their being left, at the end of six years, to shift for themselves, with perhaps a bar upon their engaging in other business of a like character in which they had previously gained experience, that may operate as an unnecessary, and in my opinion, a hard bar or handicap upon them. I have, therefore, suggested in a note to the report that the term must be not only lengthened or extended in the first instance: instead of three years, we may make it five years, but also, there must be a provision for a further extension if there is nothing against a particular individual. The requirements of public service must, no doubt, be complied with and the demand, I think, is perfectly correct that no position in the public service should be utilised by any individual for subsequent private gains. From this point of view, I would suggest that if a person selected for appointment to a post on the Commission is given an initial appointment for five years and extended, where so justified, by another period of a like duration, it may serve the purpose of adequately remunerating him while in service: but it would not be enough. I submit, unless some arrangements are made for compensation after retirement by way of a proportionate pension such, for instance, as is payable to Judges, so that such persons, having served the public disinterestedly, so to say, with all the honesty, energy and efficiency

that they may be capable of, may not be left in the lurch when they retire. The chances of their securing other or alternative employment after they retire from Government service may not be negligible. But, I hold the view that the very presence of such chances, the very temptation of seeking, at the end of their term of service, employment in private industry while the private sector of industry continues, would act injuriously to the general and long range interest of the country.

Shri B. Das (Orissa): Quite so.

Prof. K. T. Shah: I would therefore suggest that, in order that these people should, on the one hand, not be exposed to the temptation of utilising their term of office for securing influence for themselves in order to secure employment, on their retirement, in some private concern, such as many officers are getting already even now with private employers, I do not say necessarily to the detriment of public service, but certainly to the greater advantage of the private employers, who employ them hereafter, and at the same time, not be left in the lurch because they have been good enough to come and serve the public on a relatively moderate return, some sort of return or compensation should be provided for.

10 A.M.

The objective measurement of the compensation I suggest may be found in proportionate pension or on the parallel or analogy or precedent of such pensions grantable to Judges of High Courts or superior tribunals of that character. I know that there is provision whereby it is possible for such persons after completing their term of office or even their extended term of office, to obtain permission from the Government for securing or taking up private employment. But to me that thing, by itself, is objectionable, inasmuch as you will reduce such permission to a mere formality and it would be granted for the mere asking if there is nothing particularly against the individual. In that case the permission will become a mere formality which I think is not desirable in a case like this. Or alternatively, you may make the permission a matter dependent upon the good-will of the Government then in power which would again operate unjustly to the individual concerned, or at any rate, there is the danger that it might be operated for party considerations or private influence rather than in the long-range interest of the

individual or of the country. For these reasons, therefore, I think it is undesirable that we should rely upon the permission provided for in the clause concerned for those who retire from such posts, and we must take the burden upon the State for maintaining them in a suitable position on a proportionate basis, after they have discharged their duties in the office of Commissioner in the Tariff Commission. This, in my opinion, is a very essential alteration or amendment which this Bill requires, and therefore, I trust, the House will consider the desirability of making such changes in this behalf. It is not enough merely to increase the initial term. It is not enough also, though it would go a great way, to provide for an extension in certain circumstances or a renewal of the term. In order that this post may not be used as a stepping-stone for a better and higher position or more lucrative posts elsewhere, you should also provide for some arrangements at the public expenditure for the due service rendered by the person.

The next point that I would like to deal with is with regard to the ways and means of protecting, encouraging and developing the industries which are suitable for which the country is naturally well endowed and for which the country has a considerable demand. I have deliberately used these three phases of protecting, encouraging and developing the industries, because as I started by saying, it is not enough merely to protect by fiscal means or by customs duties industries that we think have a chance of existing or which are menaced by foreign competition. These industries are not merely those already in existence and are struggling for keeping their pace. These are not only those industries which are described by text-books as infant industries or industries whose justification for public protection and encouragement or assistance lies in the fact that there is natural facility for their existence in the country, though for some reason or other they have not been able to develop these facilities to the utmost or at any rate, to the optimum degree. In the interest of the country itself, whether it be for their existence or for the economic production or the wealth that they could bring about, we must render them such assistance in such form or give them such protection in such manner or to such a degree as may be necessary and proper to afford. Hitherto it had been, generally speaking, identified with customs or

tariff protection, and hence the name of this body. But tariff protection, protection by means of indirect assistance of customs duties tends only to strengthen, to help and to enrich those industries or those enterprises already started or established in the country and which are at all in a position to offer competition and to make a struggle. But those other enterprises in the same industries, which, for one reason or other, are unable to make a proper resistance, are unable to get any benefit. One result, therefore, of this form of protection would be and has been in most countries, to concentrate wealth and increased wealth, as a result of such protection, more and more in fewer and fewer hands and expose the community itself to the danger of monopolisation, syndication, trustification, which have happened in other countries and which may happen in this country too—perhaps it is already happening in certain industries. And so that is the danger. And I am one of those who want to support the policy as a matter of principle, of protecting indigenous industries. But we must not be betrayed into assisting only those elements in society which I have always regarded as unsocial and even anti-social, because they have considered only their interests, the securing of their profits, leaving the larger interests of the country utterly to shift for themselves. Time was, and not very long ago, when these same capitalists or these same industrial interests, fattening upon the war, notwithstanding the declared policy of the main national organisation, fighting against the foreign imperialism, went on collaborating with them and securing as much profits as they could, without any limit, on account of the war and the exigencies set up by war, and helping the foreigner. They did it to such an extent that some time back, we had the unhappy phenomenon of large amounts due to us deposited elsewhere, with ourselves in the position of creditors having to beg for small releases every year from the so-called sterling balances which were due to us. And so we had the spectacle of these relatively few interests or institutions or concerns monopolising the wealth of the country and the new wealth of the country, to the exclusion or practical exclusion of larger elements, whether represented by labour or by the general consumer.

Mr. Deputy-Speaker: May I remind hon. Members that all the general principles regarding protection were

[Mr. Deputy-Speaker]

referred to at the previous stage, before the reference to the Select Committee. There is, therefore, no need to repeat all of them. Only those matters which were not considered by the Select Committee or which were treated indifferently by them need be referred to now. I would request hon. Members to bear that in mind. We need not cover the ground which has already been covered before this matter was referred to the Select Committee.

Prof. K. T. Shah: I was coming to that very thing, Sir. There is my own note to the Report, regarding the ways and forms in which the protection should be given and that is naturally interconnected with what you were pleased to call general principles. These general principles were necessary by way of preface in explaining the various forms in which the Commission could function better. It should not be left to the Commission—I forget which clause it is—to lay down specifically the fiscal duties, customs duties subsidies and such other ways as may be suitable. I was just coming to these such other ways. Therefore I hope you will not hold me out of order.

Mr. Deputy-Speaker: I only requested hon. Members to bear this in mind and not to cover the same ground over again.

Prof. K. T. Shah: I am very much obliged to you Sir, for pointing it out to me. I will try to bear that in mind. And I trust you will also try to bear in mind that I am trying in my own way, to develop the argument which I have already hinted at. To cut it short, I submit, the various ways are not merely confined to the customs duties or the subsidies that the Bill itself mentions, they relate to the other ways also which the Bill just passingly hints at but does not elaborate. I suggest that it is necessary to give these forms the strength of legislative enactment and not merely leave it to the discretion of the Commission or the Government to apply them.

I realise that they are not barred but may be used. But I venture to submit that unless they have been given legislative sanction by an enumeration or description of these forms it would not be easy always to apply just the right method or a combination of methods by which a given industry may be assisted. It is not one enterprise or industry that we are concerned with, though it may be in a given industry, the bulk of the production in one or few enterprises. I am

speaking only of industry in its broad sense and these industries hardly need to be emphasised as mutually connected and inter-dependent. That is to say, it very often happens, almost invariably now-a-days, that the raw material of one industry becomes the processing material or finished product of another, so that the relative claims not of consumers as such, as we were generally inclined to think, but of those who use or have necessity for utilising these articles in their own processes of production, should be properly balanced and I think that that balancing would not be always feasible by a customs duty only. Subsidies for instance have been mentioned specifically. The subsidies however have a danger of becoming somewhat unpopular, because they are a direct demand upon the treasury and as such whenever we are in need of economy it is likely that subsidies may not be welcome. Moreover subsidies benefit a particular industry or enterprise only and as such they have the knack of drawing unpleasant attention to the particular venture benefited by them rather than to the essential requirements of the industry as a whole, for which these subsidies were given.

A slightly modified or better form of bounties is what is called in the Bill as bounties which are given either on definite index or for a purpose, whereby we are not at least apparently making a mere gift to the particular industry concerned but are only recognising the value of the service rendered or production made, on which certain specific grants are given by way of gifts or bounties and they are calculated so as to make up the handicap from which the industry may be suffering, so that the country's long range interests are as much safeguarded thereby as the requirements of the particular enterprise.

Then again a very important form of assistance which is very much more indirect even than customs duties, bounties or subsidies is in the shape of freight rates—internal transport or overseas transport, wherever it may be necessary. These freight rates have always operated to the advantage or in a particular direction of trade rather than to the advantage of the industry as a whole or the economic development of the country as a whole. I would particularly request that some amendment may be introduced, so that the importance of freight rates may be duly recognised.

Financial assistance is yet another way such as by way of holdings,

debentures, shares, interest-free loans to a venture but there too caution is necessary inasmuch as unless and until we socialise the entire industrial sector it would not be possible to lay out our financial assistance without the danger of provoking the criticism of partisan assistance. I shall not elaborate it very much more beyond pointing out that other lines can also be mentioned such as the procuring of technical aid, securing of specific market, guaranteeing given quantities of purchase to new industries. Similarly we may be able in a scientific and integrated manner to assist deserving industries not merely because they have promise of success, measured in commercial terms, but because they are necessary in the general interest of the country.

I deliberately refrain, in view of the advice you have given me, Sir, from referring to the industries which are of vital national importance such as defence industries because I dare say they will be attended to, if not through the Tariff Commission, at least through the National Planning Commission if and when it comes. But this point I must make. The National Planning Commission and the Tariff Commission would have to work in close coordination, so that the efforts of the two bodies, if they are to be two, should be constantly coordinated and inter-related without any danger either of overlapping of energy or mutual obstruction unconsciously made.

The National Planning Commission is not a legal permanent body. It is still an *ad hoc* commission and one does not know when and how it will be made an integral part of the national economic machinery. The Tariff Commission as proposed in the Bill is however a permanent organisation and is to be a permanent part of the national economy and as such it will have a certain priority over the Planning Commission, should it come later on. The relative positions of the two bodies should not be ignored and our legislation should not be so framed, so that the relative position of the two bodies would run the danger either of being ignored or being mutually inconsistent.

After saying all this I would also like to add a few words with regard to the so-called cottage or small scale industries, of which we have a great variety and volume in this country and which we have specially to emphasise. In this connection, Sir, if you will permit me, I might indulge in a

little generality, namely the definition of a small or cottage industry, for, it had been a matter of great concern for people who are really sympathetic to the scheme of industrialisation of the nation, even when they think it necessary and desirable to maintain small scale industries side by side. The definition which we in the Planning Committee had found to meet the case to a large degree relied upon three criteria, namely the scale of operation, the place of work and the equipment for the work, including both the tools and implements as well as the human factor. The scale of operations should be relatively small as determined mainly by the local market. The equipment is generally by means of hand-operated tools or implements with perhaps a little aid through electricity, if available and generally by the human factor as represented by the worker himself or utmost his family, that is to say no outside labour employed as wage-earners within the enterprise. Lastly the place of operation should be under the roof of the worker himself and not outside in any factory, (where an element of impersonal operation comes in) which may be in the social interest, if not the economic benefit of the country as a whole. Thus the small industries may be defined to be those which are worked by the worker with his own or with the labour of his family, mainly by hand tools without power driven machinery and primarily for the immediate home market without any longings for an export trade.

Such industries are scattered. They may be many in variety and number but the workers are themselves essentially unorganised, lacking in all the requirements which go to make successful operation except their inherited or acquired skill or craftsmanship by which they can operate these industries and by which they can make a very substantial contribution to the requirements of the country. It must be within the knowledge of most of us that during the war at any rate, when foreign markets were closed and when the domestic factory owners were busy making profits without regard to the interest of the country, these people supplied a very substantial, a very considerable proportion—I hesitate to name the figure—of the local needs and as such earned, in my opinion, the lasting gratitude from the country as a whole. These are just the people who, I fear, will not get the full benefit, or perhaps any real benefit, out of measures of this character which are primarily meant to assist large-scale

[Prof. K. T. Shah]

mechanised industries. Therefore, I submit that we should try and include very specifically amendments in this Bill whereby the smaller industries, the hand-operated handicrafts which turn out products of art or artistic creation and therefore require even more protection than the larger industries will run away with at the expense of the country as a whole, are given protection. In the Bill, though a reference is made no doubt to the requirements of the small-scale industries, I submit, adequate provision is not made so as to secure for them just that organisation and co-ordination, just that degree and that kind of protection or assistance which they most need and therefore which they can benefit by only if given properly. These industries are not localised as your large-scale industries are; these industries, therefore, are not able to reap the benefit of the concentration or localisation of industries which is the case with the larger, better-organised, better-equipped, better-mechanised industries, and therefore it should be the primary duty of Government to see to it that they are provided with, in the first place, all that they lack by way of organisation, by way of finance and even by way of marketing facilities which must be included, in my opinion, in the Tariff Commission's operation. The Tariff Commission is authorised, and in my opinion rightly, to act on its own and I trust that authority given to it to act on its own will be utilised so that the industries which really need their assistance, like these small-scale industries, will benefit. I am deliberately avoiding the introduction of persons of great national fame and respect who had made it their life-work to see that these small-scale industries should be particularly aided and assisted. I want to place their case only on the ground of the inherent economic merit of theirs as also on the national, our own, requirements of their production.....

The Deputy Minister of Commerce and Industry (Shri Karmarkar): I do not like to interrupt the hon. Member, but it would help us on this side of the House if he were to give us a precise idea of what amendments he wants in this Bill so as to protect the small-scale industries.

Prof. K. T. Shah: I would introduce these amendments myself. I am sorry I was not here yesterday, otherwise I would have given notice of them. I will try and give notice of those amendments in time and you will

know them if you will keep your soul in patience for some time.

Pandit Thakur Das Bhargava: This Bill will be taken up clause by clause today. When will your amendments be circulated?

Prof. K. T. Shah: I can give my amendments even up to the last minute.

Mr. Deputy-Speaker: The hon. Minister evidently wants to bring to the attention of the House that the hon. Member is not asking for any particular details. The hon. Member himself was a member of the Select Committee and has appended his minute of dissent to the report of the Select Committee. Certainly the House would like to hear other hon. Members who had not had the opportunity to be in the Select Committee. There is no harm in members of the Select Committee who have appended a particular note to the Report trying to speak elaborating the notes given in the Report if they are of importance. But possibly what all the hon. Member has got in view comes under paragraph 7 of his note:

"There are other minor issues on which, also, there appears room for amendment, which will be submitted at the proper moment."

Under this paragraph everything can be covered. I would therefore like that hon. Members who were members of the Select Committee would rather confine themselves to those points where they disagree with the majority Report; if necessary, they may also emphasise those points on which they have suggested improvements in the Select Committee and place them before the House so that the House may fully appreciate what all has been done. Barring that, they must leave room to the other hon. Members to say what they feel. Hon. Members know too well what the scope of discussion is during the debate of the motion, "that the Bill, as reported by the Select Committee, be taken into consideration". The scope—

"shall be confined to a consideration of the Report of the Select Committee and the matters referred to in that Report, or any alternative suggestions consistent with the principles of the Bill".

Any hon. Member can certainly make alternative suggestions, but if those Members, particularly, who were

in the Select Committee felt so strongly about those matters they must have referred to them or urged them before the Select Committee, and if perchance the majority in the Select Committee was against them then they could always append a dissenting minute. To go on elaborating once again as if we were in the consideration stage would not be within the scope. I leave it to the hon. Member—he knows it too well.

Prof. K. T. Shah: Sir, I bow to your ruling. My purpose is served in securing the sympathy of the hon. Minister on the subject and I trust if time permits I will be able to put in the necessary amendments.

Mr. Deputy-Speaker: The hon. Member may reserve all that for the amendment stage if he tables an amendment.

Prof. K. T. Shah: Very well, I would therefore conclude by saying that there is only one point that I would like to add, and that is that whereas in the case of the larger industries the measure of protection is judged by means of the so called competitive costs of representative firms, in the case of the smaller industries, I think, it will not be a very helpful criterion, and, therefore, the assistance to the smaller industries will have to be given by some other devices rather than by the measures indicated in this case. I would therefore submit that the Bill while being considered on the Report of the Select Committee...

Mr. Deputy-Speaker: Will it not be deliberately going into detail again? Instead of detailing all the forms of protection that may be granted, it may be merely said "tariff, subsidy and other suitable forms of protection".

Prof. K. T. Shah: "Other suitable forms" will include everything. My case is that unless they are also detailed legislatively and not left to discretion, they may not be quite appropriately applied. That is a difference of opinion which I trust is quite legitimate.

I was going to conclude by saying that this form of measuring protection will not be quite adequate in the case of small industries, and therefore while the Bill is going through the final stages in this House, time would be found, or opportunity would be found to make those amendments.

Shri B. Das: It is gratifying to me that twenty-seven years after we considered the first Fiscal Commission's

Report, when a degree of discriminating protection policy was adopted by the former Indian Legislative Assembly and we were visualising the setting up of a Tariff Commission, today the Tariff Commission has materialised. There have been so many commissions in the recent past—there was the Atomic Energy Commission, there is the Planning Commission, there is the Marketing Commission whose report was laid on the table the other day and there is this Tariff Commission.

To me the most important one is this Tariff Commission because on it depends the national economy and prosperity of India. Whether the degree of protection is adequate or not, that has to be examined. The greatest gratification to me is that henceforth the word Imperial Preference will not exist in our Statutes. In the Government publications, including the magnificent Fiscal Commission Report, Imperial Preference still continues in spite of our having attained independence four years ago. The discriminating protection policy recommended by the Ibrahim Rahimtoola Committee in 1922 was interpreted by the foreign rulers as discriminating against ourselves to protect the British industries and the British market. When these obnoxious words 'Imperial Preference' are found in the Fiscal Commission's Report, in other Government of India documents like the Indian Tariff Act or the Indian Customs Act, I feel small; I feel snubbed; I feel stunted. I hope that this Tariff Commission, as soon as it is established, will do away with these words. Except the Imperial Hotel, nobody should find the word 'imperial' in any of the papers or Statutes of the Government of India. Three years ago, I asked the then Commerce Minister, Shri Neogy, the predecessor of my hon. friend Shri Mahtab, when he was going to abolish Imperial Preference. He said that Imperial Preference did not exist. But it does exist. From Appendix 13A, page 479 of the 2nd Fiscal Commission Reports you will find several items in respect of which U.K. enjoys Imperial Preference. I am not one who is enamoured of Commonwealth Relations. Nor am I enamoured of the Indo-British Trade Agreements. On the floor of this House, both you and I, Sir, have said more than once that we shall have no Commonwealth Relations and no Indo-British Trade Agreement. I raise this point today because the House, resurgent with independence may be aware of its responsibilities to the country and does not live so that a

[Shri B. Das]

bunch of countries known as the Commonwealth countries may thrive by hook or crook.

I was surprised to see from the debate that stalwarts like Pandit Thakur Das Bhargava were inclined to give more power to the Tariff Commission. This Commission is a national Commission. It is not a Tariff Board dictated by the Commerce Secretary and the Commerce Member of the old Government. This Tariff Commission's functions are national and its recommendations must also be national. So, why are our friends like Shri Gokulbhai Bhatt afraid that either the Commerce Secretary or the Commerce Minister will interfere with its functions? Why should it happen like this, that everybody who conceives some mad idea that a particular industry which is producing a ton of goods of insignificant utility should recommend that that industry should be protected? Even though an industry may be in its infancy, it may be of national importance and must be protected and this House must provide sufficient staff to the Tariff Commission to examine every little application. Certainly so. That is the primary duty of the State. The Commerce Ministry should examine all applications and all kinds of wasteful applications and applications that our village politicians occasionally bring in their pockets should be weeded out. Only important applications should be sent to the Tariff Commission. If the Tariff Commission is to think of the national economy and the national prosperity, does it not mean that the Ministry of Commerce and the Minister of Commerce should be more alive to the situation? Who is to shape the policy? It is the Ministry of Commerce and not the Tariff Commission. It is an expert Commission. I shall say later how it should be constituted. I was not happy with the constitution of the former Tariff Boards, subject as they were to the dictation of the Board of Trade in England and the British Commerce Minister. They always worked as if they were slaves and subordinates. They carried out the mandates of Whitehall. Today the Tariff Commission will not be a slave. It will carry out the policy of this sovereign State and this sovereign House, and the Ministers must conform to the policy of the State. Therefore I do not want to create an independent Tariff Commission which will not be controlled in its mad utopian ideas. Experts may also be mad utopians. They sometimes go astray. My hon. friend Prof. K. T. Shah will agree, I hope, that sometimes experts do go astray.

Babu Ramnarayan Singh (Bihar):
And not you.

Shri B. Das: I am not speaking as the father of the House, but as the oldest Member, the man who has made thousands of speeches on the tariff policy of the Government of India on the floor of this House. (*Interruptions*) I am a mere co-worker of my hon. friend Mr. Kamath.

In regard to the functions of the Tariff Commission, as embodied in clauses 11 and 12, I do support them. They have been taken from the Fiscal Commission's Report. I do not want any extension of the functions of the Tariff Commission, so that the Commission may meddle with everything and forget the main duties for which we have created that body.

Regarding membership of the Tariff Commission, I do maintain that there should be only three members. If two more members are to be taken, we must wait for a couple of years. Let us see what these three men do. Just after independence, most of us talked of the Tariff Commission. It has taken my mighty Government nearly four years to introduce this Bill. Since then, the national economy has changed, our attitude towards protection must also change. Ideas have changed. New ones have come into our minds. Some hon. friends like Prof. Shah have doubted the utility of the Fiscal Commission Report. I may say that if the Fiscal Commission had not done its duty so comprehensively, we would not have been assisted in the discussion today about the Tariff Commission. When the Fiscal Commission was appointed, it was the thought of the then Finance Minister that the question of taxation would somehow be dealt with by the Commission. So far as the question of taxation and the taxation policy is concerned, although it has been so much in the talk in 1948, 1949 and even 1950, nobody bothers about it now. Yet the Tariff Commission's activities will indirectly influence the taxation policy of the Government of India. They will have to bear that basic duty in their minds and not think of any beggar coming for protection and his industry being given protection.

Up till now, members of the Tariff Board have been eminent economists like Dr. Kale and Dr. Matthal. They rendered their duty under the limited scope of the Tariff Board's constitution. Everything was aimed at the prosperity of U. K. industries and commerce and Imperial Preference was given to every industry which the

Tariff Board recommended should be protected. Very often there were Professors on these Tariff Boards—I recollect one or two. They were very good men, no doubt, but they were not realists. Therefore, we must be very careful about the men we select as Tariff Commissioners. It is very essential that in the new Tariff Commission that we are going to set up, scientific and technical talent should be adequately represented. It has been our unfortunate experience that so far technical men have been picked as henchmen. Please do not use them as handmaiden at least hereafter.

Mr. Deputy-Speaker: The hon. Member is a very senior Member of this House.

Some Hon. Members: Father of the House.

Mr. Deputy-Speaker: I would only wish to remind him that we are now discussing the Report of the Select Committee. Of course the suggestions that he is making are all very valuable—but should he not confine himself to the points that have been reported in the Select Committee Report? There are a number of other Members also who want to take part in the discussion. Therefore, I would request the hon. Member to confine himself to the points arising out of the Report of the Select Committee.

Shri B. Das: The Select Committee has not defined the qualifications of the Tariff Commissioners; nor has it been specified in the Fiscal Commission's Report. From my experience of twenty-seven years in this House I can make bold to say that members of the Tariff Board were not properly selected. I am only suggesting to Government that the scientific aspect of industry should be given due consideration in the matter of composition of the Commission. With due deference to your observations, I submit I am not wide of the mark of the Select Committee's Report.

Shri Karmarkar: May I draw the attention of the hon. Member to clause 4 of the Bill which sets down the qualifications for membership of the Commission: "they shall be men of ability and standing who have shown capacity in dealing with problems relating to commerce or industry or in administration or who have special knowledge in any matter as renders them suitable for appointment on the Commission."

We shall be grateful if the hon. Member has any specific suggestion to make.

Shri B. Das: From my experience of the past 27 years of the former Government of India and the present Government, I can say that the Tariff Board members have never been technical men, and this has led to many a muddle.

Mr. Deputy-Speaker: What the hon. Member means is that the qualifications are laid down, but in the matter of appointment they are never observed.

Shri B. Das: The appointment will be done by the hon. the Commerce Minister and the Deputy Commerce Minister—not by me.

What I am suggesting is—do not appoint all the five members in a hurry, and expand your Secretariat. Do not add to the burden of the tax-payer, without commensurate turnover of work. There is a glamour in the Government of India, even now, to appoint I.C.S. officers as Chairmen of Commissions. I ask Government not to fall into that trap. We did not appoint an I.C.S. Officer as member of the Planning Commission, though the Finance Minister, an ex-I.C.S., is a member of the Commission by virtue of his being in the Cabinet.

A point was raised by my hon. friends Shri Gokulbhai Bhatt and Prof. Shah as to what will happen to the Tariff Commissioners after their tenure of office of three years expires. It is a point that we must examine as to whether some sort of pension or compensation should not be paid to them, so that they may not be tempted to run for jobs elsewhere. Yesterday my hon. friend Mr. Sidhva talked glibly of the ex-Chief Commissioner of Railways. I then pointed out that an ex-Minister, Dr. Matthai, is in the employ of the Tata's. The ban on seeking re-employment at present extends only to members of the Union Public Service Commission and the Judges of the Supreme Court. I mentioned it on the floor of this House that it was a mistake on the part of Government to have allowed Mr. Bhakle to retire two years before he was due to retire and my hon. friend Mr. Sidhva will see.....

Shri Sidhva (Madhya Pradesh): He is not discussing Mr. Bhakle.

Shri B. Das: We are discussing about technical men. You retire him two years ahead and deny him the right to earn his livelihood in the Tatas?

Mr. Deputy-Speaker: This is not an issue which is germane to the discussion.

Shri B. Das: It was Mr. Sidhva who raised it.

Shri Sidhva: I raised it in a different context.

Shri B. Das: Well, if you are particular that a man should not take up any appointment after his retirement, you should pay him some compensation. Let the House provide for it; I shall be very happy.

I do hope the hon. the Commerce Minister will see that the system of Imperial Preference disappears at least now and that further international agreements like Annancey and Havana which do not savour of Imperial Preference, are entered into.

I do accept Prof. Shah's suggestion about the Tariff Commission's obligatory duties over cottage industries. The Planning Commission—I do not congratulate the Planning Commission over it—has allowed only Rs. 16 lakhs to be spent for this purpose in five years.

An Hon. Member: Not 16 lakhs. So many crores.

Shri B. Das: I am glad my friend sees crores where I see lakhs. He says it is 16 crores. Let it be so. But I want that the Commerce Ministry should give a direction and a mandate to the Tariff Commission that the development of cottage industries should be one of the subjects, or may be the first subject, which should be dealt with at once instead of carrying on investigations over little things which our capitalistic system would require.

Mr. Deputy-Speaker: Shri R. Velayudhan.

Dr. M. M. Das (West Bengal): Sir, no one from this side of the House is being called.

Mr. Deputy-Speaker: How can I call two persons at the same time? There is no question of this side or that side. I am giving an opportunity to one after the other. May I suggest that hon. Members will be short and sweet?

Shri R. Velayudhan (Travancore-Cochin): Sir, at the outset, may I submit to you that I am not going to give any lengthy speech on this short Bill? But at the same time I have certain views regarding this Bill which had its genesis about five years back. I

was told that the Government had in view the formation of a Commission like this about five years before, and now it is going to take its shape. But it is my submission that whatever Commission or Board or individuals we may appoint, the result of it depends not on the personalities but on the character and the policy of the Government in power. We have seen that in the past the Tariff Board, which is in existence today, was following certain policies which were so very inimical to the best interests of the country, the interest of the common man and the interest of the middle and the lower middle classes. We have seen with our own eyes that when certain industries were not even born the Tariff Board has come forth with protection and with all kinds of safeguards to such industries. It is not out of memory today that even in this House last year we accepted to give protection to a motor industry which was only in its formative stage at that time. Therefore, it is my humble submission that whatever Commission we may appoint, the result of it depends on the character of the Government, not on the character of particular individuals placed in those positions. But the Government in power is always thinking in terms of personalities and individuals, not on policy, not on specific philosophy or ideology. In fact, it is the lack of such policy, of its own confidence, of its own power, of its own basic ideologies, which it follows.

Now, with regard to this Commission, we have given it certain powers in regard to matters like the general level of prices in the country, the cost of living of specific classes of people, the different sectors of the country's economy, etc. These are vital problems now affecting the country, problems which will have to be solved not by a Commission or Board but by the Government as a whole. And they cannot be solved unless the Government altered its policy, its plans and the programmes which it contemplates. Therefore, as my predecessor Mr. B. Das stated, matters like the Imperial Preference, which was in existence from 1934 onwards, and other such matters cannot be solved unless we change the whole character of the present Government which is shielding the capitalists of the country at the expense of the smaller businessmen or the middle-class businessmen and the common man of the country.

Mr. Deputy-Speaker: Does the hon. Member mean that even in a socialistic economy no protection is necessary?

Shri R. Velayudhan: In a socialistic economy also we will follow certain definite, precise political economy which will be in the interest of the people of the country.

Shri Kamath (Madhya Pradesh): What is that? Any plan?

Shri R. Velayudhan: Of course we are prepared to give a plan to the country. In fact we have already submitted a plan to the country and we are waiting for the next election to show to the country as a whole whether we will act up to that or not. This is not the platform or the time to speak on that. But I may tell my friends in this House that the Socialists have a political economy, they have a plan for the country, and I certainly know that without that plan the country is not going to get its salvation from the present economic bondage, from the bondage of the capitalists of the country, both inside and outside.

Mr. Deputy-Speaker: What has that to do with this Bill?

Shri R. Velayudhan: This Bill as such deals with so many points regarding the control of the economy of the country also. The Commission has been given power to control the various economic activities in the country both with regard to trade and industry.

Mr. Deputy-Speaker: I am afraid the hon. Member has misread the provisions. The general level of prices in the country has only relation to the grant of protection, not apart from the protection. The reference is to the effect of protection on the general level of prices.

Shri R. Velayudhan: Sir, I thank you very much for your guidance. But I put this particular matter because my friends wanted to know and interrupted me on that line and I therefore wanted to give them an answer on that line.

Now I shall turn to the point itself. With regard to the question of giving protection to industries, my hon. friend Prof. Shah stated specifically about cottage industries as well as the small-scale industries in the country. These things come under review and scrutiny by the Government and it is the Government which gives instructions to the Commission as to where protection is to be given to these small scale industries. Even here it is just my point that unless the Government alters its policy and its programme the Commission is not going to do any

benefit to the country. Therefore, my point is that whatever Commission with whatever lofty ideals or motives you are going to appoint, unless you change the present Government—in which I have not got any confidence at all—the object is not going to be achieved and there is no use appointing such Commissions.

Take for example the Planning Commission whose report came forth the other day.

Mr. Deputy-Speaker: May I point out to hon. Members that even in the first reading—I mean before reference of the Bill to Select Committee—reference to the Planning Commission is not relevant. Of course it arises indirectly at that stage. But now all these things are not relevant.

The Minister of Commerce and Industry (Shri Mahtab): All these observations of the hon. Member are no doubt very weighty. But may I know whether they are relevant at this stage?

Mr. Deputy-Speaker: The hon. Minister is very generous. I think they are not relevant even at the third reading.

Shri R. Velayudhan: Sir, I shall come to the point.

Mr. Deputy-Speaker: The hon. Member should have come to the point much earlier. It is no good spending away the time and then saying that he will come to the point later and later. Let him confine himself to those points which arise out of the Select Committee's Report. If any points have been omitted, by all means let him refer to them.

Shri R. Velayudhan: Sir, my request to you and to the hon. Minister is that when they form this Commission it should be given complete power to formulate its own policies without any interference by the Ministry concerned, because in the past there have been so many anomalies in the matter of tariffs. Therefore, my point is that the Commission should be an autonomous body just like the Public Service Commission or even the Election Commission, which should not be interfered with in any way by the Ministry and by the Minister who might have certain policy or interests in such matters.

11 A.M.

Shri Goenka (Madras): I shall only refer precisely to the Report of the Select Committee and I will make my suggestions for the consideration of the hon. Minister. It will be conceded

[Shri Goenka]

by all that the Commission should be absolutely independent. This is a point which has been laid stress by the Fiscal Commission also and I do not think that there can be two opinions on that point. In view of that, I would like to make some suggestions. There is no doubt that the Select Committee has certainly improved the Bill.

This Commission is to consist of minimum three and maximum five. There is a proviso that the Government may appoint additional members for a temporary period. As you know, the Fiscal Commission has recommended that the number should be minimum five and maximum seven. I will draw the attention of the hon. Minister to the functions of the Commission which are contained in clauses 11 to 15 of the Bill. If the Commission is to perform those functions satisfactorily then I say that the members of the Commission should be minimum five and maximum seven. The reason is that each one of the subjects that has been allotted to them and which they are supposed to discuss and give their opinion is a very vast subject in itself. Each one of the functions of the Commission is a subject for study and research and those functions can only be performed if there is enough human material to do it and therefore, without dilating on that aspect of the question, I suggest to the hon. Minister that he should accept the amendment which I have given notice of that the number should be minimum five and maximum seven. It is possible that for the next two, three, four or five years, you may not require more than five members. The number five is also prescribed by the Select Committee. This Bill is not intended for a period of five, four or two years. This is a permanent Bill on the Statute book. I am agreeable to the hon. Minister even adopting that minimum will be three and maximum five. I do not mind that and according to the exigencies of the situation new members may be added from time to time instead of limiting it to five and then after five or three years finding that five is not sufficient and then coming before the House with an amending Bill. I would therefore like to give the discretion to the Government to adjust this according to the exigencies of the situation but to take the powers now and here, so that there is no question of any amending Bill being brought before the House.

My second objection is that the period for which these members are to be appointed is three years and they can be reappointed for a further period

of three years. I say this is a provision which is wrong in principle because we want to maintain the independent character of the Commission. I am not attributing any motives when I say that if the reappointment of a member of the Commission is dependent upon the Government, then, human nature being what it is, they cannot apply the same amount of independence as they are likely to do when they do not depend for any benefit from the Government of any nature whatsoever. Let me make it clear. I am not suggesting that the reappointment would prejudice the minds of the members of the Commission who would be highly placed persons but I would like this to be a final affair and not an affair left to the Government to be decided from time to time. The analogy before me is the Tariff Commission of the United States. In the Tariff Commission of the United States every member is appointed for a period of six years and its Chairman is appointed every year by rotation from amongst all members. I thought that was a very salutary provision in the United States' Tariff Commission and I would like the hon. Minister to copy that; if not, I would like him to appoint these members for a period of five years and there should be no question of reappointment whatsoever. This will be in consonance with the policy laid down by the Fiscal Commission and various other policies laid down by the Government in regard to judicial authorities and since this Commission is styled in the nature of a quasi-judicial authority, I think, they should adopt the same course as they do in the case of judicial bodies, where the appointment or reappointment is not left to the discretion of the Government.

My other objection to the Bill is that there is a provision for two additional members to be appointed for a temporary period. This is a most objectionable clause in this Bill. Clause 6(3) lays down:

"A member of the Commission ceasing to hold office as such shall not hold any appointment in any private industry or undertaking for a period of three years from so ceasing to hold office, save with the consent in writing of the Central Government."

This is a very salutary provision in spite of what my hon. friend, Mr. Bhatt has to say. He pointed out that on the one hand you say that they are independent people of very high integrity and at the same time you place this restriction against them. I say in reply there are checks and counter checks, balances and counter balances in every thing. Otherwise the judges of the High Court

are very independent, but then why should we have a Supreme Court and an appellate authority? After all in all these matters, although the integrity is there, honesty is there in a high office, nobody questions that. But it is a very salutary provision that for the next three years after relinquishing their office, they should not take any service in a private enterprise. (*Interruption*) Mr. Ramalingam Chettiar tells me: "Why do you allow them with the acceptance of Government?" Personally I would like to omit it, but if a certain special contingency arises in which it may become necessary, I do not mind if the Government have this provision. The provision in clause 6(3) is a very salutary provision but my point was that they were appointing these two additional temporary members and they are also subject to this disqualification.

The Select Committee when adopting clause 4 have said:

"Although we do not propose to make any changes in this clause, we recommend that except where necessary officers of the Government in the administrative services should not be appointed as members of the Commission."

The Select Committee, although it has not changed any of the provisions of the Bill, has laid down a principle that no Government servant, as far as possible, should be appointed as a member of the Commission for this temporary period. Then, you necessarily have got to go to the industry or other people who answer the qualifications prescribed for a member of the Commission in this Bill. With that disqualification, can you get the right type of persons? A man sits on the Commission for three months; thereafter for three years, he cannot be employed in any industry. Then, it is suggested that free consent should be given. Why should free consent be given? It is a contradiction in terms. I would beg of the hon. Minister to do away with this clause providing for the appointment of temporary additional members. If he does that, that would be a very salutary change which he will be making in this Bill. I would beg of him to consider that aspect of the question. I have given notice of that amendment also.

In regard to clause 11 much was said in this House particularly by my hon. friend Shri Bhatt, that Government should not have the right to refer cases to the Commission for enquiry and report, and that it should be left to the Tariff Commission to enquire into any case which is referred to them. I do not know why anybody should not allow the Central Government in the first instance to examine

the cases and then put them before the Tariff Commission. After all, all frivolous applications need not be enquired into by the Tariff Commission, and the Tariff Commission's time wasted upon them. There must be some preliminary enquiry. After all, there must be a *prima facie* case before it goes to the Tariff Commission itself. There are hundreds of industries and hundreds of those who are money changers and not industrialists, and whose job is to make temporary money and it will become a fashion for every one of them to go to the Tariff Commission and ask for protection. Where will be the limit? Therefore, I suggest that this provision that the Government must enquire before they ask the Commission to enquire and report is a salutary provision which must find a place there.

Then, there is one objectionable clause, clause 11(a), name'y:

"grant of protection (whether by the grant of subsidies or the levy of protective duties or in any other suitable form."

This term "any other suitable form" is very very comprehensive.

Prof. Ranga (Madras): Subsidy.

Shri Goenka: Subsidy may be given. Subsidy is provided; protection is provided. Let me be quite clear, I would like to have a categorical answer from the hon. Minister whether there may be quantitative restrictions also. Quantitative restriction is a thing which is not approved by the Fiscal Commission, and which is a dangerous weapon in the interests of the consumers, which cannot be ignored by the Government. I do not want to waste the time of the House by referring to the para with regard to quantitative restrictions in the Report of the Fiscal Commission. But, let me say this that if you have quantitative restrictions, then you can just write off the interests of the consumers, because nobody will bother about the quality of the goods and people will have to buy something which is available. Why should the consumers be made to pay unnecessarily when an industry is not likely to compete with other industries in due time? One principle which has been laid down is that protection will be granted to such industries which can stand on their own legs in due course of time. Here is a case where, if you apply the principle of quantitative restrictions, which is of course against all public policy, the interests which you are going to serve, namely the interests of

[Shri Goenka]

the citizens and people of this country, will be jeopardised. Therefore, I would like to know whether it is the intention of the Government to use quantitative restrictions under this clause which mentions "any other suitable form". I cannot conceive of any form in which protection could be given except by protective duty or subsidy. A friend told me that they could do it by reducing railway freight. That is not a subsidy which the Tariff Commission can suggest. That cannot be suggested by the Tariff Commission because it is a matter of Railway finance and matter of policy of the Government.

Then, I come to clause 16 relating to decisions taken by the Government. I would like that the Government should take a decision within a couple of months rather than three months as provided in this report. After all, the Government studies the matter before it refers it to the Tariff Commission. The Tariff Commission's report comes to Government. I would not like to allow any delay and therefore I would like the decision to be taken within a couple of months. I think a couple of months should be ample and sufficient.

These are all my observations. I congratulate the hon. Minister for bringing this very urgent measure before the House, although they have not taken decisions on the other recommendations of the Fiscal Commission. I would certainly like them to take decisions on all the recommendations as early as possible. The report was submitted to them in June 1950; we are in August 1951. Fifteen months have elapsed since the report was submitted. We were promised that the Fiscal Commission Report will come before this House for discussion. Had we discussed the Fiscal Commission Report, a lot of discussion which we are having on this Tariff Commission Bill might have been avoided. I would like them to bring that report before the House for discussion and also to take decisions upon the other recommendations of the Fiscal Commission as early as possible. A lot of time and money has been spent on the report of the Fiscal Commission; let it not be one of the documents in the archives of the Government, without any action being taken on their recommendations.

Dr. M. M. Das: As the debate advances, the scope of discussion becomes narrower, specially for a junior Member like myself and one is nervous or afraid of repeating what has already been said in favour or

against the provisions of this Bill. Anyway, I beg to refer to a very important and pertinent question, which, in my opinion, has been neglected or rather has not been seriously considered by the Select Committee. That is the question of the protection of the interests of the consumers. As we know, all protective duties imply or impose an additional burden upon the consumers except in cases where an import duty is converted into a protective duty. It is the price that has to be paid by the consumers for the industrial development of the country. The primary duty of a Tariff Commission or a Tariff Board, by whatever name we may call it, is to give suitable protection to certain industries which will accelerate the industrial development of the country. The interest, or rather, the protection of the interests of the consumers is only secondary or subordinate to this primary duty of function. But judging from the circumstances prevailing in our country today, it is my considered opinion that the protection of the interests of the consumer should be made the primary concern of the Commission. The obligation of being ever-vigilant of the consumer's interests should not be made subordinate to or secondary to any other consideration, under any circumstances. In this unfortunate country, the Government takes its dues, rather collects its dues, with a strong hand. The commercial and industrial people bully the Government and practically compel Government to give them their pound of flesh, and perhaps much more. Labour puts forth its demands, threatens Government and ultimately prevails upon Government and the public to give them what they consider their legitimate dues. It is only the consumer who suffers silently and calmly and submits to the arrogance and greed of these three sections.

Mr. Deputy-Speaker: Is not the interest of the consumer also provided for by the Bill, in clause 14(2)(d) where it is stated that the Commission shall assess—

"the likely effect of a protective tariff or other form of protection on the interests of the consumer or of industries using the commodity in question, as the case may be;"

Dr. M. M. Das: Yes, it has been mentioned in the Bill. But it has not been assigned an important or prominent place in the duties of the Tariff Commission.

Mr. Deputy-Speaker: Where should it be placed?

Dr. M. M. Das: It should be given more importance. As it is, it has been subordinated to the interests of the industry.

Dr. Deshmukh (Madhya Pradesh): Even legal provisions do not give protection to the consumer. He is the beast of burden who always has to bear the additional burdens of protection.

Mr. Deputy-Speaker: Protection always implies some additional burden on the consumer. But undue burden ought not to be imposed. The hon. Member can go on. I only wanted to point out that there is a provision regarding the consumer's interests.

Dr. M. M. Das: Only a few more observations, Sir. As I was saying it is only the consumer that meekly submits to the arrogance and greed of the other three parties. Therefore I submit that to look to the interests of the consumer should be made the primary responsibility of the Tariff Commission. This should be clearly laid down in the Bill itself and should not be left to the mercy of the Commission.

The Select Committee to which the Bill was referred has made or proposed many important changes. But the Select Committee has not been unanimous in its recommendations. Out of the 18 members, excluding the Ministers and Deputy Ministers, four have submitted minutes of dissent and these minutes of dissent have raised very important questions which should be given consideration by this House.

The most important change which in my opinion, has been made by the Select Committee is in connection with the appointment of members of the Commission. Two disqualifications were laid down in the original Bill to the appointment of candidates as members of the Commission. The first was that a Member of Parliament would not be eligible. Secondly, nobody who has got any direct or indirect financial or commercial interest in any industry or industrial undertaking would be eligible to be appointed a member of the Commission. So far as the first disqualification is concerned, the Select Committee has been very kind and it has dispensed with that disqualification. So Members of Parliament are now eligible to be appointed members of the Tariff Commission. This is a very welcome change.

With regard to the second disqualification, there was a proviso in the original Bill which says that the mere holding of a share will not be regarded

a disqualification. But the Select Committee has removed this proviso. With the omission of this disqualification clause, this clause has become more general in its character and meaning and more sweeping in its application. The clause as it stands now, as amended by the Select Committee, leaves the entire matter into the hands of the Government and to the Government's discretion. It seems to me that it would have been better if the original proviso had been retained by the Select Committee.

Then, as regards the conditions of service of the members of the Commission, they were indeed harsh and I had expected that the Select Committee would make some changes so as to reduce or to mitigate the harshness or stiffness of these conditions. Firstly, the duration of the service has been very brief. A member has to serve on the Commission only for three years. If his work is done to the entire satisfaction of the Government then he will be given an extension of service but that too will be only for another term and not more. So the maximum tenure of service is not more than six years. And then he has compulsory rest for three years. That is to say, the member is not allowed to accept any service under any private firm. This matter has been very elaborately dealt with by many hon. friends here and arguments for and against the provision have been advanced. I, however, feel that unless these conditions are changed it would be difficult for Government to select from among the candidates, because there will be scarcity of candidates offering themselves for being appointed on the Commission. Only two categories of people will probably offer themselves as candidates for membership of the Commission. They are Government servants and professors in the universities and colleges. I do not think it will be a healthy thing or that it will serve the best interests of the country if the Government confined the selection of members to these two categories of people only. Regarding this particular clause, I would like to have a point cleared by the hon. Minister. I want to know whether the disqualification, that a member after he has relinquished his office will not be allowed to accept service under any private firm, is also applicable to the temporary additional member who will be appointed under the proviso to clause 3.

Shri Karmarkar: At the moment it is applicable.

Dr. M. M. Das: I would like to know whether it is also applicable to the members who may be removed from the service under clause 7. This Bill, as it has emerged from the Select Committee, contains nothing which prevents this disqualification from being applicable to these two classes of persons.

The Select Committee has not proposed any change in clause 8 regarding the appointment of officers and servants of the Commission. They have only recommended that appointments above the pay of Rs. 300 a month should be made through the Public Service Commission. I think this recommendation of the Select Committee should be incorporated in the Bill itself and the appointment of officers above the salary of Rs. 300 per month should not be left to the rule-making powers of the Government.

In this connection, I want to refer to another important point. I am not at all happy with the word "servant" as it occurs in this particular setting. The employees of the Commission have been divided under two categories—officers and servants. I submit, that it is a very unhealthy discrimination that has been made here. I fully appreciate the necessity of differentiation between the employees of the Commission into two categories in order to give effect to clause 19 of the Bill which says that the highly paid officers with responsible work should be deemed as public servants according to the meaning of the Indian Penal Code. I am not at all happy over this word "servant". I appeal to the hon. Minister to substitute some other suitable word in its place. They are servants of whom? If the answer that they are servants of the Government, then my question is, are not the officers also servants of the Government? Everyone under the Government is a public servant. Why should such a nomenclature be used to differentiate the low-paid employees from the highly paid officers? I have given notice of an amendment to substitute the word "servant" by the word "other employees" and I hope the hon. Minister will find it possible to accept it.

Prof. Ranga: I am glad that the Select Committee has said that the number of members of the Tariff Commission should, if necessary, be increased to five if and when the Government think fit. I am not in agreement with those friends who say that it should not be increased at all. As we know till now only a certain interest has come to be represented in

the personnel of the Tariff Board ever since its establishment and they were people directly interested in industry and commerce. For a long time some of us have been pressing for representation on the Tariff Board of those who are specially conversant with the conditions prevailing in agriculture and with regard to cottage industries but we have not succeeded so far. I want that the Government should take this opportunity to provide representation for such people also, so that these interests may feel confident that whenever any question affecting them comes up for discussion before the Tariff Commission—and it is very difficult to conceive of any question which will not affect the interest of the agriculturists and cottage industries—there will be people on the Commission who would be conversant with their conditions and would be able to give the benefit of their advice and experience to the Commission, thus protecting the interests of these two classes of people.

Secondly, I am also in favour of the provision that the Government should have power to appoint temporary members, if they found it necessary, so that it would be possible for them to ensure that there would be members, even though temporarily appointed to the Commission, who would be able to bring to bear on the discussions of the Commission their experience of that particular industry which for the time being is under discussion before the Commission.

I am in agreement with what my friend Mr. Das said in regard to the need for protecting the interests of the consumers. I am also in favour of the Government taking sufficient care to see that the interests of what are known as joint producers are protected. Take for instance the agriculturist who produces cotton which later goes to the textile industry. The textile industry may go before the Tariff Commission for protection but what is to be done with regard to the producers? Should not their interest also be protected?

There are agriculturists who produce so many things which are produced by the protected industries. Necessarily they have to pay a higher price for those protected commodities: for otherwise they can get them cheaper through imports. When they are being taxed in this way through higher prices for the protected commodity, necessarily the cost of production of their own agricultural product will go up. Should not the Government and the Tariff Commission take into consid-

deration their interests as well and provide for their benefit or advantage as joint producers in like manner as they provide for the ultimate producer, the industrialist.

I am all in favour of retaining the words "in any other suitable form". I was surprised to find Mr. Goenka opposing this phraseology, because he should know as an experienced businessman that there are industries like cottage industries which cannot be protected in the usual fashion and which will have to be given assistance in various other forms. Take for instance blankets and woollen goods for which the Defence Ministry places orders. There are certain specifications which it may not be possible for cottage industries to satisfy, in which case it must be possible for the Tariff Commission to recommend that the standard of specifications should be so altered as to approximate to the standards of utility, so that it might be possible for Government to purchase the cottage industry products. There was what is known as a price differential in the pre-war days. This price differential was in favour of the Indian industrial products up to ten per cent. and to that extent the Stores Department was ready to pay the higher price to Indian products as compared to imported commodities. Similar assistance may have to be recommended by the Tariff Commission and the Government and that is why I feel that all these things will be embraced by this phraseology. (Interruption) Let me finish my argument before the hon. Member interrupts me. That is why I wish to give a latitude to the Commission and the Government.

Shri Goenka: I wanted to tell Prof. Ranga that it is not the function of the Tariff Commission to tell Government at what price they should buy and of what quality. It is for the Government to safeguard the cottage industry and Government should do it. I am at one with him but it is not the function of the Tariff Commission.

Prof. Ranga: I know all that. I can only tell my hon. friend that all these things came up for discussion in the Cottage Industries Board and we found that if the Tariff Board had made a similar suggestion it would have strengthened our hands in our dealings with the Defence Department and various other consuming departments. That is why I want the latitude to be given to the Government as well as the Commission.

Pandit Thakur Das Bhargava: Why can they not do it now?

Prof. Ranga: There is nothing to prevent them from making such a recommendation. But if you remove these words you would prevent the future Tariff Commission from making such a recommendation. That is why I want the words to remain as they are.

I wonder whether three years is not too short a period and whether it would not be possible to raise it to five years so as to get competent and reliable people to come into the Commission, so that they can take the risk of giving up their earlier responsibilities and not taking up responsibility in private industry for some years to come, after giving up their position on the Commission. I see that it is quite possible for Government to reappoint people. What would happen is that you would condition to some extent the independence of the members and it is much better to give them a longer tenure of office, so that their independence can be assured. At the same time I am not in favour of the suggestion made by some hon. Members that the Commission should be kept entirely independent of the Government. It would be going the wrong way. Even if the Congress Government were to go out and some other party Government were to come into existence, the Government in power for the time being, being the highest representative of the people should certainly have some control over the Commission in regard to the appointment of members, dismissing of members who may be found undesirable or incompetent or in setting a limit for appointments.

Some hon. Member has suggested that in the reference to be made to the Commission Government should not come in. My hon. friend, Mr. Goenka has already answered it, I think, satisfactorily, but at the same time I would like that some freedom should be given to the Tariff Commission and that is that it should be open to the Tariff Commission to entertain any application for protection, or in complaint against a protection that has already been given because of its deleterious effects upon that industry, upon the consumers, upon the joint producers and upon the joint consumers, that is the agriculturists themselves. It is open to them to consider it or not. If they were to give their consideration to any particular matter that may be brought before them and they were to think there is sufficient ground for them to go into that matter, then it will be open for them to send it to the Government for Government's consideration, and if Government and the Tariff Commission were to agree joint-

[Prof. Ranga]

ly that, that particular matter deserved their detailed investigation, they may go into it. I would like my hon. friend, the hon. Minister and also my hon. friend, the Deputy Minister to consider the possibility of including a clause to this effect so that the Tariff Commission might have that privilege.

I am glad that this provision for appointment of assessors has been made, but I would like my hon. friend, the hon. Minister to give us an assurance that whenever questions relating to agriculture and cottage industries come up for discussion before the Tariff Commission a sufficient number of people representing those industries will be appointed as assessors. Similarly, I am also anxious that as often as possible it should be possible for them, and they should be willing also, to invite the representatives of the workers of the industries concerned to come in as assessors so that the workers also will have the satisfaction that their interests are being sufficiently safeguarded.

The question of quantitative restriction was raised by my hon. friend, Mr. Goenka. I do admit that quantitative restriction sounds rather dangerous and it is not viewed with favour by the International Trade Organisation and the various conferences of trade. But it is quite possible that there may be occasions when quantitative restriction also may have to be resorted to in the interest of the industry itself. There may be certain industries, for instance, the oil-crushing industry, or even the sugar cane industry in certain States where there is too much of growth, too much of a cut-throat competition amongst themselves. They have to be helped in spite of themselves. Therefore, they have got to be told, "Look here, there is scope for so many factories alone in such-and-such a State. If need be, you shift some of your factories to some other States. You cannot"

Shri Goenka: We are talking of imports from other countries. Quantitative restriction on imports—not between State and State.

Prof. Ranga: I stand corrected. So far as internal production is concerned, certainly it should not be beyond the purview of the Tariff Commission and the Government to see to it that they can regulate the growth, expansion and also the internal management of any particular industry and to that extent I want the Government and the Tariff Commission to have that much of latitude and power.

I am in favour of protection only in this sense that we are anxious to develop a welfare state, or rather we want to turn the present state into a welfare state; in order that we should become a satisfactory welfare state and encourage our industries to develop themselves to their maximum possible extent and thus serve our producers as well as consumers in this country we want to give them protection. But when giving protection we should also take sufficient care to protect the interests of the consumers, as well as the producers and the joint producers and the semi-manufacturers.

Lastly, I want to know what my hon. friends would mean by the word "industry". Do they mean in their conception of industry the inclusion of agriculture and cottage industries or not? It is quite possible that cottage industries are included in it but I would like to have a definite assurance. In regard to agriculture also, I would like to have an assurance. As I see it, in some of the provisions they have themselves stated to that effect. For instance, in clause 14 they have referred to "the principal growing, producing or manufacturing regions of India". Evidently they were thinking of agriculture too. Then again in clause 14(1)(d) they say:

"the price which may be deemed to be the representative fair selling price for growers, producers or manufacturers in India in respect of the industry claiming protection".

This encourages me to think that in their conception of industry as conceived of in this Bill agriculture also may come within its purview. If that is so, I would like my hon. friend the Minister to give us this assurance that.....

Mr. Deputy-Speaker: In clause 14, sub-clause (3) (g) also it is stated:

"The use in the industry of indigenous products, whether raw or manufactured".

That also gives an indication.

Prof. Ranga: Thank you, Sir. That is what I wanted my hon. friends to say, because it would have been very much better if they had included it in the definition of the word "industry" here; by saying that "industry" included such-and-such things, it would have left no scope for doubt at all. I suppose it is too late for them to include any such definition now to make good that lacuna, but I would like my hon. friend to make a categorical statement and give us that assurance.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That the question be now put."

Mr. Deputy-Speaker: The question is:

"That the question be now put."

The motion was adopted.

Shri Mahtab: I do not think at this stage I should be expected to give a detailed reply to all the points which have been raised in the course of this discussion. I admit a number of learned discourses have been delivered here with regard to various forms of protection, nationalisation, socialisation, and also at the end, by Mr. Velayudhan, removal of Government. I am very sorry to say that these measures cannot be reasonably provided for in this Bill. This Bill is confined only to a particular matter, namely the protection of industry by means of tariff, and obviously this Bill cannot provide for various points which have been raised in this House.

I would refer only to two or three points which relate to the general principle underlying this Bill. First of all, the conception of Government *vis-à-vis* the Tariff Commission. It has been suggested that all applications, when they are submitted to Government, must be sent to the Tariff Commission for investigation and the Canadian law and the Australian law have been cited in this connection. I may very respectfully submit that all those laws do not make it compulsory that all the applications must be forwarded to the Tariff Commission. All those laws make it compulsory that whenever Government will think of giving any protection to any industry, the case must be referred to the Tariff Commission. There the compulsion comes in the case of the Government first of all thinking of giving protection to some industry. The *prima facie* case must be established by the Government themselves and in the Fiscal Commission Report, which Shri Gokulbhai Bhatt seems to have read very closely, it is laid down that it should be the function of the Government normally to take the initiative in the matter. There also Sir Percy Ashley's pamphlet has been referred to in the Fiscal Commission Report. Therein Sir Percy Ashley has definitely held that the question of tariff must always be a matter of political policy; it can never be otherwise. That being the case, that word "may" should be there with the definite understanding that *prima facie* Government must decide

whether any industry requires protection or not, and even if it so requires whether in the interest of state-policy that question of protection should be considered or not.

Otherwise, dangerous situations might arise in which the interests of the nation might be jeopardized. I do not think there is any parallel anywhere to compel the Government to refer to the Tariff Commission the case of any industry whenever it comes forward. That is an absurd proposition.

With regard to the composition of the Tariff Commission, it has been suggested that the provision restraining members of the Tariff Commission from entering into service in a private firm should not have been there, but I respectfully submit that this is a salutary provision. I do not think of any kind of misbehaviour on the part of the members. I must presume that the members will behave very properly because their choice depends on us and certainly Government will choose men of very high integrity who are not expected at any time to misbehave. But the question is how the public will look upon it. It is not only the case that justice is done but as one Judge has rightly remarked, the public must feel that justice has been done. If a member of the Tariff Commission, even though he disposes of a case very satisfactorily and very impartially, accepts service immediately after disposal of that case under that very industry concerned, then the public will be entitled to suspect his conduct. We should not give any scope to the public to have any kind of suspicion. It is in the interest of the atmosphere, for creating a better atmosphere for the work, that the provision has been made and it should not be taken exception to, especially after knowing that there is a similar provision in the Constitution with regard to the Judges of the High Courts and members of the Public Service Commission. I thought that in view of this Mr. Gokulbhai Bhatt will withdraw his objection, but I was surprised to see that he did not; on the contrary, he went on arguing that since that kind of provision is not there in the case of the Ministers, such a provision should not be there in the case of the members of the Tariff Commission. I wish that that kind of provision had been there in the case of the Ministers also and I would suggest that that kind of provision should be made with regard to all public servants beginning from the Minister downwards, because it is a very salutary provision. Simply because it is not there in the case of the Minis-

[Shri Mahtab]

ters, one should not ask that it should be abolished in the case of members of the Tariff Commission. I should think that the argument should be the other way and I would certainly welcome Mr. Bhatt if he brings forward such a measure and he will have my full support, I may assure him.

Then some important points were raised in regard to quantitative restrictions on imports. I do not think that I need go into them at this stage. I think that the expression 'and other suitable forms of protection' should be there. Apart from subsidy and tariff protection, there are and may be other kinds of protection. I can remember off-hand the case of the soda ash industry. The Tariff Board recommended that the railway freight for carrying coal to the place of the soda ash industry should be reduced. Of course, we recommended to the Railway Board to do this and the Railway Board has not yet considered it and given effect to our recommendation. But that is another matter. What I say is that it should be open to the Tariff Commission to recommend various forms of protection. They might recommend that in some cases the tax might be reduced. In some States there are various local taxes which are hitting the industry and putting them to a considerable disadvantage. In those cases, it should be open to the Tariff Commission to recommend that the tax should be lowered. Prof. Shah insisted on this in the Select Committee and he began to describe the various forms of protection. We thought that it would serve our purpose if we put in this expression 'or any other suitable form of protection'. It would not hit us in any way. Assuming that there is no other form of protection, it does not hit us in any way. So, that expression should be there.

With regard to the number of members of the Tariff Commission, it has been suggested—and I think it has been rightly suggested—that the appointment of additional members might probably create some difficulty because of the provision that after appointment these gentlemen will not be entitled to appointment in private firms. In view of that, it is possible that the right type of additional members may not be found and even if they are found, it may be that Government may be compelled to give them permission to seek appointments here and there. That might create some baffling situation. I have before me the figures of the number of cases considered, number of cases rejected and number of cases approved by the

Tariff Board ever since its inception, and I find that in the course of the last several years there was only one occasion on which an additional member was appointed; otherwise, the whole work has been carried on with three members. Therefore, I do not agree that the minimum should be raised to five, because I do not see that there is work for more than three members. The hon. Members must have read the Planning Commission's Report, especially the first Five Year Plan. In that Plan, they have relegated industry to the background and put agriculture first. That being so, it should not be expected that in the coming five years there will be a number of industries coming up for protection and a number of cases actually coming before the Tariff Commission. Taking all these factors into consideration, I am inclined to think that the minimum number should be three. The question is about the maximum. It has been suggested that the maximum may be raised to seven. Government can appoint as many as they like and if hon. Members insist on seven, I have no objection. But in view of the fact that additional members might create difficulties, if hon. Members want that that provision should be omitted, as Government we have no objection to the omission which can be done when we come to that particular clause.

Prof. Ranga: How about including 'agriculture' in the definition?

Shri Mahtab: The question of agriculture was specifically considered in the Select Committee and as the Deputy-Speaker rightly pointed out, the expression "use of indigenous products, raw or manufactured" was introduced in order to give protection to agriculturists. Whenever we refer to consumers, I do not think we refer to absolute consumers. There are no consumers who do not produce anything and only consume. That is an impossible proposition. When Dr. Deshmukh interrupted and suggested that consumers are always treated as beasts of burden. I was wondering to whom he was referring. As a matter of fact, a consumer is a producer in one respect and a consumer in another respect. Therefore, there is no absolute consumer.

Mr. Deputy-Speaker: He was referring to professional gentlemen.

Shri Sondhi (Punjab): Are the Ministers consumers?

Shri Mahtab: I think what was working in his mind was the case of the agriculturists. There is always a

conflict between agriculture and industry. This is a known fact and some people say that the fight between Bavana and Rama is symbolic of the conflict between industry and agriculture.

Dr. Deshmukh: Here the Tariff Commission is the Hanuman.

Shri Mahtab: In this Bill we have provided for a harmonious working.

Mr. Deputy-Speaker: Is not the agriculturist indirectly protected if the product of agriculture happens to be the basic raw material of industry?

Shri Mahtab: Therefore, this Bill has taken into account the conflict between the interests of the agriculturist and the interests of industry and it has made provision for some harmonious adjustment. Unless that harmonious adjustment is made, I do not think that a country like India can prosper in spite of all kinds of protection to industries, because agriculturists form the bulk of the population and unless the interests of the agriculturists are protected no amount of protection to industries can help them. Even in highly industrialised countries like the U.S.A., the interests of the agriculturists are protected. As far as I know, in the U.S.A., however much it might appear to be industrialised, the bulk of the population are agriculturists. Therefore, they always take into account the interests of agriculture also. In this case, similarly, whenever the Tariff Commission will consider the case of an industry it will take into account the interests of agriculture and by some means give help to the industry without affecting the legitimate and reasonable interests of agriculture.

With these few words, I recommend that the Report of the Select Committee may be considered. But I am very sorry to say that I do not think the rules provide for the kind of debate we have had on this occasion because the Report of the Tariff Commission in any circumstance cannot be rejected by the House and I think the House will now proceed to the clause by clause consideration. I do not know whether this motion will be put to vote. If it is put to vote, then I recommend that the motion be adopted.

12 Noon

Mr. Deputy-Speaker: The hon. Minister is anxious that we should get to the clauses and for that purpose he wants the motion to be put early.

The question is:

"That the Bill to provide for the establishment of a Tariff Commission and to regulate its duties and functions, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2.—(Definitions.)

Shri Jhunjhunwala (Bihar): I beg to move:

In page 1, after line 11, insert:

"(bb) 'Industry' includes cottage and small scale industry".

Mr. Deputy-Speaker: Who said "No". "Industry" includes all kinds of industries—whether cottage or small scale.

Shri Jhunjhunwala: I am inclined to raise this point because sub-clause (1) (f) of clause 14 says: "the effect of protection, if granted to an industry, on other industries, including cottage and other small scale industries." That it was found necessary to make it clear by saying "including cottage and other small scale industries" implies that the word "industry" does not include cottage and small scale industries; so I have tabled this amendment.

Mr. Deputy-Speaker: I am afraid the hon. Member has misunderstood the meaning of that sub-clause. What is perhaps meant is this. Suppose protection is given to textile industry—the Commission should examine what effect it has on, say handloom industry.

Shri Jhunjhunwala: If it is clear, I do not want to press my amendment.

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Constitution of a Tariff Commission etc.)

Pandit Thakur Das Bhargava: I beg to move:

In page 1, line 21, omit "not less than three, but not exceeding".

The effect of this will be that the Commission shall consist of five members. It is given in the Report as:

[Pandit Thakur Das Bhargava]

well that there should be five members. Considering the volume of work that the Commission will have to undertake, I think the strength of five is quite reasonable.

We have just heard from the hon. Minister that all along there were three members and only on one occasion an additional member had to be appointed. But we cannot compare the conditions of the past with the future. I for one should think that the number of applications which would be received by the Commission would be considerable and I suggest that the number should be five so that the Commission may go through the applications carefully. Again there may be certain industries which may require the benefit of consultation among five members. It is with this object in view that I have moved my amendment.

Shri Goenka: I beg to move:

In page 1, line 21, (a) for "three" substitute "five"; and

(b) for "five" substitute "seven".

There are some very important points which I want to make in this connection. The hon. the Commerce Minister said that in the past three members were found to be sufficient, and only on one occasion they had to appoint an additional member. That is perfectly true. But at the same time it has to be realised that up till now the functions of the Tariff Board were very much limited. I would, in this connection like to draw the attention of the House to clauses 11, 12, 13, 14 and 15 which cast huge responsibilities upon the Commission. For instance, clause 11(c) enjoins upon the Commission to recommend "action to be taken in relation to the dumping of goods in the market occasioned by excessive import or otherwise". Clause 12 says:

"The Central Government may also refer to the Commission for enquiry and report any matter relating to—

(a) the effect of protection on—

(i) the general level of prices in the country,

(ii) the cost of living of any specified class of people,

(iii) the different sectors of the country's economy;" etc.,

Another duty laid upon the Commission is to watch whether the obligations laid upon an industry enjoying protection are being carried out.

This till now was a subject which was left to the Development Department of the Ministry of Industries, which maintains a large staff.

These are all fields into which the previous Tariff Boards had not entered, and I am sure one or two members will be kept wholly engaged on work of this nature. I am saying that the responsibility which you are laying on the Tariff Commission is much greater and the business which they have now got to attend is very comprehensive. There is no comparison between what they were doing in the past and what they will be called upon to do in the future. I am only answering the hon. Minister that although it might not have been necessary for him in the past to have more than three members except on one occasion when he had to have four, in future he will have to have more because the functions of the Commission are far greater and the industries will be developing in the next five years. I would therefore beg of the hon. Minister, let him keep a minimum of three, but if he keeps a maximum of seven then he will not have to come before this House with an amending Bill. I am only giving him more power. If he will agree to that.....

Shri Mahtab: I am prepared to accept it.

Shri Goenka: Then I will move only that part of my amendment which says "for 'five' substitute 'seven'" and "omit lines 24 to 26". On that I need not speak as I have already spoken. But that is an important thing because additional members are dangerous.

Mr. Deputy-Speaker: Very well. I will then place the amendments before the House.

Pandit Thakur Das Bhargava: Sir, there is an amendment standing in my name—amendment No. 2.

Mr. Deputy-Speaker: That has been moved by Shri Goenka. It stands in his name also. I will now place the amendments before the House for such discussion as might be necessary. Inasmuch as the hon. Minister is going to accept it I do not think that any discussion is necessary.

Amendments moved:

(i) In page 1, line 21, omit "not less than three, but not exceeding".

(ii) In page 1, line 21, for "five" substitute "seven".

(iii) In page 1, omit lines 24 to 26.

The effect of this is that additional members, that is, *ad hoc* members are to be done away with and the maximum number should be raised from five to seven—the minimum may be three—so that they need not come to the House again and again.

श्री भट्ट : जो श्री रामनाथ गोयनका जी का संशोधन है उसी के साथ साथ पंडित ठाकुर दास जी और मेरा भी वही संशोधन है ।

[**Shri Bhatt** (Bombay): In line with Shri Ramnath Goenka's amendment is mine as well as that of Pandit Thakur Das Bhargava.]

Mr. Deputy-Speaker: So far as the last one is concerned that is covered by Shri Goenka's amendment.

श्री भट्ट : लेकिन पहली लिस्ट (list) में जो है, वह बता दीजिये ?

[**Shri Bhatt:** But please state the one which is included in the first list?]

Mr. Deputy-Speaker: It is covered by Shri Goenka's amendment—No. 41 of List 4.

Shri Goenka: I do not mind the credit being passed to my friend Shri Gokulbhai Bhatt.

Mr. Deputy-Speaker: I think the hon. Member wants to know if Mr. Goenka has moved that amendment off-hand or whether he has given due notice of it. Yes, he has given notice of that amendment. It is No. 41 in List 4.

श्री भट्ट : उपाध्यक्ष जी, मैं यह नहीं कह रहा हूँ । मैं तो यह जानना चाहता हूँ कि आप आया लिस्ट के मुआफ़िक लेना चाहते हैं और जिस का संशोधन पहले है, उस को इजाजत देना चाहते हैं या क्या तरीका आपने रखा है ? मैं इस के बारे में जानकारी चाहता हूँ ।

[**Shri Bhatt:** Sir, that is not what I mean. I only want to know the procedure that has been adopted by you, whether you want to take up these amendments according to the list and

allow the member, whose amendment comes first, or to adopt some other procedure. I want to have information on that point.]

Mr. Deputy-Speaker: I will take it as moved jointly by Shri Gokulbhai Bhatt, Pandit Thakur Das Bhargava and Shri Ramnath Goenka—all the three jointly—that in page 1 omit lines 24 to 26.

Shri Karmarkar: There will be a slight difficulty in that. While Pandit Thakur Das Bhargava's amendment seeks to omit lines 24 to 26, Shri Ramnath Goenka's amendment, besides doing that seeks to substitute "seven" for "five". Both go together in Shri Goenka's amendment.

Mr. Deputy-Speaker: No. Shri Goenka has tabled separate amendments. It is not as if they are part of a single amendment. They are given here as Nos. 40 and 41 in List 4. Therefore, let all the three gentlemen have the credit of having it in their names.

Dr. Deshmukh: I must say that I completely disagree.....

Mr. Deputy-Speaker: I want to cut short the argument if it is possible to do so. The whole matter has been argued. The hon. Minister says that he is willing to accept the deletion of the proviso with respect to *ad hoc* members. Let us know how far Government is prepared to go, and subject to that let all discussion go on. He is prepared to have seven instead of five. Pandit Thakur Das Bhargava wanted to raise the minimum from three to five. Mr. Goenka wants to keep the minimum at three but to increase the maximum from five to seven. Hon. Members are anxious that there should be no *ad hoc* members. Government seems to agree that there should be no *ad hoc* members.

Dr. Deshmukh: They should hear the other side also.

Mr. Deputy-Speaker: It is open to the hon. Member or the whole House not to accept even the Government's suggestion. But hon. Members must know at every stage, and it is my duty to place before the House, what is agreed to by Government and what is the point under discussion. The point is this. Government is agreeable to the deletion of the proviso with respect to *ad hoc* members. *Ad hoc* members will be given up. The minimum will be three. The maximum will be raised from five to seven. Now Dr. Deshmukh may go on.

Dr. Deshmukh: I completely disagree with the whole approach of my friend Pandit Thakur Das Bhargava so far as the Tariff Commission is concerned. He is imagining this Tariff Commission as an independent supervisory body which, according to him, should have some sort of superior authority even over the Government of the day.

Pandit Thakur Das Bhargava: My friend is absolutely wrong. I made it absolutely clear that the Government should have the supervision over it.

Dr. Deshmukh: However much he makes it clear, in every amendment and in every speech of his.....

Mr. Deputy-Speaker: Why should the hon. Member read between the lines? Now he says definitely that he does not want it to be a super-Governmental body.

Dr. Deshmukh: I am prepared to leave it at that. So far as the number is concerned and so far as additional members are concerned, Mr. Goenka has apparently made out a very good case and he has argued that the maximum should be increased. But I would like to put it to my hon. friend Mr. Goenka as well as Pandit Thakur Das Bhargava that neither of them has any accurate idea of the work of the Commission except an imagination—and fertile imagination at that. Here is a Minister who knows what work is being done for the last so many years. And he is quite content with the number here proposed. In spite of prolonged discussion in the Select Committee it was quite clear that the number.....

Mr. Deputy-Speaker: But the hon. Minister himself agrees.

Dr. Deshmukh: I do not want him to agree. He is playing with the people's money at his sweet choice and the hon. the Finance Minister may be very generous and liberal in agreeing to the appointment of as many members as he wants. But I do not want him to agree so soon and in such a haphazard manner. I think he should consider the matter more carefully and listen to what we have to say. After all it is a matter of funds, it is a matter of many other things. Because Mr. Goenka speaks in high tones the hon. Minister probably feels nervous, because he does not know what will happen as a result of the persuasive eloquence of my friend Mr. Goenka. I am not prepared to agree that any real case has been made out to raise the number. I have seen it very often that people are very charitable with other people's funds.

And here is the Consolidated Fund of India at the disposal of the hon. Minister to make a choice as he likes and appoint as many people as possible.

I was referring to the arguments of my friend Mr. Goenka. He has certainly pointed out.....

Mr. Deputy-Speaker: Even now, is it not optional? The point is that under the Select Committee's Report between three and five two more persons can be appointed. Raising it from three to five is optional. Raising additional members is also optional, that is, making it five plus two is also optional.

Dr. Deshmukh: What I am contending is that five is the absolute maximum that will be required. The additional members will perform all the *ad hoc* functions which my friend referred to, like conducting research, calculating incomes etc. These people should not be debarred from engaging in any trade or serving any industry, simply because they have done certain research. My submission is that it is very necessary to have these additional members. It will cost less to the taxpayer because they could be appointed for periods of six months and so on. If it is merely a matter of research as ascertaining incomes and other things, the permanent members of the Commission need not bother about it. Since we have already the number from three to five and with the provision of additional members which could be appointed per industry or for the particular specified period or for any particular work, I think there is ample provision and the clause as it stands is absolutely sufficient to meet the requirements of the present conditions. As regards the point of view of hon. Members that the Tariff Commission is going to have many applications and so on and so forth, I think their approach to the whole question is fundamentally wrong. They think firstly as if the imposing of tariffs is a normal thing. I would submit to the House that it is an unnatural thing. Free trade is the natural thing and putting tariffs is something unnatural. Undoubtedly, because our country is undeveloped, it would be necessary to have tariffs in many cases but that does not mean that the case of everybody who wants protection to be given to his individual factory is going to be examined. That is the point of view of my hon. friend, Mr. Bhatt also. They want things to be examined *ipso facto* and as soon as anybody takes it into his head and demands that protection should be given, it should be binding upon the Government to refer his case

to the Tariff Commission. This is at the back of the minds of most of my hon. friends and they think that enormous work is going to be done by the Tariff Commission. I controvert that proposition. There are going to be more industries established as we industrialize but as we go on our industries are bound to become bigger. There would not therefore be too many propositions. There are going to be refer to one particular product or products of an industry. In view of the experience of Government for the last so many years, we have already allowed them to add two more permanent members and we have also included the provision for additional members. There is no necessity for increasing either the minimum or the maximum. We have seen that although we have no dearth of people of the required ability and integrity it has become our habit to suspect them at every turn. I am not expressing this as my own conviction but I am stating what has been voiced by so many Members who have very little faith in our own people. We suspect that if they were holding the job for three years, they would probably after relinquishing the job go for a job in that very industry and get some additional pay and so on. Therefore it is suggested: "Let us make it compulsory that they shall not seek an appointment in any private industry for a period of three years from the time of so ceasing to hold office". That is the way in which we are looking at the personnel and the requirements of our administration. We have exhausted all the ex-Judges of High courts and if they die at a faster rate, I do not know if the administration of this country will probably come to a standstill. That is the only individual who is regarded to be trustworthy in the whole of India. The Government is so constituted that they are not able to see any honest people elsewhere except in the I.C.S. or the retired High Court Judges. According to this view, with which I completely disagree, if you increase the maximum you will have to have third rate people in whom you have no confidence. So I would much rather have a fewer people to deal with responsible matters in view of the fact that we have little trust in them and we should always err on the side of having minimum officers. We so often criticise Government for having too many highly paid officials and yet we are ourselves creating more offices and officials. As non-officials it should be our duty to give Government less officials. I do not understand why hon. Members are so charitable. When the hon. Minister is fighting to have three, we are going to ask him to have five and seven. I think this is working in a very wrong direction. We should not be so liberal

237 PSD

with the Consolidated Fund of India and we ought to give the absolute minimum. Let them ask for more and then it would be time for us to add to them. It is better to have a lesser number of more honest people than to have a whole crowd of people with lesser ability and honesty.

Shri Khandubhai Desai (Bombay): Though the amendments look to be similar they are contradictory. Pandit Chakur Das Bhargava and Mr. Bhatt want the minimum to be raised to five.

Shri Bhatt: Where have I said that?

Shri Khandubhai Desai: The amendment says that it should be five. Anyway, that is what I understood it to mean. What I feel is that when the question of number was discussed in the Select Committee it was discussed very fully and looking to the obligations and duties placed on the new Tariff Commission, it has been found that the experience will show that more personnel will be found necessary to go into the question of seeing how the protection is being worked to the benefit of the consumers and as such various *ad hoc* inquiries have to be instituted. For this purpose it has been provided that certain *ad hoc* inquiries may be conducted by *ad hoc* additional personnel. But it appears now that the Government is inclined to accept the amendment moved by Mr. Goenka to delete that proviso. In these circumstances I would agree to increase the number from five to seven if and when found necessary but at the same time the minimum should not be raised from three to five. The Tariff Commission as such should be composed primarily of three members and, if and when found necessary, an additional member or two additional members may be added.

Shri Sidhva: Four also.

Shri Khandubhai Desai: That may be necessary. One cannot visualize what sort of obligations and duties the Government will place on that Commission. At the same time there are certain inquiries which the Commission *suo motu* can make in the interests of the consumers and in the interests of industries.

Dr. Deshmukh: It will not take very long to amend the Act.

Shri Khandubhai Desai: So, I am inclined to accept the amendment moved by Mr. Goenka, keeping the minimum at three and maximum upto seven.

Mr. Deputy-Speaker: May I call upon the hon. Minister to reply straightway?

Shri Sidhva: In view of the fact that the hon. Minister is accepting, as I understand from you, I think this matter requires to be considered rather more carefully. I do not accept any of the amendments as proposed by my hon. friend Mr. Goenka. While I support what my hon. friend, Dr. Deshmukh stated in opposing it, I oppose him in his arguments. He says although Mr. Goenka has made out a very good case for seven, he still opposes him. I say that Mr. Goenka has made out no case at all. He was just reading the clauses of the Bill.

[SHRIMATI DURGABAI in the Chair]

It is said we may give them the power to appoint four more. Mr. Goenka feels that there is so much work, and if the number is to be increased the hon. Minister will have to come back to this House with an amending Bill. This is a ridiculous argument asking the country to vote for the finances without any due consideration being given to this matter. It will be absolutely illogical to ask for three permanent members and if an emergency should arise, power should be given to appoint four more. Three permanent and two temporary is the most reasonable figure. Have you ever heard of three permanent members and four temporary members? The original proposal of the hon. Minister was perfectly right. I strongly oppose the amendments.

I do not also agree with Dr. Deshmukh that there are no honest men available and therefore the number must be confined to three. There are many honest men in this country; there is no doubt about that. You can find hundreds of men. But, that does not mean that you must provide them with posts.

Dr. Deshmukh: There are no honest men among non-lawyers.

Shri Sidhva: For these reasons, I am convinced that three are quite sufficient. Let us see how it works. If more are needed, the Act may be amended. Are they not amending so many other Acts? In the Rehabilitation Finance Administration, originally, the Finance Minister had provided for four members. Afterwards, he thought one more member was necessary. He came forward with an amending Bill after two years of

experience. We should not play with public money like this. Mr. Goenka may be using his influence everywhere as he is used to. The hon. Minister seems to be frightened as soon as a proposal comes from Mr. Goenka. If it comes from us, the hon. Minister pays no attention; if it comes from Mr. Goenka, before hearing us, he commits himself and says, I will accept it.

Prof. Ranga: Is that the influence behind the curtain?

Shri Sidhva: I am only mentioning from my experience. My point is this. I am for a minimum of three and a maximum of five, as it originally stood. We have given him adequate power that in case there is an emergency, he will appoint one or two more. Why do you say there will be much more work? We know that this Commission has been entrusted with a certain work which the previous Board did not do. But, that does not mean that the previous Board had no time to look after that work. The previous Board had no particular rules or powers in the matter of giving protection. Now, we are telling the Commission that before giving protection, they shall have to follow a particular procedure. That does not mean that they will require more extra time to do the work. The previous Board would have done it if they had the power. I am glad the hon. Finance Minister is here. He must check the other Ministers. We do not think that we should play with our money like that. My point is, three would be sufficient. Of course, it may be argued that it is only an enabling item that four may be appointed which does not necessarily mean that four shall be appointed. I do not want any kind of influence to be brought on the hon. Minister subsequently to say: "Come along, we have the power; please appoint two more". Here, sometimes influence counts. Therefore, I submit that whatever was originally proposed was perfectly justified and correct. It was a well thought out plan. The Select Committee did not agree to the increase. You must give some weight to the opinion of the Select Committee. All these things were said in the Select Committee and we expressed our opinion that we were against it. I congratulate the Select Committee that they did not raise the number. Therefore I strongly oppose all the amendments and warn you madam that I shall claim a division if the House raises its voice otherwise.

Shri Shiv Charan Lal (Uttar Pradesh): I am in favour of keeping the clause as it is and opposed to all these amendments. I wish very briefly to give my reasons. The proviso is a very very important proviso. It is very necessary to keep it. In the proviso, power is given to appoint a member temporarily whenever you require. Suppose you require a member to deal with a certain special type of applications, you appoint temporarily a certain member for a month or so and when the work is finished, you ask him to go away.

When you require another member to do some other type of work, you ask him to come for a month or so and when the work is finished, he also goes away. This is a necessary proviso. I do not know how the hon. Minister has agreed to delete the proviso without taking into consideration this fact.

Shri Mahtab: May I correct an impression which seems to be wrong and which I am afraid, by virtue of repetition may begin to be believed by the Members? What I said is this. I was particular that the minimum should not be raised; it must be three. With regard to the rest, if the House insisted upon that, I had no objection.

Shri Sidhva: That hint was not good.

Shri Shiv Charan Lal: I am glad that the hon. Minister has not of his free will agreed to delete the proviso, and that the forceful voices of Mr. Goenka and Pandit Thakur Das Bhargava have made him think that the whole House wants a deletion of the proviso and therefore he has agreed to the deletion. I am very glad that he does not agree to the deletion. My submission is this. Keep the minimum as three. Wherever necessary raise it to five. The proviso is necessary because it will give a chance to call special members, members having experience of special types of work for a certain period and they will then go away. That will not be a burden on the finances of the country. If you raise the number to seven and do away with the proviso, once you make the appointment, it will remain for a longer period and that would be an unnecessary burden on the finances of the country. Therefore, I am for keeping the clause as it is, and oppose all the amendments.

Shri A. C. Guha (West Bengal): I oppose all the three amendments. I think in the original Bill before it was sent to the Select Committee, the proposal of the Government was to have a maximum of four. I think that was the original proposal and now the Select Committee has increased the number to five, keeping the minimum as three and the maximum as five. This matter was fully discussed in the Select Committee and Government's view also was that the number should not be increased. I wonder how the Minister can so easily now come forward and say that he is ready to accept the amendment moved by some friends in this House to increase the

number. I agree with my hon. friend Shri Shiv Charan Lal that in case of some emergency or rush of work, the Government should have the power and the authority to nominate certain members temporarily so as to cope with the rush of work or with some other emergency. It should not be necessary to keep so many permanent additional men on the Commission when there is no justification for them. I am told that even now with only three members, the Tariff Board has practically no work. Therefore, it would be a mistake to increase the number still further and increase the liability of Government. Government should have the option to nominate or appoint some temporary members to deal with certain questions or with rush of work. That is quite a different matter.

Therefore, I oppose all the amendments. The Select Committee has rightly recommended the increase from four to five in accordance with the recommendation of the Fiscal Commission. The Fiscal Commission studied the question thoroughly and their recommendation is that the maximum should be five.

Shri Goenka: It is not so. They said that the minimum should be five and the maximum seven.

Shri A. C. Guha: But even now Government feel that there is not enough work for the Tariff Board. And when there is sufficient work for more, and if there is some rush of work, Government has the power to appoint temporary members. That is the correct position and I submit that the Select Committee's recommendation should be accepted by the House.

Pandit Thakur Das Bhargava: Is it the Government's case that there is not enough work for three?

Shri Karmarkar: At present, yes.

Shri Bhatt rose—

Mr. Chairman: At this stage we may hear the hon. Minister. Is it necessary for Shri Bhatt to speak again? He has already spoken and I do not think it is necessary for him to speak again.

श्री भट्ट : एक शब्द मैं कहना चाहता हूँ। मैं जिस विषय पर बोला हूँ वह विषय यह नहीं था।

[Shri Bhatt: I would like to say just one word. That was not the subject on which I spoke.]

Mr. Chairman: I think the point has been argued well.

Shri Karmarkar: Government have always been conservative with regard to the number of members on the Commission. The House will remember that at the initial stage of the discussion we were not anxious to increase the number more than was absolutely necessary. This has been repeated during the course of this discussion. But the sense of the House, so far as could be judged from those who spoke, seemed to suggest that the number was perhaps a little too conservative and that it could at least be five. Now we are entirely agreeable to have the provisions as they are and would even be prepared to be a little more conservative, if that is the desire of the House. The Select Committee has recommended that the Government should have the power to appoint additional members for special work, and the number on the Commission should not be less than three and not more than five. The hon. Minister has made it quite clear that we are quite prepared to accept the recommendation of the Select Committee that the Commission should have not less than three members and not more than five, and that in case of necessity additional members may be appointed. Now the only reason why we accepted Mr. Goenka's amendment is.....

Some Hon. Members: You have not accepted yet.

Shri Karmarkar: At an earlier stage we did show a little inclination to accept it, not because his voice was louder but because his suggestion did away with one small anomaly which might arise with regard to the additional members, namely that it might be difficult to secure competent persons. We are not anxious to have as many as seven permanent members on the Commission, so far as we can foresee. In view of the consensus of opinion we go back again to the Select Committee's Report and entirely agree that the provision there, namely not less than three and not more than five with two additional members if and when necessary, is a very wise one.

Shri Goenka: I beg leave to withdraw my amendments.

The amendments were, by leave, withdrawn.

Pandit Thakur Das Bhargava: I want that my amendment regarding deletion of the proviso making provision for the additional members should be put to vote. I still feel that the provision should not be there.

But I beg leave to withdraw my first amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

In page 1, omit lines 24 to 26.

The motion was negatived.

Shri Bhatt: My amendment is covered by this.

Mr. Chairman: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4.—(Qualifications for membership of the Commission.)

Dr. M. M. Das: I beg to move:

In page 1, line 29, after "ability" insert "integrity".

The amendment is a very small one and it is self-explanatory. The original clause as it stands reads:

"The persons to be appointed as members of the Commission shall be men of ability and standing....."

I want to put the word "integrity" after the word "ability".....

Shri Karmarkar: I am prepared to accept the amendment.

Shri Shiv Charan Lal: Before you put the clause to vote I have to oppose it and I may be permitted to speak.

In my opinion this clause is absolutely unnecessary. No special qualifications have been put down for membership of the Commission, such as that a man should be an M.A., B.Sc., or B. Com. It is simply said that he should be a man of ability and standing who has shown capacity in dealing with problems relating to commerce or industry or in administration or who has special knowledge in any matter as renders him suitable for appointment on the Commission. This qualification is not any special qualification by which you can judge whether a man will fulfil the tasks expected of him or not. You may bring any one from the city and he will fulfil this qualification.

Shri Sondhi: Why from the city? Village also.

Shri Shiv Charan Lal: Villagers are the forgotten people—you will not accept them. What I say is that any man that you may take will fulfil this qualification. I say there is no need to put in this qualification; in the making of appointments it is but accepted that the men appointed must have the qualification necessary to fill the post. The qualification of a member of this Commission should be that he should have knowledge of trade, commerce, administration, and this and that. But this clause, to my mind, is absolutely unnecessary. I request the hon. Minister to agree to its deletion. If, however, he does not, then I withdraw my opposition.

Mr. Chairman: You have not put your opposition in the form of any amendment. Therefore, there is no question of withdrawal. Now, may I hear what the hon. Minister has to say?

Shri Karmarkar: There is nothing to say, Madam. We do not accept his view.

Shri B. Das: I wanted to know.....

Mr. Chairman: I would like hon. Members to realise that we are very slow in our business; this Bill has been going on for three days, let us try to expedite it. Many hon. Members who were interested have spoken at length. The question of integrity and other things are small matters which can safely be left to the appointing authority.

Shri Goenka: Shall we also have commonsense added to it? Integrity and commonsense.

Mr. Chairman: The hon. Member is appealing to me—I am not the appointing authority.

Shri Goenka: Through you to the Minister, Madam.

Mr. Chairman: The Minister has already agreed to accept that amendment regarding integrity.

Shri Karmarkar: The reason why we accept the amendment of Dr. M. M. Das is this. Originally we did not consider it necessary to refer to integrity because certainly the assumption would be there that the men selected would be men of integrity. But as an amendment has come before the House that in addition to ability and standing integrity should also be there, we take the view that defeat of this amendment would mean that ability and standing would be necessary but that integrity would

not be necessary. It would be a tortuous interpretation. Therefore, we have absolutely no objection to accept the amendment though it is superfluous.

Shri Sidhva: Then he may withdraw it.

Mr. Chairman: It is a kind of prompting or coaching which I do not want to be done because it does not fit in with the dignity of the House. The hon. Minister should be allowed to express himself fully. The question was put to the hon. Minister as to what was his yard-stick to measure integrity.

Now, I will put the amendment to the House.

The question is:

In page 1, line 29, after "ability" insert "integrity".

The motion was adopted.

Mr. Chairman: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5.—(Disqualifications for membership.)

Shri Iyyunni (Travancore-Cochin): I beg to move:

In page 2, for lines 4 to 6, substitute:

"If any Member of Parliament or of Legislature of any State is appointed as a member of the Commission he shall vacate his Membership in Parliament or the State Legislature as the case may be within one month of the date of appointment."

The present clause 5(2) runs thus:

"The appointment as a member of the Commission of any person who is a Member of Parliament or of the Legislature of any State shall be void unless within one month of the date of his appointment he ceases to be such Member, and if any member of the commission is elected as a Member of Parliament or of any State Legislature, he shall cease to be a member of the Commission as from the date of such election."

[Shri Iyyunni]

I suggest that this is not the form in which it ought to be put. The form in which it should be put is that a man may be appointed and after appointment if he does not satisfy some of the conditions imposed upon by the clause, then he may be removed. The clause as it stands conveys the negative aspect. I suggest that we should put it in a positive form and say that if he does not satisfy such and such a condition he may be removed. From a legalistic point of view, I suggest that the form I have suggested is the more correct one.

There is another reason. The appointment which is void initially cannot be made valid if the appointee does a thing which is enjoined. It is not an irregularity which can be condoned.

श्री अट्ट : मेरा संशोधन यह है कि पृष्ठ २ में से पंक्तियाँ सात से नौ तक निकाल दी जायँ। यह जो हिस्सा निकाल देने के लिए मैं सुझाव रखता हूँ वह यह है :

"and if any member of the Commission is elected as a Member of Parliament or of any State Legislature, he shall cease to be a member of the Commission as from the date of such election."

मैं इसको निकाल देने के बारे में क्यों सुझाव रखता हूँ। टैरिफ कमिशन के जो सदस्य होंगे वे सरकारी नौकर बन जाते हैं और सरकारी नौकर बन जाने के कारण वे पार्लियामेंट के या प्रादेशिक चारा सभा के लिए खड़े नहीं हो सकते हैं। इसलिये उनका पार्लियामेंट में या चारा सभा में जाना मुमकिन नहीं है। इसलिए इस हिस्से को मैं जरूरी नहीं समझता हूँ। इसलिए मैं चाहता हूँ कि इस सुझाव को आप मान लें।

[Shri Bhatt: I beg to move:

In page 2, omit lines 7 to 9.

I suggest that the following part be omitted:

"and if any member of the Commission is elected as Member of Parliament or of any State

Legislature, he shall cease to be a member of the Commission as from the date of such election."

The reason why I suggest that these words be omitted is that the members of the Tariff Commission would be Government servants and once they become Government servants, they are not allowed to stand for election to Parliament or to the State Legislatures. Hence their election to Parliament or to a Legislative Assembly is not possible. As such I do not think this portion is necessary. So I request you to accept this amendment.]

श्री कर्मकार : The real reason why we worded it like this was that we thought that this would be the only way of conveying the meaning we had in mind. What we meant to say was that a person could not be a member of the Commission and also a Member of Parliament. If we want to affect Membership of Parliament, that would have to be done by an amendment to the relevant Act. So, in order to carry out the same meaning we have said here that the appointment of any person who is a Member of Parliament as a member of the Commission shall be void if within one month of such appointment he does not cease to be a Member of Parliament. Supposing a Member of Parliament is appointed a member of the Commission, what will be his status on the Commission? This clause makes it quite clear that if a Member of Parliament is appointed a member of the Commission, such appointment shall be void unless within one month of the date of appointment he ceases to be a Member of Parliament. Similarly, in the case of election, as soon as he is elected, he ceases to be a member from the date of such election. This rendering was an improvement on the old one. The old rendering made it appear that Membership of Parliament was a disqualification similar to other disqualifications such as insanity, lunacy, criminality etc. It struck us as odd that Membership of Parliament should be placed alongside with these things. In order to carry out our meaning that a Member of Parliament who is appointed to the Commission cannot be a member unless he resigns his seat in Parliament, we have put it in this way. This has been given to us as a perfect draft by the Law Ministry. We do not want to make any changes in the law relating to Membership of Parliament. Therefore, we have said that if within one month of his appointment to the Commission he does not cease to

be a Member of Parliament, then he shall cease to be a member of the Commission. This is absolutely necessary and correct.

Shri Goenka: I think this is a very wrong provision, for the reason that a member of the Commission can stand for election and if he is defeated he continues to be a member of the Commission and if he is elected he must resign from the Commission. A member of the Commission should not be allowed to stand for election and if he wants to stand for election he should first relinquish his membership of the Commission and then only he should be allowed to stand for election. This is a quasi-judicial body and no member of this body should be allowed to contest an election. This is a very wrong principle to be adopted in regard to the membership of a quasi-judicial body. Great stress has been laid on this matter by the Fiscal Commission and I understand Government also attach much importance to it. I therefore urge that members of this body should not be allowed to stand for election unless they relinquish their office.

Shri Mahtab rose—

श्री जे० झार० कपूर : क्या माननीय मंत्री जी कोई बात साफ करना चाहते हैं, या उनके बोलने का मतलब यह होगा कि उनके बाद कोई बोल नहीं सकेगा ?

[**Shri J. R. Kapoor** (Uttar Pradesh): Does the hon. Minister want to clarify some point, or would it mean that nobody would be allowed to speak after he has spoken?]

Shri Mahtab: The object of this clause is that the same person cannot be a Member of Parliament as well as a member of the Commission. I think the House is in agreement with this object.

Now, we have got other laws on the subject according to which a Member of Parliament cannot hold an office of profit. So if the membership of the Commission is considered an office of profit, he cannot continue to be a Member. Similarly a member of the Commission cannot stand for election, because he is a servant of the Government.

Shri Goenka: He can resign and stand.

Shri Mahtab: The intention originally was to make this law self-contained and with that end in view this provision was made.

Shri Goenka: The clause provides that a member of the Commission will resign his seat in Parliament after one month—which implies that he can stand for election.

Shri Mahtab: Supposing today a Member of Parliament is appointed a member of the Commission—automatically he ceases to be a Member of Parliament.

Shri Goenka: That is one part of it.

Shri Mahtab: The second part is the deletion of the words suggested by Shri Gokulbhai Bhatt. I would not mind if these three lines are omitted.
1 P.M.

Mr. Chairman: May I know whether Shri Iyyunni insists on his amendment?

Shri Iyyunni: Yes, I am pressing it.

Mr. Chairman: The question is:

In page 2, for lines 4 to 6, substitute:

“If any Member of Parliament or of Legislature of any State is appointed as a member of the Commission he shall vacate his Membership in Parliament or the State Legislature as the case may be within one month of the date of appointment.”

The motion was negatived.

Mr. Chairman: I will now put Shri Bhatt's amendment.

The question is:

In page 2, omit lines 7 to 9.

The motion was adopted.

Mr. Chairman: The question is:

“That clause 5, as amended, stand part of the Bill.”

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clause 6.—(Conditions of services of members of the Commission.)

श्री भट्ट : मेरा सुझाव यह है :

(i) In page 2, line 16, for “three” substitute “five”.

(ii) In page 2, line 19, omit “for a second period of three years”.

मेरे कई संशोधन इसमें हैं। तो अगर आप की इजाजत हो तो पहले क्लॉज ६ के सब क्लॉज (१) पर ही अमेंडमेंट लिए जायें।

[**Shri Bhatt:** I beg to move.]

(i) In page 2, line 16, for “three” substitute “five”.

(ii) In page 2, line 19, omit “for a second period of three years”.

There are several amendments of mine in this connection. If you al-

- [Shri Bhatt]

low, first of all amendments on sub-clause (1) of clause 6 may be taken up.]

Mr. Chairman: I will take up amendment after amendment. I will call the movers of the amendments first to move their amendments and then there will be a debate.

Shri Goenka: I beg to move:

(i) In page 2, line 16, for "three" substitute "five".

(ii) In page 2, omit lines 18 and 19.

They are two separate amendments.

Mr. Chairman: What about the amendment of Mr. Bhatt that in page 2, line 19, after "eligible for" insert "successive"? Is that not moved?

श्री भट्ट: मैं लिस्ट १ के पांचवें संशोधन का दूसरा भाग पेश नहीं करना चाहता हूँ।

[**Shri Bhatt:** I do not want to move the second part of the fifth amendment in list I.]

Mr. Chairman: Now, Pandit Thakur Das Bhargava may move his amendment that in page 2, line 16, for "three" substitute "four".

Pandit Thakur Das Bhargava: Madam, my difficulty is that in the original document I remember to have put "five" and not "four". It seems to be a mis-print. With your permission I shall substitute "five".

Mr. Chairman: He may do so.

Pandit Thakur Das Bhargava: I beg to move:

In page 2, line 16, for "three" substitute "five".

Shri J. R. Kapoor: But that would be unnecessary because Mr. Bhatt's amendment is to the same effect.

Pandit Thakur Das Bhargava: After that may I have a little time to speak on that?

Mr. Chairman: I will have the amendments moved first. Is Mr. Bhatt moving his amendment No. 7 in List 1?

श्री भट्ट: सातवां संशोधन तो मैं रख रहा हूँ।

I beg to move:

In page 2, line 19, for "three" substitute "five".

[**Shri Bhatt:** I am moving the seventh amendment.

I beg to move:

In page 2, line 19, for "three" substitute "five".

Mr. Chairman: Is he also moving No. 8?

Shri Bhatt: Yes. I beg to move:

In page 2, omit lines 24 to 27.

Pandit Thakur Das Bhargava: I beg to move:

In page 2, line 25, for "hold any appointment" substitute "accept any service".

Shri Bhatt: I beg to move:

(i) In page 2, line 25, after "undertaking" insert "enquired into for grant of protection during the tenure of his office".

(ii) In page 2, line 26, for "three years" substitute "one year".

(iii) In page 2, after line 27, insert:

"Provided that the Central Government shall pay a suitable allowance prescribed under rules, to a member not permitted to take an appointment under sub-section (3)".

Dr. M. M. Das: I beg to move:

In page 2, line 19, omit "for a second period of three years".

Shri Sidhva: I beg to move:

(i) In page 2, line 16, for "three" substitute "five".

(ii) In page 2, lines 26 and 27, omit "save with the consent in writing of the Central Government."

Mr. Chairman: These are the amendments moved. They may be taken as moved. Now hon. Members who wish to speak can do so.

Shri Sidhva: My first amendment is that the period of this Commission should be five years instead of three years. I need not speak at length on this matter. I and Mr. Goenka have already expressed our view that the period of the Commission is three years which is small and that it is desirable that the period ought to be increased from three to five. The second amendment wants the deletion of words in sub-clause (3) of clause 6 namely "save with the consent in writing of the Central Government." I stated yesterday in my speech that this is a very salutary provision that no member of the Commission shall be allowed to accept office for a period of three years after retirement. I object to the provision that permission may

be allowed with the consent of the Central Government. Although I am sure the hon. Minister will exercise his right judgment when a person applies for exemption of this class, I still feel human nature being what it is, we all have some weaknesses in us, some kind of influence may be brought to bear upon the hon. Minister. I admit that he will not be subject to that influence. But still I do not want to make any exception in this matter. It is a very salutary clause and therefore it must be definitely understood by a member who has joined the Commission that he shall not be allowed to seek an appointment in any private industry after his retirement. We were told last year that there is a clause existing in the Government of India rules that any officer who has retired shall not be allowed to join any private service until he has finished two years. I was quoting an illustration of a Railway official about which my hon. friend, Mr. Das was not happy. I do not want any departure should be made from this existing clause. It is a very healthy clause...

Sari J. E. Kapoor: Is there such a rule and is it being observed?

Shri Sidhya: That is what Mr. Gopalaswami told us last year and he also stated that he also gave permission to an officer to join the Tatas. Therefore, it has been proved to us conclusively that the law exists, that he had the power to give the permission and he gave the permission. I, therefore, feel that the last sentence should be deleted. I do not want to make a long speech. I have made my point clear yesterday and I emphasise that today.

Mr. Chairman: I would like the hon. Minister to say whether any of these amendments are acceptable to him.

Shri Mahtab: We oppose all the amendments. May I explain the position? I think Mr. Sidhya would withdraw his amendments if I explained the position. We have passed.....

Dr. M. M. Das: I want a clarification from the hon. Minister whether this disqualification clause that no member on relinquishing his office will be eligible to hold office in any private industry, etc. will be applied to additional members.

Shri Mahtab: Of course.

Dr. M. M. Das: And also to Members who may be removed from service under clause ??

Shri Karmarkar: Yes.

231 PSD

Dr. M. M. Das: You remove him from service and still put a condition upon him?

Shri Mahtab: No, no.

Shri Sidhya: Yes; that is clear.

Mr. Chairman: The hon. Minister was in the middle of explaining his position.

Shri Mahtab: I was just going to say that since the House has passed clause 3 in which there is a provision for the appointment of additional members, who will work temporarily, unless there is this clause, permitting the Government to give them necessary permission to take appointment, it will not be possible to have additional members. It is on these considerations that on that occasion I was inclined to omit that proviso. Now that that clause has been passed, it is necessary to have this provision here. That is the case with regard to the Civil Service Regulations also. There, according to the rules, the prior permission of the President is necessary before the acceptance of a commercial appointment, outside India, etc. Since Government servants will be entitled to employment after retirement,.....

Shri Sidhya: Why do you then put this clause here?

Shri Mahtab: The Civil Service Regulations are not applicable here to the members of the Commission. Therefore, this provision is necessary.

Shri Goenka: That was what I was going to say. Since we have accepted the proviso to clause 3, it becomes absolutely necessary to have this provision. That is why we thought that that proviso should be omitted. The House thought it otherwise.....

Shri Sidhya: It is necessary to omit it in regard to additional members.

Dr. M. M. Das: With reference to the explanation, you remove a member for some drawback and he is also subjected to this disqualification. That is, he will be debarred from earning his living by accepting service anywhere. Is it just?

Shri Mahtab: It is not applicable to members who are removed. It is applicable to additional members. When a member is removed, he is quite free to do whatever he likes.

Shri Goenka: I am sorry I could not agree with the hon. Minister. When he is mentally unfit, nobody will give

[Shri Goenka]
him a job. If he has abused his position, naturally, he should be debarred from abusing his position elsewhere. A person is removed for very very good grounds; those who are removed, should not get a place elsewhere.

Dr. M. M. Das: There is physical incapacity. A man may be physically incapable for a certain time, a small period. Then, he may be capable physically. What happens to him?

Pandit Thakur Das Bhargava: I have got two amendments.

An Hon. Member: It is 1-15 now.

Mr. Chairman: There is one minute more. If we can finish this clause now.....

Some Hon. Members: We can.

Some Hon. Members: It will take a long time.

Pandit Thakur Das Bhargava: The first amendment says that the period of three years should be increased to five years. I have given some of the grounds for which I felt that the period of three years is too small. As I submitted, as a matter of fact, the first year will be spent in gaining experience of the work and the last year will be hanging like the sword of Damocles. Therefore, my humble submission is this. If you want to take any good work from those who are honest men, men of integrity and business people, you should raise the period to five years.

Mr. Chairman: Pandit Thakur Das Bhargava will continue tomorrow. The House will stand adjourned to 8-30 A.M. tomorrow.

The House then adjourned till Half Past Eight of the Clock on Wednesday, the 22nd August, 1951.