

Saturday, 25th August, 1951



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

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1951

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

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PARLIAMENT OF INDIA

Saturday, 25th August, 1951

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

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

ORAL ANSWERS TO QUESTIONS

RAILWAY ROLLING STOCK

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

(a) the requirements for replacement and rehabilitation of railway rolling stock for the next three years;

(b) the approximate total amount set aside for this purpose;

(c) the number of locomotives, wagons, coaches, etc., that will be manufactured during the next three years;

(d) how many of these are likely to be manufactured by Chittaranjan factory; and

(e) whether the schedule to manufacture a complete locomotive by 1952 will be kept up and if not, why not?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Locomotives, approx. 849 Nos. Coaches approx. 8091 Nos. and Wagons approx. 36,320 in terms of 4-wheelers.

(b) No fixed amount has been set aside for replacement and rehabilitation of railway rolling stock.

(c) The approximate number of locomotives, coaching stock and goods stock which are expected to be manufactured in India in the next 3 years is as follows:

Locomotives—365.

Coaching stock—2950.

Goods stock—18000 in terms of 4-wheelers.

Rolling stock ordered abroad in 1950 and proposed to be ordered in 1951
225 P.S.D.

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for delivery in 1951 and later is as under:

	1950	1951
Locomotives	260	75
Coaching stock	300	350
Goods stock (in terms of 4-wheelers)	8140	3110

Future orders abroad will be limited to essential requirements and to the extent funds are available.

(d) Locomotives are only assembled at Chittaranjan, at present. It is expected that 215 locomotives will be assembled during the next years out of the 365.

(e) Complete locomotives will be manufactured in Chittaranjan in 1954 and not 1952. It is expected that the time table will be kept up.

Shri Sidhva: May I know what amount is provided for the next year for all these locomotives and wagons that the hon. Minister has stated?

Shri Santhanam: Does the hon. Member want for the year 1952-53? The number of locomotives etc. has been given.

Shri Sidhva: The hon. Minister said that these are the things required and they will be indented as funds will be available. May I know approximately whether any sum has been provided?

Mr. Deputy-Speaker: Not only required, but for which orders have been placed abroad both in 1950 and 1951: the figures have been given.

Shri Sidhva: In 1951 and 1952, Sir.

Mr. Deputy-Speaker: The hon. Member did not ask that.

Shri Santhanam: I have given the figures for orders placed in 1950 and 1951.

Shri Sidhva: The total amount, I wanted to know; that has not been mentioned.

Shri Santhanam: I have not got the actual cost with me.

Mr. Deputy-Speaker: The hon. Member might have very easily added one more point in his question, wagons, coaches and their price.

Shri Santhanam: He has asked for the number.

Mr. Deputy-Speaker: Why should there be a supplementary question as to what will be the price?

Shri Sidhva: The hon. Minister has stated that orders will be placed to the extent funds are available. I want to know whether the requirements will be fulfilled. If funds are not available, what will happen?

Mr. Deputy-Speaker: As far as possible, why should not a question be complete when it is put, instead of having to depend on supplementaries on the spur of the moment?

Shri Sidhva: It is expected, Sir...

Mr. Deputy-Speaker: What is expected? The number is asked. Why not the price also? Evidently some are reserved for supplementaries.

Shri Sidhva: No, Sir. The supplementary arises out of the answer that is given. He said that orders will be placed as funds are available.

Mr. Deputy-Speaker: So many items have been asked. This could also have been asked. The hon. Minister has not got that information. Is the hon. Member satisfied?

Shri Sidhva: Yes, Sir. In answer to part (e) of the question, the hon. Minister stated that locomotives will be manufactured in Chittaranjan factory in 1954. Am I to understand that after that year no kind of other articles will be imported from foreign countries for the purpose of manufacture of locomotives, or will there be certain articles still required to be imported?

Shri Santhanam: Certain minor components which are patented may still be required. That is required in all locomotive factories in the world. Barring that, all the parts which are normally manufactured in all locomotive manufacturing concerns will be manufactured in Chittaranjan.

Shri Sidhva: May I know whether Tubes which is the principal item will be manufactured in this factory or whether they will be imported?

Mr. Deputy-Speaker: Does the hon. Member mean boilers?

Shri Sidhva: No, there are tubes which are known and which are not

going to be manufactured. I want to be sure whether they will be manufactured or not.

Shri Santhanam: We expect to manufacture boiler tubes also. Whether any minor part of that particular article will be required to be imported, I am not able to say on the spur of the moment.

Shri Sidhva: Is it not a fact that no provision has been made for the manufacture of these tubes, which will cost 10 to 15 crores?

Shri Santhanam: I do not know what the hon. Member means by 10 or 15 crores. The annual production from Chittaranjan factory will come to 10 to 15 crores.

Shri Sidhva: Ten to 15 crores more will be required if these tubes are to be manufactured.

Mr. Deputy-Speaker: Is this for capital expenditure?

Shri Sidhva: Yes, for capital expenditure.

Shri Santhanam: I would like to have notice for a precise answer.

Shri Sidhva: You may have enquired from the Chittaranjan authorities. I therefore wanted to know that.

Mr. Deputy-Speaker: Such an important question must also have been on the Question paper.

Shri S. N. Das: Out of the 200 Locomotive ordered, how many have been purchased from the Locomotive Manufacturing Co., London?

Shri Santhanam: I want to know the period covered by the question. If it is from the beginning of our Indian Railways, thousands of locomotives must have been purchased.

Shri S. N. Das: It is said that orders for 200 locomotives were placed with the Locomotive Manufacturing Co., London. I want to know how many have been so far purchased.

Mr. Deputy-Speaker: Two hundred and sixty have been ordered in 1950. Out of that number, how many have been received?

Shri Santhanam: I would like to have notice.

Shri A. C. Guha: Of the wagons and coaches that are going to be manufactured in the next three years, in what factories will they be manufactured: how many in Government

factories and how many in private factories?

Shri Santhanam: Except the Hindustan Aircrafts Ltd., all these coaches will be manufactured in our own Railway Workshops. But, wagons will be manufactured in private concerns which have been set up for the express purpose of manufacturing wagons.

Shri J. N. Hazarika: How far is our present stock of locomotives short of meeting our present requirements? Is it a fact that our trains are not able to give full service due to shortage of locomotives?

Mr. Deputy-Speaker: That is what is answered in part (a) of the Question.

Shri Santhanam: About the manufacture of locomotives, it is expected that by 1954, in Chittaranjan and Telco we shall be able to manufacture all that is normally required for this country.

Shri Sidhva: May I invite your attention, Sir, to part (b) of the question which states: the approximate total amount set aside for the purpose? I have enquired of the funds that are required.

Shri Santhanam: I have stated that no amount is set apart for the purpose of replacement. Each year a certain amount is voted by Parliament out of the Depreciation Fund for this purpose. Therefore, we have not set apart any particular amount as a non-lapsable amount. The current year's budget, the hon. Member knows.

Shri Lakshmanan: May I know how many locomotives have been manufactured in the Hindustan Aircraft Factory and how the price compares with the price of those imported from foreign countries?

Mr. Deputy-Speaker: Does the hon. Member mean coaches?

Shri Lakshmanan: Yes; coaches.

Shri Santhanam: The first order of 100 coaches was executed and a part of the second order of 150 coaches has been executed. I cannot off-hand give the actual number which has been delivered out of the second order.

Shri Sidhva: The hon. Member wanted to know how the prices compare. Is that answer forthcoming?

The question was as to how the cost of the indigenous coaches compared with the cost of the imported ones.

Shri Santhanam: Hitherto no coaches have been imported. We have only placed an order for 50 coaches from Schlierens and some metre-gauge coaches recently and so there is no question of comparing their cost with the local or indigenous coaches. So far as the prices of the coaches made at Hindustan Aircraft Company and at our own repair workshops are concerned they are more or less on a state of parity.

MANGALORE AERODROME

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

(a) whether the construction work of aerodrome at Mangalore has been completed;

(b) what the cost of this aerodrome is; and

(c) whether any applications have been received for service on this route and if so, from whom?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No, Sir. The construction of the aerodrome is in progress; it is expected to be completed by June 1952.

(b) The estimated cost is Rs. 9,82,685/-.

(c) Applications have been received for the operation of an air service through Mangalore from the Air Services of India, Ltd., and the Deccan Airways Ltd.

Shri Sidhva: May I know what is the route that is likely to be adopted when serving this portion of the country?

Shri Raj Bahadur: The question of the route has not yet been decided. It will be decided after applications from other companies and air-lines have been received and the A.T.L. Board has given full consideration to them. At present two air lines have applied and the routes mentioned in their application are Bombay—Belgaum—Goa—Mangalore—Cochin by Air Service India and the Deccan Airways have applied for the route Bombay—Hyderabad—Bangalore—Mysore and Mangalore.

Shri Kesava Rao: What is the length of the runway at this aerodrome?

Shri Raj Bahadur: I will require notice to answer that question.

FLYING TRAINING SCHOOL AT ALLAHABAD

*501. **Shri Sidhva:** (a) Will the Minister of Communications be pleased to state the fees that are levied for pilots

for "A" and "B" Licences at the Flying Training School at Allahabad?

(b) What is the fee for Ground Engineers?

(c) What is the number of pilots and Ground Engineers, who have completed their courses during the last three years at the various Flying Clubs?

(d) What is the number of pilots and Ground Engineers who have got employment?

(e) What is the total number of pilots and Ground Engineers in India?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The Flying School at Allahabad trains pilots for 'B' Licence only. The trainees have to pay Rs. 5,000 on admission out of which Rs. 500 is refundable on successful completion of training.

(b) Rs. 1,200/- per year for three years—the fees for each year being recoverable in three equal instalments.

(c) 199 pilots and 28 Ground Engineers.

(d) 186 pilots and 15 Ground Engineers.

(e) 468 and 524.

Shri Sidhva: The reply states that at the Flying School at Allahabad pilots for 'B' Licence only are being trained. What is the reason for not training pilots for the 'A' Licence at that school? At what stations are the pilots for 'A' Licence being trained?

Shri Raj Bahadur: For 'A' Licence training is being imparted at the various flying clubs in the country.

Shri Sidhva: What is the total number of aircraft available for this training in the Centre and is there any system of periodical check of them to test their airworthiness and their fitness for training purposes?

Shri Raj Bahadur: They are periodically checked. As for their numbers, I shall place a Statement on the Table of the House.

Shri Sidhva: Is the check done half-yearly or once a quarter or what?

Shri Raj Bahadur: There is a check-up after a prescribed number of flying hours.

Shri Amolakh Chand: What is the subsidy given to the trainers by the different State Governments or the Government of India?

Shri Raj Bahadur: A fixed subsidy of Rs. 30,000 for every flying club is given. So far as the question relates to 'A' Licence, we allow a subvention of Rs. 20/- per flying hour per trainee and in each case of a 'A' Licence given, a bonus of Rs. 250/-. For over 1,000 hours in a particular club we pay Rs. 5/- per hour in excess of the 1000 hours.

Shri Amolakh Chand: If this sum of Rs. 30,000 is being paid to every flying club by the Government of India, what is being paid by the State Governments?

Shri Raj Bahadur: I would require notice, it varies from State to State.

Shri Deshbandhu Gupta: May I know whether all the candidates who applied for the 'B' Licence training course were admitted or were some of them rejected?

Shri Raj Bahadur: Out of those who apply, we select those who are the best of the lot on the basis of merit.

Shri Chattopadhyay: Is there any obligation on the part of these trainees to serve the Government for a certain number of years after their training?

Shri Raj Bahadur: We have not yet framed the rules prescribing any condition in that behalf. There is however, no compulsion. Very few of them remain unemployed.

Shri Deshbandhu Gupta: Sir, my question was whether there is any limit placed on the number of trainees for the 'B' Licence.

Shri Raj Bahadur: There is the limit of the capacity in the training schools and we cannot go beyond that capacity.

Shri Deshbandhu Gupta: What is that capacity?

Shri Raj Bahadur: It is about 50.

Shri T. N. Singh: Out of the number trained, how many are of foreign nationality and to what countries do they belong?

Shri Raj Bahadur: I speak subject to correction, I don't think any one has been trained who is a national of a foreign country.

Shri T. N. Singh: Is it a fact that certain persons belonging to Indonesia were trained at the Allahabad Training School?

Shri Raj Bahadur: I must check up, Sir.

The Prime Minister (Shri Jawaharlal Nehru): With reference to the hon. Member Shri T. N. Singh's question whether Indonesians were trained there, I may say that it has nothing to do with our normal training of pilots. But sometimes as a gesture to a friendly Government, we train a few persons when they send them to us.

EXPORT PERMITS FOR GRAM BY PAKISTAN

***502. Dr. Ram Subhag Singh:** Will the Minister of Food and Agriculture be pleased to state whether it is a fact that the Government of Pakistan have intimated the Government of India that they will issue export permits for gram only for such stocks that have been purchased from the Government, and not for stocks purchased privately from individuals?

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

Dr. Ram Subhag Singh: What is the quantity of gram purchased by Indians from Pakistan which has been denied permit according to the present order?

Shri Thirumala Rao: I can give the figures of actual import from Pakistan up to 30th May 1951 and it is 1,160 tons.

Dr. Ram Subhag Singh: What quantity of gram has been imported from Pakistan out of the quantity stipulated in the Indo-Pakistan Trade Agreement?

Shri Thirumala Rao: I have not got the information.

Dr. Ram Subhag Singh: What is the quantity of gram that has been imported from Pakistan this year?

Shri Thirumala Rao: I gave the figure just now. It is 1,160 tons imported by merchants.

GENERAL ELECTION (POSTAL FACILITIES)

***503. Shri Kamath:** Will the Minister of Communications be pleased to state:

(a) whether the question of providing postal facilities to candidates in the ensuing General Election in so far as their communications with electors are concerned has been considered; and

(b) if so, what decision has been reached?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Government have given considerable

thought to this matter. They feel that in the special circumstances of India, it will be difficult and inexpedient to provide any special postal facilities to all the candidates in the ensuing general elections. They propose, however, to make arrangements for the votes of Defence Services' personnel to be sent free of any charge for postage. They also propose to give temporary telephones wherever feasible.

The final decision of Government in regard to all such matters will be taken later.

Shri Kamath: May I ask, in view of the importance of this matter, for a further clarification of the phrase "special circumstances of India"? What are those special circumstances?

Shri Raj Bahadur: I thought the hon. Member knows well that the greater appeal to the electors is from the platform in view of the unfortunately high percentage of illiteracy in our country. That is one special circumstance.

Shri Kamath: One of them; any others?

The Prime Minister (Shri Jawaharlal Nehru): May I add to that answer? The special circumstances in India are, first of all, its enormous size. Secondly the very big scale on which these elections are being held. Any arrangements made are likely to become so complicated requiring special stamps for the purpose that it might entail not only a very heavy burden on the post offices for which they may not be fully prepared unless additions are made all over, and also entail a rather heavy loss to the exchequer, heavy loss not only in the sense of persons and candidates using post offices free of cost, but also because it is likely to be used not for the purposes meant. It is difficult to check it all round. It is so big that a very big machinery will have to be set up. But as my hon. colleague said, we are trying to consider it from all points of view and no final decision has been arrived at. We do feel that it will involve special stamps and all that.

Shri Kamath: Besides the U.K. and the U.S.A. to which the Deputy Minister referred in answer to my question in the last session of Parliament, has any attempt been made to study the position in other countries of the world in regard to this matter?

Shri Raj Bahadur: Before I answered the supplementary question put to

me during the last session of Parliament proper studies had been made and I am afraid apart from the U.K. at least I am not aware of any other country where this facility is granted. There too it extends to one letter post-free. In the circumstances of our country it will be quite insufficient.

Shri Kamath: With regard to the very helpful statement by the Prime Minister, may I know whether it is deemed difficult by Government to allow even one free communication by a candidate to his electors?

Shri Raj Bahadur: It has been calculated that there are as many as 180 million voters. If there are four candidates for every constituency it will involve 800 million letters being sent. This will cost Rs. 4 crores, whereas the postal department gives to the national exchequer only Rs. 2 crores.

Shri Kamath: Is the final decision on the subject expected to be incorporated in the rules to be framed under the People's Representation Bill No. 2?

Mr. Deputy-Speaker: Any communication in this regard will be duly issued by the Government.

Shri Kamath: Will it be issued very shortly?

Shri Raj Bahadur: The question should better be addressed to the Law Ministry.

CONSTITUENT ASSEMBLY FOR JAMMU AND KASHMIR STATE

*504 **Shri Kamath:** Will the Minister of States be pleased to state:

(a) how far the preparations for convening the Constituent Assembly of Jammu and Kashmir have progressed;

(b) when the Assembly is expected to meet;

(c) the basis of election to the Assembly and the total membership thereof; and

(d) what arrangements have been made to enable refugees from the State living outside the State to cast their votes during the election to the Constituent Assembly?

The Minister of States, Transport and Railways (Shri Gopaldaswami): (a) The preparations are in an advanced stage. The position, so far as we are aware, is that the following Rules and Notifications have been promulgated:

(i) Rules for the preparation of electoral rolls;

(ii) A notification delimiting the Constituencies in the Kashmir Province and the District of Ladakh; and

(iii) Rules for the Conduct of Elections.

Final electoral rolls have been published for some of the constituencies. They will be published for the others soon.

(b) No definite indication can now be given.

(c) The basis of election will be adult franchise. The total membership is expected to be about 75.

(d) All persons who fulfil the residential qualifications can be enrolled as electors and can exercise their vote.

Shri Kamath: With reference to part (c), am I to understand that the total membership of the Constituent Assembly has been computed on the basis of adult franchise with respect to the whole population of Jammu and Kashmir including those on the other side of the cease-fire line?

Shri Gopaldaswami: 75 relates to the part of Jammu and Kashmir which is under our control.

Shri Kamath: How many refugees who left Jammu and Kashmir and came over to India during the troubled period have returned to Kashmir and how many are still in India?

Shri Gopaldaswami: I am afraid I am unable to give those figures.

Shri Kamath: What are the dates of polling for election to the Constituent Assembly?

Shri Gopaldaswami: The dates have not yet been fixed. I believe they have been fixed only for the province of Ladakh, somewhere about the third week of September.

Shri J. N. Hazarika: May I know whether the traditional method of representation of providing reserved seats for certain classes will be followed in the case of Kashmir also and if so, to what extent?

Shri Gopaldaswami: I do not think there is any reservation of seats except for the scheduled castes.

Shri J. N. Hazarika: Are the Tibetan monks residing in Kashmir eligible for election?

Shri Gopaldaswami: If the hon. Member refers to Buddhist monks, they are registered as voters.

Shri Rathnaswamy: What are the names of the various parties participating in the elections?

Shri Gopalaswami: That is a matter which will be known only after they have set up their candidates.

Shri Kamath: Part (d) of the question has not been answered really. What arrangements have been made to enable the refugees residing outside Jammu and Kashmir to vote in case they desire to do so?

Shri Gopalaswami: They have first to be registered on the electoral roll. Unless they satisfy the residential qualification of at least a week's residence within the last two years they would not be registered. Only those that are registered on the electoral rolls can vote.

Shri Kamath: Was sufficient time given to them to get themselves registered as electors?

Shri Gopalaswami: The same time more or less has been given to them as to all other electors.

Shri Hussain Imam: May I know whether the refugees resident in India in different camps have been registered as voters?

Shri Gopalaswami: I cannot say. They should apply and if they are able to prove a week's residence in Jammu or Kashmir they would be registered.

Shri Kamath: Has Dr. Graham or the U.N. observers expressed a desire to be in Kashmir during the polling for the Constituent Assembly elections?

Shri Gopalaswami: The observers are there already. As for Dr. Graham I do not think we have yet received a request from him to be present in Kashmir during the elections.

Shri Kamath: Is it a part of the duties assigned to the U.N. observers to observe the elections also to the Constituent Assembly?

Shri Gopalaswami: The U.N. observers have nothing to do with these elections.

Lala Achint Ram: Have Government decided to register the refugees in the Yeol camp (who are to be rehabilitated in Kashmir) as voters and if so, have they been registered or not?

Shri Gopalaswami: They must satisfy the residential qualification of a week's residence.

PRINCESS ABIDA SULTANA OF BHOPAL.

*505. **Shri Kamath:** Will the Minister of States be pleased to state:

(a) whether Princess heir-apparent Abida Sultana of Bhopal, who left India for Pakistan a few months ago and described herself there as a Pakistani citizen, has been declared an evacuee and her property as evacuee property; and

(b) if not, the reasons therefor?

The Minister of States, Transport and Railways (Shri Gopalaswami):

(a) Yes.

(b) Does not arise.

Shri Kamath: When was she declared an evacuee?

Shri Gopalaswami: Quite recently. I am unable to give the date.

Shri Kamath: What is her total property estimated to be?

Shri Gopalaswami: They have not been estimated yet. She has just been declared an evacuee and the question of valuing her properties will arise hereafter.

KANDLA PORT

*507. **Shri S. C. Samanta:** (a) Will the Minister of Transport be pleased to state the progress of Kandla Port Construction Project up to June 1951?

(b) Has any tender been accepted by the Tender Committee for the construction of the main harbour works, including the quay transit sheds, warehouses, tidal basin for lighters, oil jetty and reclamation etc.?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (b). The attention of the hon. member is invited to the reply given on the 27th April 1951 to starred question No. 3574 by Dr. Ram Subhag Singh. The tenders received for the main harbour works are under the consideration of the Government of India.

Shri S. C. Samanta: What is the constitution of the Tender Committee?

Shri Santhanam: There is the Development Commissioner and a few other members. I am afraid I have not got the actual details.

Shri S. C. Samanta: How much was allotted for the whole project in 1950-51, how much was spent and how much has been allotted for 1951-52?

Shri Santhanam: All those details were given in the budget and the report.

Shri S. C. Samanta: What is the estimate for the railway construction, metre gauge or broad gauge?

Shri Santhanam: We are constructing the Kandla-Deesa metre gauge in the first instance. We have not come to a final decision regarding the broad gauge. It will be decided after the metre gauge construction is over and the port is in working order.

Shri S. C. Samanta: May I know whether the officers and other employees' quarters have been constructed and if so, how many?

Shri Santhanam: Of the railway or the harbour?

Shri S. C. Samanta: For the whole project.

Shri Santhanam: One part of the project is the Kandla harbour project which is with the Ministry of Transport, the other is the Kandla-Deesa railway which is with the Railway Ministry, and both the organisations are trying to build both parts of the project according to their needs and circumstances.

Shri S. C. Samanta: As the employees working there have been regarded as Government officers, may I know whether their quarters have been constructed?

Shri Santhanam: We have not undertaken to build quarters for every Government employee in the country.

Shri Sidhva: May I know when the construction of the metre gauge railway is likely to be completed?

Shri Santhanam: The target date fixed for the opening of the railway is 1st October, 1952.

Shri Sidhva: Is that target date going to stand or is there, according to present circumstances, any likelihood of a change?

Mr. Deputy-Speaker: It is expected that it will be completed.

SUBSIDY TO TRAVANCORE-COCHIN STATE

*508. **Shri R. Velayudhan:** Will the Minister of Food and Agriculture be pleased to state:

(a) the reasons that led to increase in the price of rice supplied to the Travancore-Cochin State this time; and

(b) whether Government received any demand for increased subsidy for the loss to the State by selling the rice at the original price?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) The main reasons are:

(i) increase in the pool price (Government of India's landed cost) from Rs. 22/- per maund in 1950 for all varieties of whole rice to Rs. 22/11/- per maund for coarse and Rs. 26/8/- per maund for fine rice from 1-1-1951 and Rs. 23/6/- for coarse rice from 9-7-1951.

(ii) discontinuance of the old scheme of subsidy with effect from 1-1-1951.

(b) Yes.

Shri R. Velayudhan: Is it a fact that the Government of India intimated the rise in price to the State Government after making the supply and not earlier when the indent was placed?

Shri Thirumala Rao: Earlier than what?

Shri R. Velayudhan: When the allotment was intimated to the State the Government of India had intimated to the State Government a certain price and the increase in price was intimated only after the rice had been sent to Travancore-Cochin.

Shri Thirumala Rao: Allocations for the whole year were made in December 1950 at a conference of all the States' representatives, and the quantities that are allocated are despatched to the States from time to time as they are received from abroad; the policy with regard to the increase in price was effective from 9th July, 1951 at one time and previously from the beginning of the year at another time.

Shri Rathnaswamy: What is the reason for the discontinuance of the subsidy?

Shri Thirumala Rao: It was such a heavy burden on the Central finances that they could not bear it.

Shri Alexander: In answer to one of my questions the other day the hon. Minister stated that the State was suffering a loss of Rs. 127 lakhs. Do the Government consider that out of a revenue of Rs. 14 crores a State is able to bear a loss of Rs. 127 lakhs? And do the Government propose to increase the subsidy?

Shri Thirumala Rao: The Government have realised the burden which the Travancore-Cochin Government is bearing. Therefore they have increased their subsidy from Rs. 1.5 crores

to Rs. 2.25 crores besides an ad hoc allotment of Rs. 63 lakhs.

Shri Rathnaswamy: Was the subsidy stopped in the case of Travancore-Cochin Government only?

Shri Thirumala Rao: It is a uniform policy in respect of all the States.

Shri R. Velayudhan: May I know whether the Travancore-Cochin Government has told the Central Government that they would not have taken this particular higher quality of rice if intimation had been given to them earlier about the price?

Shri Thirumala Rao: No, Sir. I am not aware of any such intimation. They are demanding more rice at less price.

Shri R. Velayudhan: May I know whether the hon. Minister is able to inform the House as to what happened in the discussions which the representatives of the Travancore-Cochin Government had with the Food Minister the other day in Delhi, about which the Minister himself mentioned in the House?

Shri Thirumala Rao: I also mentioned the other day that the Central Government could not agree to the enhancement of subsidies during that conference.

CONTRIBUTION OF FOOD GRAINS TO CENTRAL RESERVES

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

(a) the Statewise quota of foodgrains that surplus States were asked by the Centre to contribute to the central reserves; and

(b) the quantities of food grains that each of them has been able to contribute?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). A statement showing the basic export quotas fixed for the surplus States for 1951 and the quantities so far offered by them for export is placed on the Table of the House.

STATEMENT

		In '000 tons
Surplus States	Basic export quota	Quantity so far offered for export
Madhya Pradesh	50 0	20 5
Orissa	35 0	6 8
Punjab	100 0	24 2
Madhya Bharat	50 0	2 0
Pepsu	100 0	23 0
Bhopal	10 0	10 0
Coorg	10 0	10 0
Manipur	3 0	2 6
Total	358 0	99 1

Shri S. N. Das: From the statement it appears very small quantities of food-grains have been supplied so far. May I know whether any of these States has expressed its inability to supply the basic export quota?

Shri Thirumala Rao: It is evident from the table that out of an expected quota of 358,000 tons only 99,000 tons was realised. Several States have been advancing various causes, like drought, floods and other causes, for less procurement.

Shri S. N. Das: May I know the basic export quotas that these surplus States were able to supply last year?

Shri Thirumala Rao: Last year the total actual export that was got from the States was 785,000 tons.

Shri S. N. Das: May I know what is the maximum quantity that the Central Government expects to get from the States out of this quota of 358,000 tons?

Shri Thirumala Rao: We have been asking the States to procure more and they are expressing their inability to do so. It is difficult to estimate how much more we will be able to get.

Shri Sidhva: May I know the causes given by the State Governments for lower procurement and have these causes been verified?

Shri Thirumala Rao: We have no reason to disbelieve what the State Governments say.

TOUR OF SRI VINOBHA BRAVE

*512. **Shri T. N. Singh:** Will the Minister of States be pleased to make a statement on the effects of the tour of Sri Vinobha Bhave in Hyderabad and the results achieved?

The Minister of States, Transport and Railways (Shri Gopaldaswami): Acharya Vinobha Bhave's tour in the Telengana area had a very healthy influence. It is difficult to assess accurately the short term and the long term results of his tour and particularly whether Acharyaji's advice had any appreciable effect on those who indulge in terrorist activities in that area.

Acharya Vinobha Bhave has been able to persuade certain larger landholders to give up nearly 12,000 acres of land which will be distributed with the help of a Committee amongst the landless people. The tour has helped in building up confidence amongst people living in this area.

Shri T. N. Singh: Was I right in hearing the hon. Minister state that this tour has not produced much effect on the communists themselves?

Shri Gopaldaswami: Judged by figures of terrorist activities, it has not produced any appreciable effect.

Shri T. N. Singh: What is the total area of land which has been given by various persons for distribution to landless labourers?

Shri Gopaldaswami: I have already said—12,000 acres.

Shri T. N. Singh: What is the procedure being adopted for the distribution? Is Acharya Vinobha Bhave also one of the persons who will be in that committee for distribution of land?

Shri Gopaldaswami: I don't know. A committee is being set up to attend to the distribution of this land; whether the Acharyaji himself will function on that committee I don't know.

Shri T. N. Singh: Is there any representative of the Government also on that committee?

Shri Gopaldaswami: Not so far as I know.

Shri Rathnaswamy: To what extent have the tours and teachings of Acharya Vinobha Bhave affected the outlook of the Communists in Hyderabad in regard to their violent activities?

Shri Gopaldaswami: I do not know, except that certain leaders of the Communist Party are now in communication with Acharya Vinobha Bhave. As to what the result of that is going to be, I cannot say.

Shri S. N. Das: Is there any connection between the tour of Vinobha

Bhave and the efforts made by the Hyderabad Government in allowing some non-officials to visit Communist leaders in the jails with a view to bringing about a settlement between the Government and the Communist Party there?

Shri Gopaldaswami: I do not think there is any connection between the two; nor is it a fact that the Hyderabad Government as such took any initiative in the matter. Certain non-officials applied to the Hyderabad Government for permission to see certain of the Communist prisoners in jails and the permission was given.

Shri S. N. Das: May I know what was the result of these non-officials visiting the Communist leaders in jail?

Shri Gopaldaswami: I cannot add to the information which the hon. Member must have obtained from the newspapers.

Shri T. N. Singh: May I know if any of the Communists who are absconding or were connected with the subversive movement have changed their faith and communicated this to Acharya Vinobha Bhave or any other authority after his tour?

Shri Gopaldaswami: Not from that particular area. No Communists from that particular area have communicated any such change in their attitude.

INTERNATIONAL WHEAT AGREEMENT

*513. **Dr. Ram Subhag Singh:** (a) Will the Minister of Food and Agriculture be pleased to state whether any purchase of wheat has been made by India under the International wheat Agreement?

(b) If so, how much wheat has so far been purchased?

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

(b) India fully purchased her guaranteed quotas for the first two years of the International Wheat Agreement viz. August 1949—July 1950 and August 1950—July 1951. These quotas were 1,042,000 metric tons for the first year and 1,500,000 metric tons for the second year.

Dr. Ram Subhag Singh: May I know the country from which India imported wheat under the International Wheat Agreement? Has the quota allotted to her been exhausted?

Shri Thirumala Rao: For the previous two years we have exhausted the quota. We have imported from the United States, Canada and Australia mostly.

Dr. Ram Subhag Singh: May I know whether the price of wheat purchased under the International Wheat Agreement from various countries has been uniform throughout?

Shri Thirumala Rao: Yes, with slight variations.

Prof. S. L. Saksena: May I know the rate of freight paid for the transport of wheat from America to India?

Shri Thirumala Rao: This agreement covers a period of two years. The freight has been varying according to the conditions and circumstances. I cannot give a uniform rate.

Prof. S. L. Saksena: Can you give me the highest and the lowest?

Shri Thirumala Rao: For that I want notice.

Saikh Mohiuddin: May I know how much quantity of foodgrains were imported on barter system?

Shri Thirumala Rao: I have not got the figures. Some was imported from China and some probably from Russia.

IMPORT OF FOOD GRAINS

*514. **Dr. Ram Subhag Singh:** (a) Will the Minister of Food and Agriculture be pleased to state the total value of our food imports during the period January to June, 1951?

(b) What were the Major items of our food imports during this period?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):
(a) Rs. 86,22,00,000 (Rupees eighty-six crores twenty-two lakhs approximately).

(b) Wheat, Rice and Milo.

Dr. Ram Subhag Singh: May I know the difference in the price of wheat purchased under the International Wheat Agreement and the price of wheat in the open market in a particular country, say, the United States or Argentina?

Shri Thirumala Rao: That is a big question. I want notice.

Shri A. C. Guha: May I know the quantity of rice imported?

Shri Thirumala Rao: 4,04,315 tons have been imported so far.

Shri A. C. Guha: From what countries?

Shri Thirumala Rao: Some quantity from China; some from Burma; some

from Pakistan and some also from Indo-China.

Shri Sidhva: What was the quantity of wheat as compared with these 4 lakh tons of rice?

Shri Thirumala Rao: The quantity of wheat is 13,26,740 tons.

Shri Sidhva: And milo?

Shri Thirumala Rao: 3,37,099 tons.

Shri Hussain Imam: Is it a fact that out of the rice imported from Pakistan, a large amount which was importable has not been imported, i.e. the agreed amount has not been imported?

Shri Thirumala Rao: Pakistan has been delaying in sticking up to the agreed schedule.

Shri Sidhva: Is it not a fact that the Government analyst in Bombay has stated that Pakistan has given us inferior quality of rice and that 50 per cent. of the bags are torn and 6 per cent. of the contents is dirt?

Shri Thirumala Rao: I cannot vouch for the percentages offered by my hon. friend, but a certain quantity of it was bad and we have raised a dispute about it and we have come to an agreement to reject a certain percentage of the rice that is unacceptable to us.

Shri Sidhva: May I know whether the Government analyst has stated that 57 per cent. of the rice is broken rice and thus its value is reduced? May I know whether there is any check at the time of shipment at Karachi, and if so, what are the arrangements prevailing?

Shri Thirumala Rao: There is a firm of appraisers whom we have got in Karachi, agreed to by ourselves as well as Pakistan. They conduct a sample examination of all the stocks that are loaded in Karachi and give a certificate about the quantity that is not acceptable.

Shri Hussain Imam: May I ask whether it is a fact that out of the rice to be imported from Pakistan, a large amount has been refused by the Government because it was of inferior quality?

Shri Thirumala Rao: We have not refused a large amount.

Shri Hussain Imam: What is the quantity that he has refused?

Shri Thirumala Rao: I want notice for the amount.

RESEARCH ON RICE

*516. **Shri S. N. Das:** (a) Will the Minister of Food and Agriculture be pleased to state the names of the places where the Indian Council of Agricultural Research has been carrying on or, financing any scheme on rice research?

(b) Have investigations under any of these schemes resulted in finding out new varieties of rice giving higher yield and less amenable to pests and diseases?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) The Indian Council of Agricultural Research has been subsidising a chain of Rice Research Stations throughout the country and through them it organized a co-ordinated scheme of rice research at Bankura and Chinsura in West Bengal; Behrampur, Cuttack and Jeyapore in Orissa; Sabour in Bihar; Nagina in Uttar Pradesh; Raipur in Madhya Pradesh and Habiganj in Assam. These schemes have terminated. Additional schemes have been sanctioned by the I.C.A.R. and are in operation in Madras, Bombay, Hyderabad, Kashmir, Punjab, West Bengal and Coorg.

(b) Yes.

Shri S. N. Das: May I know whether a new variety of rice has been evolved which can be grown in between the present rice seasons, i.e. which can be sown in the month of January and harvested in the month of May or June?

Shri Thirumala Rao: I cannot give an answer for that.

Shri S. N. Das: May I know whether any variety of rice has been evolved which can remain under water for some days and which can save the crop from floods?

Shri Thirumala Rao: Schemes are being sanctioned for investigation into that variety of seed which will stand a stay longer in water.

Shri S. N. Das: What is the total amount sanctioned for these researches from 15th August 1947 up to this date?

Shri Thirumala Rao: I have not got the figures. I want notice.

Shri R. Velayudhan: May I know how far these successful experiments are being made use of by the people?

Shri Thirumala Rao: These experiments and researches are being carried on in the States and State Governments have to answer that question.

Prof. S. L. Saksena: Has the Government any scheme for opening research stations in the Eastern U.P. which produces a large amount of rice?

Shri Thirumala Rao: I have given the names of the States where the schemes have been sanctioned. We do not open any stations. We sanction the schemes and Provincial Governments also foot 50 per cent. of the bill and carry on the research.

Shri T. N. Singh: May I refer the hon. Minister to a recent Annual Report of the I.C.A.R. in which it has been stated that investigations have been going on on the growing of winter rice? What is the position in that regard?

Shri Thirumala Rao: I have not got the reply for that particular question.

RAILWAY ACCIDENT ON O. T. RAILWAY

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

(a) the number of persons injured in the passenger train derailed on the 17th July, 1951 on the O.T. Railway;

(b) the number of bogies derailed;

(c) the number of fish plates found removed; and

(d) whether any steps have been taken by Government to stop such recurrences?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Presumably the accident referred to in the question is the derailment of 101 Up Passenger train between Jiudhara and Motihari stations on the Oudh Tirthut Railway on 18th July, 1951, not on the 17th July, 1951 as stated in the question. 11 passengers received minor injuries.

(b) Engine and five coaches derailed, two of the latter having capsized.

(c) Four pairs of fishplates.

(d) Intensive patrolling of the railway lines in collaboration with the State Governments, where necessary, and the introduction of certain mechanical devices in the structure of the permanent way so as to make tampering with it difficult are some of the measures adopted towards the prevention of accidents due to interference with track.

Shri Amolakh Chand: May I know, Sir, the estimated loss to the O. T. Railway on account of this derailment?

Shri Santhanam: The actual damage was: to engine and rolling stock 7,000; permanent way 1,000. Total Rs. 8,000.

Shri Amolakh Chand: May I know if any persons were arrested for removing the fishplates?

Shri Santhanam: The police investigations are still incomplete.

Shri Amolakh Chand: May I know the amount of compensation already given or contemplated to be given to the persons injured?

Shri Santhanam: They have to apply to the Commissioners. It is too early to say whether any of them have applied.

Dr. Ram Subhag Singh: Is there any truth in the report published in the press that the Assistant Station Master of that place has been arrested along with two pointsmen and that the S.M. had recently been transferred from Pakistan to India?

Shri Santhanam: We have not got the result of the police investigations.

Shri Sidhva: When was the investigation started and at what stage does it stand?

Shri Santhanam: The accident took place on the 18th July; investigations must have started as soon as the police came to know of it.

Shri Sidhva: I would like to know when actually it started.

Shri Santhanam: It must have started immediately.

Shri Sidhva: It is an important matter.

Shri R. Velayudhan: May I know why there are frequent accidents in this part of the O.T. Railway during the last two or three years: is there any particular reason for it?

Shri Santhanam: Apparently more criminals must be found in that part of the country.

Shri Sidhva: When did the Permanent Way Inspector examine the track before the accident?

Shri Santhanam: There was nothing wrong in the track, because just before the accident some trains had passed on that line and the gangmen had inspected the lines at 8 O'clock in the evening.

Prof. S. L. Saksena: May I know how many major accidents have taken

place on the O.T. Railway during the last four years?

Shri Santhanam: This is not considered to be a major accident. If the hon. Member puts down a question I shall supply him the information.

Shri Kamath: It does not need a police investigation to enable the Minister to answer the question whether the Station Master was an employee recently transferred from Pakistan to India. He has not answered that question.

Shri Santhanam: I cannot be expected to know all the details of every member of the Railway staff. If a question is put I shall get the information.

Saikh Mohfuddin: May I know the number of accidents that occurred on the O.T. Railway since January up-to-date?

Mr. Deputy-Speaker: The hon. Minister has got the information—he has already said—if a definite question is put he will answer it.

INDIAN PEOPLE'S FAMINE TRUST

*520. **Shri S. C. Samanta:** (a) Will the Minister of Food and Agriculture be pleased to state the position of the Indian People's Famine Trust at present?

(b) Who are the trustees and what is the amount of the Trust properties?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) The Indian People's Famine Trust is a Trust constituted under the Charitable Endowments Act, 1890, for the purpose of alleviation, by grants of money, of general distress caused by failure or destruction of crops or by any calamities of like nature in any part of India.

(b) The Endowment Fund of the Trust is vested in the Treasurer of Charitable Endowments in India and only its income is administered by a Board of Management. A list of members of the Board is laid on the Table of the House. [See Appendix IV, annexure No. 10]. The Endowment Fund, as it stood on 1st August 1951, amounted to Rs. 32,78,400.

Shri S. C. Samanta: May I know when large sums of money were spent last from this fund?

Shri Thirumala Rao: I have not got the details here. I have, however, a list of grants made to the various States. The total comes to Rs. 4,00,000 during 1949-51.

Shri S. C. Samanta: I would like to know whether this Fund contributed a large amount to any area that was declared by Government to be a famine area.

Shri Thirumala Rao: Wherever there are draught conditions, or conditions nearing famine, the States apply for grant from this Fund. Madras in 1950 got Rs. 1,40,000; Uttar Pradesh in 1951 got Rs. 1,30,000; Punjab got Rs. 70,000; Assam got Rs. 50,000.

Shri S. C. Samanta: May I know the recurring expenditure for establishment per year?

Shri Thirumala Rao: I think it is run as a part and parcel of the Accountant-General's office. So very little expenditure is incurred on this.

Shri R. Velayudhan: May I know, Sir, who is the President of this Famine Trust?

Mr. Deputy-Speaker: The hon. Minister for Food and Agriculture is the Chairman.

Shri Hussain Imam: May I ask the hon. Minister to state the approximate annual income of this fund?

Shri Thirumala Rao: The total of the fund is Rs. 32,00,000 which is stationary.

Shri Kamath: Is it really, Sir, Famine Trust or Anti-famine Trust. Is not 'Famine Trust' a misnomer?

LOCOMOTIVES FOR ASSAM RAILWAY

*521. **Shri J. N. Hazarika:** (a) Will the Minister of Railways be pleased to state whether it is a fact that trains do not run regularly from Tinsukia to Saikhawaghat (Assam Railway) for want of locomotives?

(b) If so, what are the reasons therefor?

(c) When would the required number of locomotives be supplied to the Assam Railway?

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

(b) and (c). These questions do not arise.

CULTIVATION UNDER BORE WELL SCHEME IN MADRAS

*523. **Shri Rathnaswamy:** (a) Will the Minister of Food and Agriculture be pleased to state what is the total acreage of land brought under cultivation under the Bore well Scheme

in Madras State in the last twelve months?

(b) What is the additional production of food grains obtained from the cultivation of this increased acreage of lands?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) 2,210 acres are expected to be brought under irrigation as a result of the bore wells sunk in Madras during the last 12 months.

(b) The additional production expected from the above acreage is 1,105 tons.

Shri Rathnaswamy: May I know whether any subsidy was given by the Centre to the provinces for bore well sinking?

Shri Thirumala Rao: It is an item of the general Grow More Food Scheme and a part of the money given by way of grant or loan is diverted for this also.

Shri R. Velayudhan: May I know the number of bore wells in operation in the Madras State and the amount sanctioned by the Centre?

Shri Thirumala Rao: The question refers to last 12 months. They are 32.

POST CARD SELLING MACHINES

*524. **Shri Sohan Lal:** (a) Will the Minister of Communications be pleased to state how many post card selling machines have been ordered from the United Kingdom?

(b) When are they expected to arrive in India and where will they be installed?

(c) What is the cost price and freight charges for these machines?

(d) What is the expected life of these machines?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) None. A proto-type machine for experimental purposes has been obtained from the United Kingdom. If the experiment succeeds, the question of obtaining a large supply will arise.

(b) to (d). No accurate information can be given at this stage.

Shri Chattopadhyay: May I know what has happened to the machine that was set up in the Parliament House post office?

Shri Raj Bahadur: This information was given in the last session. However, for the hon. Member's advantage I may say that that machine did not

work as satisfactorily as was expected. Something went wrong with it and it was given to the manufacturer's representatives in India for repairs and adjustments. They have now set it right and sent it to Bombay for observation.

WRITTEN ANSWERS TO QUESTIONS

RICE FROM PAKISTAN

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

(a) whether it is a fact that Pakistan shipped 800 tons of bad quality rice in the month of May, 1951 to India by the S. S. Sabarmati;

(b) if so, whether any of our officials at Karachi checked the quality of rice prior to its despatch from Karachi and gave the clearance certificate; and

(c) whether the price has been paid and if so, what has been the loss?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) 800 tons Kangni Rice shipped by SABARMATI at the end of May did not wholly conform to the specifications stipulated in the Agreement with Pakistan for this quality of rice.

(b) The inspection for quality in accordance with the terms of the Agreement was done by an inspection agency agreed to by the two Governments. Samples from bags loaded every day were drawn by this agency and the average of all analysis results was worked out on the last day of loading. This average on the basis of which the consignment could have been rejected was available only a few hours before the ship was to leave. This was brought to the notice of our officer posted at Karachi but as the consignment could not be unloaded at that stage, shipment could not be prevented.

(c) Payment for the consignment has been made at the contract price less allowances mutually agreed upon on account of rice not conforming to the agreed specifications.

CROP INSURANCE SCHEMES

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

(a) what are the salient points of the Crop Insurance Schemes;

(b) how it has been received by the State Governments; and

(c) what State Governments have approved the Scheme and on what grounds?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) A brief note is placed on the Table of the House. [See Appendix IV, annexure No. 11].

(b) and (c). A research pilot scheme for crop insurance has been proposed to be operated through Indian Council of Agricultural Research, in the States of Madras, Bombay, U.P. and the Madhya Pradesh. The Governments of Madras, Bombay and U.P. are not willing to implement the scheme, while the Government of Madhya Pradesh State are still considering the matter.

MONEY ORDERS FROM PAKISTAN

*510. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Communications be pleased to state how far money order service from Pakistan to India has been resumed?

(b) What is the total amount of money orders so far received from Pakistan since this resumption of money order service?

(c) What is the rate of exchange applicable to money order remittances?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The hon. Member is referred to the reply to Starred Question No. 400 put by Dr. Ram Subhag Singh on the 21st August 1951.

(b) Does not arise.

(c) Does not arise.

छत्तीसगढ़ डिवीजन के ग्रामीण क्षेत्रों में डाक के लाने ले जाने की व्यवस्था

५१५. श्री जांगड़े: (क) क्या तंत्रण मन्त्री यह बतलाने की कृपा करेंगे क मध्य प्रदेश के छत्तीसगढ़ डिवीजन के ग्रामीण क्षेत्रों में एक डाकघर से दूसरे डाकघर तक डाक पहुंचाने के लिये क्या व्यवस्था की जा रही है ?

(ख) छत्तीसगढ़ डिवीजन में विधेय कर इस के ग्रामीण क्षेत्रों में किन किन स्थानों पर एक स्थान से दूसरे स्थान तक डाक पहुंचाने के लिये डाकियों को साइकल अथवा मोटर साइकल दिये गये हैं ?

CARRIAGE OF MAILS IN RURAL AREAS OF CHHATISGARH DIVISION

[*515. **Shri Jangde:** (a) Will the Minister of Communications be pleased to state the arrangements that are being made for carrying of mails from one post-office to the other in the rural areas of Chhatisgarh Division of Madhya Pradesh?

(b) What are the names of the places, especially in the rural areas of Chhattisgarh, where postmen have been provided with bicycles or motor cycles, to carry the mail from one place to the other?]

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Arrangements exist for the carriage of mails by rail, motor or runners, as in any other Postal Divisions in India.

(b) Postmen in the rural areas of the Chhattisgarh postal division have not been supplied with bicycles or motor cycles for conveyance of mails.

RICE FOR MADRAS

*518. **Shri V. K. Reddy:** (a) Will the Minister of Food and Agriculture be pleased to state whether it is a fact that Madras State has asked the Government of India to supply more rice to the State rather than wheat?

(b) What is the quantity of rice supplied to Madras during the last six months?

(c) Do Government propose to send more rice in future?

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

(b) During the six months, February to July 1951, supplies of rice to Madras amounted to 54,000 tons.

(c) Yes, Sir.

INTERNATIONAL MONETARY FUND

*519. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Food and Agriculture be pleased to state what part of the loan obtained from the International Bank for Reconstruction and Development has so far been spent?

(b) What have been the main items of expenditure and the amount of expenditure for each item?

(c) What is the estimate of yearly recurring expenditure over the imports of spare parts and accessories to keep the tractors etc., in order?

(d) Do the terms of the loan agreement bind down India to make her purchases with the amount only from the U.S.A.?

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

(a) Out of the loan of 10 million dollars granted by the International Bank for Reconstruction and Development \$4,051,632 have so far been utilised.

(b) The main items of expenditure and the amount spent on each item are:

(i) Tractors	\$ 2,907,609
(ii) Spares	\$ 731,467
(i) Agricultural implements	\$ 289,556
(iv) Miscellaneous	\$ 123,000
<hr/>	
TOTAL	\$ 4,051,632

(c) The estimated expenditure on spare parts, for the first four years, is \$432,867 per annum.

(d) No.

जबलपुर - नागपुर रेलमार्ग

५२२. सेठ गोविन्द दास : (क) रेल मंत्री

यह बतलाने की कृपा करेंगे कि क्या

जबलपुर तथा नागपुर के मध्य एक नया

रेल मार्ग खोलने कि कोई योजना सरकार

के विचाराधीन है ?

(ख) यदि है, तो इस पर कब से कार्य

आरम्भ होने की सम्भावना है ?

JUBBULPORE-NAGPUR RAILWAY LINE

[*522. **Seth Govind Das:** (a) Will the Minister of Railways be pleased to state whether Government have any scheme of introducing a new railway line between Jubbulpore and Nagpur?

(b) If so, when is the work likely to be taken up?]

The Minister of State for Transport and Railways (Shri Santhanam): (a) The proposal for constructing a Broad Gauge railway between Jubbulpore and Nagpur was last examined in 1947 and it was considered that the project could not be justified on the amount of traffic, that was expected. The question whether a Traffic survey should be carried out for this connection may, however, be considered by the Central Board of Transport, when they meet to examine other rail projects in Madhya Pradesh.

(b) Does not arise at this stage.

RAILWAY TRAINING SCHOOLS

*525. **Shri Sohan Lal:** (a) Will the Minister of Railways be pleased to refer to the answer given to starred question No. 3305 asked on the 20th April, 1951 regarding Railway Training Schools and state the number of trainees at present in each Training School maintained and run by the Indian Government Railways?

(b) Is it a fact that reservation of Scheduled castes is strictly observed in these Training Schools?

(c) If so, what is the number of Scheduled Castes trainees in each Training School?

The Minister of State for Transport and Railways (Shri Santhanam): (a) A Statement is laid on the Table of the House. [See Appendix IV, annexure No. 12.]

(b) There is no reservation for any communities in these training schools.

(c) Does not arise.

MECHANISATION OF WET PADDY CROP

*526. **Shri Ganamukhi:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government have accepted the suggestion of mechanisation of wet paddy crop operations; and

(b) if so, whether any experimental operations have been carried out anywhere in paddy cultivation?

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

(b) Some preliminary work has been done in the Madras State. Trials conducted in some of the different types of soil in Madras State have shown that it is possible to use some of the wheeled tractor types for puddling the rice land. The State Government have been asked to submit a scheme for use of mechanical appliances in the wet paddy crop.

INTEGRATION OF N. S. RAILWAY

*527. **Shri Pulli Ramaswamy:** Will the Minister of Railways be pleased to state:

(a) when the integration of the N. S. Railway is going to take place;

(b) whether the N. S. Railway with some additions will be constituted into Eastern Zone;

(c) whether the N. S. Railway will be split into parts; and

225 PSD

(d) whether Secunderabad will be the Headquarters of the Eastern Zone?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Proposals in this connection will be put up for the approval of the Central Advisory Council for Railways some time in September 1951.

(b) to (d). If the proposals referred to in part (a) are accepted by the Central Advisory Council for Railways, the answer is in the negative.

RAILWAY BOARD

101. **Shri D. S. Seth:** Will the Minister of Railways be pleased to lay on the Table of the House a statement showing the constitution, functions, powers and the rules and regulations governing the business of the Railway Board and the functions and powers of the individual Members of it?

The Minister of State for Transport and Railways (Shri Santhanam): A statement is placed on the Table of the House. [See Appendix IV, annexure No. 13.]

CALCUTTA PORT (TOKEN STRIKE)

102. **Shri A. C. Guba:** Will the Minister of Transport be pleased to state:

(a) whether there was a move of a token strike recently in Calcutta by the Seamen;

(b) if so, what were the reasons for the same; and

(c) whether any action has been taken to prevent any such move in future?

The Minister of State for Transport and Railways (Shri Santhanam): (a) It is understood that there was an unsuccessful attempt made by some Seamen in Calcutta, on the morning of the 1st August, 1951, to boycott the musters.

(b) and (c). Government are not aware of the precise reasons for the move; but the seamen had no reasonable grounds for boycotting the musters. The failure of the attempt shows that no special measures for preventing such moves in future are called for.

BARASAT BASHIRHAT LIGHT RAILWAY

103. **Shri A. C. Guba:** Will the Minister of Railways be pleased to state:

(a) whether the workers of the Barasat Bashirhat Light Railway were on a strike; and

(b) if so, (i) the duration of the strike; (ii) the number of workers involved; (iii) the demands of the strikers; and (iv) how those demands have been met by the new arrangement?

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

(b) (i). About 4 months.

(ii). Over 500.

(iii). 16 demands as listed in the statement attached. [See Appendix IV, annexure No. 14.]

(iv) Information is being collected from the Government of West Bengal and will be laid on the Table of the House as soon as it is received.

RE-GROUPING OF RAILWAYS

104. Shri D. S. Seth: Will the Minister of Railways be pleased to state the decision taken by Government in the matter of the re-grouping of Railways and consequential changes in the accounting and audit of foreign traffic earnings, if any?

The Minister of State for Transport and Railways (Shri Santhanam): The Indian Railways are to be re-grouped into 6 Zones and one of the Zones, viz. the Southern Railway, has already been formed. It is now proposed to proceed with the formation of the Western and the Central Railways. Details in this connection are being worked out and will be placed in the near future before the Central Advisory Council for Railways for approval. Consequential changes in the accounting and audit of foreign traffic earnings are still under consideration and no final decision has yet been taken in the matter.

FOOD GRAINS GROWN IN VACANT PLACES OF P. AND T. DEPARTMENT

105. Shri Kesava Rao: (a) Will the Minister of Communications be pleased to state the quantity of food grains and vegetables grown in the vacant sites of the Posts and Telegraphs Department in Madras State during the years 1949-50 and 1950-51?

(b) What is the amount of money spent for this purpose during that period?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Food grains were not grown on departmental sites but vegetables (such as Potatoes, Cabbages, Beans, Cauliflowers) of the value of about Rs. 402 and Rs. 490 were grown in 1949-50 and 1950-51, respectively.

(b) Nil.

NEW POST OFFICES IN PART 'B' STATES

106. Shri Ghule: (a) Will the Minister of Communications be pleased to state how many new post offices have been opened in the current year till the middle of July in Part 'B' States, state-wise?

(b) What is the target in each of these States for the current year?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 7 opened in Jammu and Kashmir, 15 ordered to be opened, but not yet opened in Patiala, 19 opened in Hyderabad and 1 in Saurashtra.

(b) No numerical target has been fixed for any Part 'B' State. Government are endeavouring to give during the current year a post office to each village with population of 2,000 and above which has no post office of its own.

PADDY CULTIVATION

107. Shri Kishorimohan Tripathi: (a) Will the Minister of Food and Agriculture be pleased to state the total acreage under paddy in each of the years 1948, 1949 and 1950?

(b) Is there any State where the acreage under paddy cultivation has decreased during these years and if so, which are they?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) 72.5 million acres, 75.0 million acres and 75.3 million acres respectively during 1948-49, 1949-50 and 1950-51.

(b) Yes, there was some decline in the paddy acreage in the States of Assam, Madras, Orissa and Hyderabad during 1950-51 over 1949-50.

AVERAGE PRICE OF FOOD GRAINS PURCHASED FROM AMERICA

108. Shri Kishorimohan Tripathi: Will the Minister of Food and Agriculture be pleased to state the average price per maund of wheat, milo and flour purchased from America. C.I.F. Indian ports?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): Presumably the hon. Member wants the information for the current year 1951. The average C.I.F. price of wheat and milo so far purchased or expected to be purchased during the year from the U.S.A. (including the loan wheat) works out as follows:

Wheat Rs. 16-8-6 per maund.

Milo Rs. 11-14-3 per maund.

No flour has been purchased from U.S.A. during the year.

STATE TRANSPORT AUTHORITY IN DELHI

110. **Shri S. M. Ghose:** (a) Will the Minister of Transport be pleased to state how many permits for public carriers were issued by the State Transport Authority in Delhi during the years 1948, 1949 and 1950?

(b) How many of them are still held by original permit holders and how many have since been transferred to other persons or firms?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The State Transport Authority, Delhi issued 170 public carrier permits during 1948, 83 in 1949 and 11 in 1950.

(b) Out of these 264 permits, 130 are still held by the original permit holders and the remaining 134 by persons or firms to whom they were transferred.

RAILWAY EARNINGS

111. **Shri M. Nalk:** Will the Minister of Railways be pleased to state the Railway passenger earnings up-to-date for the current year as compared with the corresponding periods of the last three years, Class by Class?

The Minister of State for Transport and Railways (Shri Santhanam): A statement showing passenger earnings of Class I Railways from April 1 to July 31, 1951, with corresponding figures of the three previous years is laid on the Table of the House. [See Appendix IV, annexure No. 15.]

RESERVATION OF COMPARTMENTS FOR MILITARY PERSONNEL

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

(a) how many compartments are reserved daily for military personnel on each train on various Railways;

(b) how many of them were and have been actually occupied during the previous year and this year up-to-date;

(c) whether the Defence Ministry pay to the Railway Board the amount for berths which are reserved for the military personnel but are not occupied by them; and

(d) if so, what amount has been received on account of berths not occupied during the above period?

The Minister of State for Transport and Railways (Shri Santhanam): (a) A statement showing the particulars of accommodation earmarked for the

Defence Service personnel in some passenger trains, as a standing arrangement as last revised from 16th June, 1951, is placed on the Table of the House. [See Appendix IV, annexure No. 16.]

(b) Disposition of utilisation of such accommodation, as ascertained from time to time, indicates that generally the accommodation is fully utilised.

(c) and (d). Public traffic is permitted to avail of spare upper class accommodation earmarked for Defence Service personnel but in the case of lower class accommodation apart from it being generally fully utilised it is not considered expedient to allow public traffic to share it even if there be spare room here and there. Defence Service personnel travel on tickets in exchange for warrants. Therefore, the question of payment by the Defence Ministry for the accommodation earmarked for the Defence Service personnel does not arise.

ROLLING STOCK

113. **Dr. Ram Subhag Singh:** (a) Will the Minister of Railways be pleased to state what percentage of our total annual requirements of rolling stock is produced in Indian workshops?

(b) What was the value of our imports of rolling stocks in the year 1950-51?

The Minister of State for Transport and Railways (Shri Santhanam): (a) India can produce the carriages and wagons required for normal annual replacement. As regards locomotives the industry is being developed.

Our immediate requirements, however, include arrears of replacements and additions to meet heavy increases in traffic. Capacity is available to meet our present requirements to the following extent:

Locomotives	14 per cent.
Coaches	63 per cent
Wagons	... 50 per cent.

(b) Rs. 9.12 crores.

CONSTRUCTION OF ROADS IN RAJASTHAN

114. **Shri Sidhva:** (a) Will the Minister of Transport be pleased to state whether the Government of India have allotted Rs. 2½ crores to the Rajasthan Government for construction of roads in Rajasthan?

(b) If so, has a list of such roads and estimates been prepared?

(c) Will a statement showing the length of roads, the nature of construction (asphalt or Kutcha metal) and cost of such roads and the period within which the work will be completed, be placed on the table of the House?

(d) Will the work be carried out by C.P.W.D. or the Rajasthan Government?

(e) Is the sum of Rs. 2½ crores a grant or a loan and if it is the latter, the rate of interest and when is it payable?

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

(b) to (e). Do not arise.

ACCIDENT TO 8 R.S. DOWN PASSENGER TRAIN

115. **Dr. Ram Subhag Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that 8 R.S. Down Passenger train was involved in an accident at about midnight of the 28th July, 1951;

(b) whether Government have made any inquiry into the matter; and

(c) if so, with what result?

The Minister of State for Transport and Railways (Shri Santhanam): (a) No. At about 0-10 hours on 28th July, 1951, not on 28th July, 1951, as

stated in the question, there was a risk of a collision between an Up Troops Special, being received at Sagauli station, with 8 R. S. Down Passenger train already standing on the line wrongly set for the reception of the former, but it was fortunately averted.

(b) and (c). The result of the Departmental Joint Enquiry and the Police investigation into the case is awaited.

'S. S. BINFIELD' CARGO SHIP

116. **Shri Kamath:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that a British cargo vessel, 'S. S. Binfield', recently left the Bombay Harbour without informing the Port authorities and without the necessary certificates;

(b) what action has been taken by Government under the Indian Merchant Shipping Act; and

(c) whether the matter has been reported to the British Government?

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

(b) No action is possible for the present as the ship and its Master are no longer in Indian territory.

(c) Yes.

Saturday, 25th August, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME XIV, 1951

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

Fourth Session

of the

PARLIAMENT OF INDIA

1951

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PARLIAMENT OF INDIA

Saturday, 25th August, 1951

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

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-31 A.M.

RAILWAY COMPANIES (EMERGENCY PROVISIONS) BILL

The Minister of State for Transport and Railways (Shri Santhanam): I beg to move for leave to introduce a Bill to make provision for the proper management and administration of railway companies in certain special cases.

Mr. Deputy-Speaker: The question is—

“That leave be granted to introduce a Bill to make provision for the proper management and administration of railway companies in certain special cases.”

The motion was adopted.

Shri Santhanam: I introduce the Bill.

PAPER LAID ON THE TABLE

STATEMENT re FOOD POSITION.

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): I lay on the Table a statement on the present food position, promised in reply to Starred Question No. 295 on the 17th August 1951 regarding food position. [See Appendix V, Annexure No. 11.]

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Shri Hussain Imam (Bihar): May I know, Sir, whether it is being circulated?

Mr. Deputy-Speaker: Whatever is laid on the Table is not immediately circulated. If hon. Members have any suggestions to make to the Government then they will be considered.

BUSINESS OF THE HOUSE

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the Bill to provide for the establishment of a Tariff Commission and to regulate its duties and functions, as reported by the Select Committee.

Shri Kamath (Madhya Pradesh): Before the House proceeds to other business, may I suggest that your Marshal, when he announces your arrival to the House, may address the hon. Members not as *सभासदों* but as

संसद के सदस्यों।

Mr. Deputy-Speaker: I would like to make a suggestion to hon. Members. Any hon. Member can raise any point at any time, but it is better that the hon. Member gives some intimation to the Chair beforehand. This, after all, may be a small matter, but before any new point is raised on the floor of the House.....

Shri Kamath: Have not Members got the right?

Mr. Deputy-Speaker: Hon. Members have not got the right to say anything or raise any matter on the floor of the House at any time—I am not characterising any particular statement as good or bad—but there is a procedure. We have to go according to the agenda and no time should be taken by raising matters other than those put down on the agenda unless the Speaker allows it and unless previous intimation is given to him so far as that matter is

[Mr. Deputy-Speaker]

concerned. Hereafter, this sort of thing ought not to be repeated.

Shri Kamath: With respect to what you have said may I, in all humility, ask for a clarification whether hon. Members have not got the right to say anything on the floor of the House? It is a serious matter.

Mr. Deputy-Speaker: I am here to decide whether it is relevant or not. Anything which is not related to the matter that has been called is irrelevant and ought not to be spoken on the floor of the House.

Shri Kamath: But suppose something happens in the House during Question Hour or earlier or later?

Mr. Deputy-Speaker: Anything happening in the House either disturbing the proceedings of the House, or relating to any questions that have been answered or to the conduct of any Member here or of Government—those are all relevant. But this is a matter which can stand over. He could have written to me. I myself was thinking whether *सदस्यों* or *सभासदों* this or that and which of the various expressions was the most suitable one. But are we to be carried by the *ipse dixit* of any hon. Member that a particular expression should be used? I would urge on hon. Members not to make these suggestions on the floor of the House on the spur of the moment. They will all be considered. Unless I find that the suggestions are obnoxious to public morality, I always place them before the House and take its opinion or give my own opinion. I do not shut out any suggestion on the floor of the House, but I must be informed previously.

Shri Kamath: I am sorry you referred to it as *ipse dixit*; it was just a suggestion. A suggestion is not an *ipse dixit*.

Mr. Deputy-Speaker: I have to consider it. On the floor of the House how can I immediately come to any conclusion? Why should the hon. Member make it on the floor of the House for the first time?

Shri Kamath: I only made it for your consideration, not for immediate decision.

The Minister of Commerce and Industry (Shri Mahtab): Sir, there are three clauses in the Tariff Commission Bill for which there are no amendments. These three may be put together.

Shri Hussain Imam (Bihar): Sir, may I point out that the procedure adopted by Shri Thirumala Rao in laying the statement on the Table is, in contravention of the promise made by the hon. Food Minister? He had promised that he would circulate a statement whereas Shri Thirumala Rao is laying it on the Table of the House. There is a difference between what the hon. Minister promised and what my hon. friend is doing.

Mr. Deputy-Speaker: That point is independent of the way the Marshal announces the arrival of the Deputy-Speaker.

With regard to that, copies of the statement will be circulated to hon. Members.

Shri Sarwate (Madhya Bharat): Sir, I beg to submit that on the next working day, probably the Bill relating to Part C States may be taken up and in that connection I want to make a suggestion for your consideration that so many amendments have been made in the Bill by the hon. Minister himself that it is impossible to understand the Bill in the form in which it stands. Therefore, I wish to make a suggestion to you and to the hon. Minister in charge to modify the Bill in the final form in which he wants to place it before the House so that we can follow it. Now there is almost a mess. He has himself made certain suggestions and changed those suggestions himself.

Mr. Deputy-Speaker: I would only like to make one suggestion. We have already been delayed by more than five minutes. I have called the next matter before the House, that is, the Tariff Commission Bill. What the hon. Member refers to is the Bill relating to Part C States. Could it not be left over till the proceedings of the day are over?

Shri Sarwate: It would take some time for the hon. Minister in charge to prepare the draft in the form in which it is to be placed. My object in raising this matter now is that he may have some time to do it.

Mr. Deputy-Speaker: That Bill is not on the Order Paper so soon. The next two items relate to Benares and Aligarh Universities. The hon. Member could have waited to make this suggestion instead of taking away the time of the House and standing between the House and the legitimate business now before it. Those other matters can certainly be represented to the House at the end of the sitting if the Bill is immediately coming up.

or when the matter is taken up. There is no good raising those matters now and clogging or impeding the progress of the Bill already under consideration.

Shri Hussain Imam: But we were privately told that the Government proposes to take up the Bill relating to Part C. States before those other two Bills.

Mr. Deputy-Speaker: Whatever might have been privately stated, we shall proceed according to the agenda before the House. The difficulty is that hon. Members introduce matters which are not before the House immediately, or they anticipate matters or introduce matters which are not relevant at the time or which are not on the agenda paper. The rules have to be followed instead of spending away the time of the House. Hereafter, I will not allow such matters to be raised and I hope hon. Members will make up their mind not to take away the time of the House in this manner.

TARIFF COMMISSION BILL—concl'd.

Mr. Deputy-Speaker: We shall now proceed with the further consideration of the clauses of the Tariff Commission Bill. Clauses 2 to 16 have been disposed of.

The Minister of Commerce and Industry (Shri Mahtab): For clauses 17, 18 and 19 there are no amendments.

Mr. Deputy-Speaker: That is so. Therefore, I shall put them together. Clause 17 to 19 were added to the Bill.

Clause 20.—(Powers of the Commission.)

Shri Kamath (Madhya Pradesh): I beg to move:

In page 6, line 17, for "reception of" substitute "receiving".

It is purely a verbal or, if I may say so, a drafting amendment. The House will see that as regards the other parts, namely (a), (b), (d) and (e) it is the present participle that has been used—'summoning', 'requiring', 'requisitioning' and so on. The word 'reception' in this context sounds, to my untrained ear anyway, somewhat inappropriate.

Shri Mahtab indicated assent.

Mr. Deputy-Speaker: Government submits itself to the correction or suggestion that is made. I think they have no objection.

The question is:

In page 6, line 17, for "reception of" substitute "receiving".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 20, as amended, stand part of the Bill."

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Clause 21.—(Statements made by persons to the Commission.)

Pandit Thakur Das Bhargava (Punjab): In regard to this clause 21, I beg to submit that, to my mind, it is a bit ambiguous. If we read the clause, it is not clear whether the statement in the proviso refers to the 'statement' in line 29 or the 'statement' in line 32. If the 'statement' refers to the previous 'statement' contained in line 29, the meaning should be quite different whereas the meaning would be absolutely different if it refers to the 'statement' in line 32. So far as these two 'statements' are concerned, the accused is entitled to know which 'statement' is referred to in the proviso. It must be made clear whether it refers to the previous 'statement' or to the latter 'statement', because the meanings would be different. I would, therefore, request the hon. Minister in charge of this Bill kindly to elucidate this point.

The Minister of State for Transport and Railways (Shri Santhanam): There is no confusion.

Mr. Deputy-Speaker: There is only one statement.

Pandit Thakur Das Bhargava: The word 'statement' is used in line 29 and the word is also used in line 32, that is "giving false evidence by such statement".

Mr. Deputy-Speaker: It is the same statement only, and it is referred to in three different places.

Pandit Thakur Das Bhargava: If the word 'statement' refers to the first 'statement' then a person will be protected only in respect of civil or criminal proceedings in regard to that statement. If it refers to the second 'statement' then his indictment of perjury could only take place in respect of statements which are made in reply to a question which is required by the Commission as necessary or relevant

[Pandit Thakur Das Bhargava]

to the subject-matter of the inquiry. My difficulty is whether the proviso should relate only to the previous statement or the latter statement.

Mr. Deputy-Speaker: My understanding of the clause is this: The earlier portion refers to the question of prosecution for a statement made and whether the person is guilty of perjury. If a person makes a false statement, he will not be liable for prosecution. The conditions under which that statement will not be liable for prosecution are set out here, namely "is made in reply to a question..." It is a single statement.

Shri Hussain Imam: (Bihar): I wish to draw attention to the fact that it is the policy of the Government to give immunity to people who make statements implicating themselves or others. I am referring to this because when we are examining the cost of production, it is one of the essential items that cost accounting should be made before the Tariff Commission. There is a general practice to so cook up the accounts in commercial concerns so that they may save a large amount of income-tax, whereas the accounts to be submitted here would be on the basis of that cooked up account or on the basis of real accounts. The power which the Commission should have is to have the cost accounting produced before it, so that a correct estimate of the cost of production may be made. If cooked up figures are given, then the result would be that we will not get the correct cost and we will be everyday adding to the burden of the consumer.

Mr. Deputy-Speaker: May I know how it is relevant to clause 21 here?

Shri Hussain Imam: If a person makes a false statement, he will be immune from being prosecuted under this clause. Where he makes a reply to a question, he is liable but if he makes a statement *ex gratia*, he is not subjected to prosecution.

Pandit Thakur Das Bhargava: The question is whether a person is to be prosecuted for an irrelevant statement or for a statement which he voluntarily makes or for a false statement.

Shri Santhanam: There is no immunity for a false statement at any stage but there is immunity for a statement made by a person in the course of evidence, subject to the proviso, that is, there is a limited immunity for the ordinary statement but there is no immunity for a false statement.

Pandit Thakur Das Bhargava: My hon. friend is perhaps not considering

the effect of the many High Court rulings. In regard to irrelevant statements no prosecutions could be made. For such statements, as are voluntarily made and which are not relevant, no prosecution is usually sanctioned. Therefore, it is that I submitted that if the word 'statement' refers to the second 'statement' then immunity is given in regard to prosecutions for false evidence and if it refers to the first statement, then protection given in regard to civil and criminal proceedings is to a certain extent minimized. I want to be clear whether the implication is that for every statement, irrelevant or relevant, made voluntarily or in reply to questions, prosecutions will be made or not. I want a reply to this question.

Shri Mahtab: That is the very point which was discussed threadbare in the Select Committee and we are all satisfied that the clause as it stands will serve the purpose and there is no immunity.

Mr. Deputy-Speaker: As far as I can see, if a man is compelled to give a certain answer, he shall not be prosecuted. Normally, a man is expected to know his own interest. He is not bound to disclose everything. It is open to him to keep certain things in reserve. He is obliged to answer a particular question in a particular way. You ought not to utilize that answer for prosecuting him for perjury. That kind of immunity is given. Therefore, the point raised by Mr. Hussain Imam is not covered by this. There is immunity only in cases where he is compelled to answer. If a man does not give a proper statement, as in cost accounting, he is liable.

Pandit Thakur Das Bhargava: I beg to submit that this means that the previous explanation of law given by you is contrary to what you have said subsequently, namely, that the proviso refers to the latter 'statement'. If a person is not obliged to answer a question, then according to you no prosecution of perjury is possible, whereas if the 'statement' refers to the immunity in regard to civil and criminal proceedings, then clearly that person shall be prosecuted even if he gives irrelevant evidence.

Mr. Deputy-Speaker: He is always liable for perjury.

Shri Hussain Imam: The question at issue is a very restricted one, and that is, whether the wording of the clause is as clear as the intention of Government. I am not considering whether

the intention of the Government is wrong or not. What I say is that the clause does not clearly, specifically and unambiguously bring forward the meaning of the Government. What I want is that there should be a prosecution for a false statement of any kind, no matter whether it is given relevantly or irrelevantly, whereas the wording is such that it can be stretched to mean that only those statements which are voluntarily made are the only ones in respect of which a prosecution will lie and where a person has to submit a statement, he will not be liable to prosecution. Let us take it the other way about. It may be interpreted that only when he makes a compulsory statement, he will be prosecuted; for voluntary statements, he will not be prosecuted. Both these meanings can be given to the clause. What I want is a legal clarification of the meaning. If we have a wording the meaning of which is clear, we will have no objection.

The Deputy-Minister of Commerce and Industry (Shri Karmarkar): I am very sorry to intervene. It is purely a question of grammar. The intention clearly is that whatever statement is false, is liable for perjury. That is the first point. Apart from a statement being false, there may be statements which may incriminate a party or render him liable for civil or criminal proceedings. Apart from statements which are in the nature of perjury, no other statement will involve the particular man making it either in a civil or a criminal proceeding. That is the general clause. There is a proviso attached to that clause. That proviso is:

“Provided that the statement—

(a) is made in reply to a question which he is required by the Commission to answer, and

(b) is relevant to the subject matter of the inquiry.”

The protection is subject to this proviso; that is to say, a person will not be civilly and criminally liable only if he is required by the Commission to answer the question and only if it is relevant to the enquiry. Suppose we take the excluded portion. Under what circumstances will he be liable? There are two answers. One is, if he is not required by the Commission to answer and he replies; the other is, he volunteers something which is not relevant to the inquiry. In this category, he is civilly and criminally liable. As my hon. and learned friend knows, if there are two clauses in a sentence, one a

principal clause and the other a qualifying clause, the qualifying clause always relates itself to the principal clause. In this sentence, as a whole, the principal clause is “No statement made by a person in the course of giving evidence before the Commission shall subject him to any civil or criminal proceeding”. The exception is only the hanging part of it, the tail end. There is a qualifying clause, a proviso, which says: “Provided the answer is required by the Commission and is relevant to the inquiry. It can never be construed in normal grammar to go with the exception. The proviso clause will always go with the principal clause. Every clause has to have a verb. The verb in the principal clause is “shall subject him to civil or criminal proceeding”. There is no verb in the exception. It cannot be a clause. There is one principal clause and there is a proviso clause which qualifies that principal clause. Whatever rules of construction are applied, it is the principal clause alone which can be qualified. That is the grammar of it. That point was made perfectly clear, as you will remember, Sir, in the Select Committee and every one of us, very respectfully I may submit, including Pandit Thakur Das Bhargava, appeared to be satisfied with this explanation. In view of this statement, I hope there is absolutely no doubt that perjury shall always be punishable, and outside perjury, a person shall not be liable only if the Commission required him to answer. Otherwise, he is liable. I cannot make the position clearer.

Pandit Thakur Das Bhargava: Without referring to what happened in the Select Committee, I may say that I raised this point in the Select Committee. Though I will accept the explanation of the Deputy-Minister, I still submit it is ambiguous. Although it is capable of the meaning that the hon. Minister has given to it, it is also susceptible to the interpretation that the latter statement is the statement which is referred to in the proviso and it would mean that for perjury you can convict a person if a reply is in answer to a question and is relevant. In a particular section in the Evidence Act, we know that persons are required by courts to answer questions and immunity does, to a certain extent, attach to those questions. Considered in that light, it is ambiguous. That is what I submit.

Mr. Deputy-Speaker: There is no amendment placed before the House. Government is definitely of the opinion that there is no ambiguity in this matter. There is no good pursuing this matter.

[Mr. Deputy-Speaker]

The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

Clauses 22 and 23 were added to the Bill.

Clause 24.—(Power to make rules.)

Amendment made: In page 7, line 9, for "servants" substitute "other employees".

—[Dr. M. M. Das]

Clause 24, as amended, was added to the Bill.

Clause 25.—(Power to make regulations.)

Amendments made: (i) In page 7, for line 24, substitute:

"(a) the procedure and conduct of business of the Commission;"

—[Pandit Thakur Das Bhargava]

(ii) In page 7, line 25, for "servants" substitute "other employees".

—[Dr. M. M. Das]

Clause 25, as amended, was added to the Bill.

Clause 26 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri Mahtab: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Prof. S. L. Saksena (Uttar Pradesh): I am very glad that the Bill has been brought before the House and is now on the verge of being passed. I only regret one or two things about this Bill. One is that considerations about labour which I stressed in the Select Committee and which Prof. K. T. Shah also stressed on the floor of the House, have not been incorporated in the Bill. I had wished that specific provisions could have been made in the

10 A.M.

Bill guaranteeing suitable treatment to labour in the industries which seek protection. I have reasons to suggest that. One of the industries in the country which is protected is the sugar industry. For twenty years it has enjoyed protection. In fact, various Tariff Boards have reviewed the position of the industry and observed that the conditions of labour were not good and that they had hoped, whenever the industry came in for protection that labour would get an equal share in the fruits of protection. In 1937, the Tariff Board said that they were ashamed that wages of rupees four and five per month were prevailing in the sugar industry. Although they recommended a minimum wage in 1937, it was not enforced until a very long struggle. Even now, as hon. Members know there is struggle. All these 20 years of protection has brought increased profits to the industry and not to the labourers. Even this year by the free sale of sugar the factories have gained Rs. 15 crores because sugar controlled price of which was only about Rs. 30 a maund, was being sold at Rs. 55 or so per maund. In the last struggle or strike they demanded a small increase in wages which though recommended by the Nimbkar Committee has not yet been given. All the same the manufacturers have gained to the tune of Rs. 15 crores. Therefore I had hoped that in this *Tariff Commission Bill* if would be stipulated that there should be an obligation on the industry to protect the interests of labour when there is protection given to the industry in which they are engaged. They do it in the British Acts. There they put it down that when protection is given the labour relations laid down by the Ministry of Labour should also be enforced by the industry. Such a provision should have been incorporated in this Bill also. That is one aspect of the Bill that I wish to criticise.

The term of office of members of the Commission has been fixed at three years with a renewal for another three years. This I feel is not to the best interests of the country because after the first three years, they will try for an extension of three years and this may not be conducive to the independence of the members, as mentioned in the minute of dissent of Prof. Shah. To ensure their independence, the period should have been fixed at five years, with a renewal for another five years. That suggestion should have been accepted. That, I am sorry to note, has not been done.

Otherwise, I am happy that the Bill is becoming a law and...

Shri B. Das (Orissa): I am glad to see you happy.

Prof. S. L. Saksena: I am happy many times. Probably the hon. Member is not often present in the House.

Well, I hope the spirit in which the Tariff Board have made their recommendations will be put into effect and the Tariff Commission will become something of which the country will be proud and that our industries may be put on a really sound basis.

बाबू रामनारायण सिंह : उपाध्यक्ष महोदय, टैरिफ कमिशन (Tariff Commission) विधेयक एक दो मिनट में ही कानून बन जायगा और उस के बाद तीन या पांच कमिश्नर (Commissioner) नियुक्त होंगे। उन का कार्य यह होगा कि वह देखें कि देश के वाणिज्य और व्यवसाय की वृद्धि हो। मुझे तो बहुत अच्छा मालूम होता है। शास्त्र में कहा भी गया है कि वाणिज्ये दसेत लक्ष्मी। वाणिज्य में ही लक्ष्मी या सम्पत्ति का वास है। इस में आशा तो की जा सकती है। लेकिन मुझे तो यह देखना है कि इन कमिश्नरों के जरिये क्या लाभ होगा। वाणिज्य व्यवसाय विभाग यानी कामर्स एण्ड इंडस्ट्री (Commerce and Industry) विभाग में लाखों आदमी काम कर रहे हैं और में समझता हूँ कि इस में देश का करोड़ों रुपया हर साल खर्च हो रहा है। तो इतने बड़े रुपये के खर्च से अगर देश का हित नहीं हो रहा है तो यह जो दो चार व्यक्ति नियुक्त होंगे उन से कैसे लाभ होगा यह मेरी समझ में अधिक नहीं आता है। यह विचारने की बात है। हमारे जो माननीय मन्त्री महोदय हैं श्री मेहताब इनको और सारे देश को यह विचार करना चाहिये कि यह विभाग कौन सा काम करता है। जब इन के जरिये देश की सम्पत्ति नहीं बढ़ रही है, वाणिज्य व्यवसाय में कोई लाभ नहीं हो रहा है या इस की उन्नति नहीं हो रही है तो फिर यह

दिन पर दिन पदों की सृष्टि कर के क्यों खर्च बढ़ाया जाता है। सरकार को और हर एक विभाग को इस बारे में सदा विचार करना चाहिये।

दूसरी बात यह है, उपाध्यक्ष महोदय, कि यह जो नये व्यवसायों में संरक्षण दिया जाता है। जैसा कि अभी हमारे सक्सेना जी ने कहा कि सूगर इंडस्ट्री (Sugar Industry) को करीब बीस बरस से संरक्षण मिल रहा है। खैर मुझे खुशी है कि यह संरक्षण बन्द हुआ। लेकिन मैं कहता हूँ कि किसी पूंजीपति को या किसी व्यवसाय को संरक्षण न देकर वह व्यवसाय स्टेट (State) की तरफ से क्यों न खोला जाय।

श्री श्यामनंदन सहाय : तब तो मामला ही साफ हो जायगा।

बाबू रामनारायण सिंह : यह क्या कि किसी पूंजीपति को मदद करें और सारे देश पर टैक्स (Tax) लगावें, या व्यवसाय के नाम से सारे देश की मदद से एक पूंजीपति की मदद हो यह कैसी बात है। हम लोग बार बार बहस करते हैं कि हम लोग अमुक व्यवसाय का राष्ट्रीयकरण करें। राष्ट्रीयकरण तो पीछे करेंगे लेकिन जो जो व्यवसाय ऐसे हैं कि जिन का राष्ट्रीयकरण नहीं हो सकता या जो देश में जारी नहीं हुए हैं ऐसे व्यवसाय सरकार की तरफ से क्यों न खोले जायें।

खैर अगर आप संरक्षण देते हैं तो दीजिये, लेकिन जिस व्यवसाय को संरक्षण दिया जाय उस व्यवसाय पर पूरा पूरा अंकुश क्यों न रहे, उस का हिंसाव ठीक से क्यों न देखा जाय, या यह कि उस को लाभ कितना होना चाहिये, और मजदूरों की कैसी स्थिति होना चाहिये। अगर उस व्यवसाय का स्टेट की तरफ से कंट्रोल (control) नहीं हो सकता है तो

[बाबू रामनारायण सिंह]

उस को संरक्षण क्यों दिया जाता है। और, उपाध्यक्ष महोदय, इस तरह के संरक्षण की जो नीति है उस में बहुत भय होता है। इस में घूसखोरी खूब चल सकती है।

एक बात में और कह दूँ। वह यह है कि आजकल व्यवसाय की वृद्धि होने के मानी होते हैं कि ज्यादातर विदेशों से बहुत बड़ी मशीनें मंगाई जायें, जैसे चीनी का रोज़गार खुला, या आटा-पीसने का रोज़गार खुला या तेल पेरने का रोज़गार खुला तो इस विषय में इस सरकार को, सारे देश को, इस संसद को यह याद रखना चाहिये कि जब कोई नया व्यवसाय होने जाता है उस वक्त उन्हें यह देखना चाहिये कि क्या वह व्यवसाय सचमुच में नया है, या होम इंडस्ट्री (Home Industry) की जगह पर यह कारखाना खोला जा रहा है और कुछ कारखानों को खोल कर हज़ारों की तादाद में लोग बेकार तो नहीं बनाये जायेंगे। इस बात पर बहुत ध्यान रखना चाहिये। सभापति महोदय, यहां पर कितने लाख आदमी चीनी के व्यवसाय में काम करते थे।

चीनी का रोज़गार, समझिये कितने दिन से चल रहा है। कल-कारखाने तो कल आये हैं, लेकिन जब से दुनिया बनी, जब से मनुष्य संसार में आया तब से हमारे देश में चीनी होती आई है और यहां चीनी खूब बनती थी और हम लोग खूब खाते पीते थे। इन कल-कारखानों के बिना कोई चीनी नहीं थी, ऐसी बात नहीं है।

شرى حسين أمام : مصرى كنى

اچھی ہونی تھی -

बाबू रामनारायण सिंह : हमारे हुसैन राम साहब कहते हैं कि मिश्री कितनी अच्छी होती थी। वास्तव में वह कितनी अच्छी होती थी यह हम अच्छी तरह जानते हैं और अब तो मिश्री के दर्शन भी नहीं होते। तो जो हमारे देश में कल-कारखाने आये तो उस से देश को कितना लाभ हुआ, सिवाय इस के कि कुछ पूंजीपतियों को लाभ हुआ हो और देश को कोई लाभ नहीं हुआ। और इस के परिणामस्वरूप कितने आदमी जो इस चीनी का व्यवसाय करते थे बेरोज़गार हो गये। तो इस की तरफ भी विचार करना चाहिये। हां, अलबत्ता यह हो सकता है कि बहुत से व्यवसाय ऐसे हैं जो हमारे देश में ही नहीं। तो इस तरह के नये नये व्यवसाय खोले जायें जिन से हमारे देश में रोज़गार बढ़े, लोगों को नई चीजें मिलें। लेकिन इस का क्या मतलब है, कि एक व्यवसाय खोल लें, कल-कारखाने खोल लें और लाखों लोगों को बेकार बना दें। यह तो कोई बुद्धिमानी की बात नहीं है।

आजकल कहते हैं कि कपड़ा मंहगा है और मिलता भी नहीं है और कपड़े के देखिये कितने कल कारखाने चल रहे हैं। उपसभापति जी, आप जानते हैं कि हमारे देश में इस के पहले जब कल कारखाने नहीं थे तो कपड़ा मिलता था और खूब मिलता था, कपड़ा हमारे यहां से विदेशों को भी भेजा जाता था और यह सब कपड़ा बनता था केवल चरखे और करवे की बदौलत। आजकल दूतने कल-कारखाने खुल गये हैं और उसके बाद भी कहा जाता है कि कपड़ा नहीं मिलता है। हमारे मेहताब साहब वादा करते हैं कि अमुक अमुक महीने में खूब धोतियां, साड़ियां मिलेंगी, लेकिन

धोलियां और साड़ियां अभी तक बाजार में नहीं पहुंचीं। तो यह तो हिसाब कमीशन को या डिपार्टमेंट (Department) को करना होगा कि नया कोई भी कल कारखाना खुलने से पहले यह सोच लेना चाहिये कि उस का असर हमारे समाज पर कितना पड़ता है, कितने आदमी बेकार होते हैं।

उत्समावत जी, मैं अपने जिले की बात कहता हूँ। वहाँ पर एक आटा पीसने का कल और तेल पेरने का कल चला। उसका नतीजा क्या हुआ? बहुत सी गरीब विधवाओं का जिनका रोजगार था आटा पीसना, उनका वह रोजगार खत्म हो गया। उनके साथ साथ बहुत से लोग जो उस इलाके में तेल पेरते थे और तेल पेर कर जो वे लोग सुखी थे, आज वे सब के सब मजदूर हो गये हैं और किसी रोजगार के लिये भटकते हैं। तो मैं सारे देश से कहूँगा, इस संसद से कहूँगा, कि जब भी नया कल-कारखाना खोला जाय तो उस समय यह विचार अवश्य होना चाहिये कि उस कल-कारखाने के जरिये हमारे समाज में कोई बेकार न हो। इस के बारे में जरूर हिसाब रखना चाहिये कि कल-कारखानों के खुलने से लोग कहीं बेरोजगार न हो जायें और कुछ थोड़े से पूंजीपतियों की पूंजी बड़े। इस तरह की बातें नहीं होनी चाहियें। तो मैं समझता हूँ कि इन सब बातों पर लोग विचार करेंगे और खास कर मेहताब साहब अवश्य विचार करेंगे जो कि कांग्रेस के कंट्रोलर भक्त हैं। वह और हम तो साथ ही भागलपुर जेल में जककीं पोंते हुए हैं, यह उनको याद ही होगा। अब उन्होंने ने घरेलू व्यवसायों के लिये क्या किया है, खादी के लिये क्या किया है? इनके रोजगार हो रहे हैं लेकिन, खादी के लिये वह क्या कर रहे हैं

यह मैं उन के मुँह से सुनना चाहता हूँ। इनके बड़े देश भक्त ने खादी के बारे में यहाँ आ कर क्या काम किया, और क्या करने जा रहे हैं, यह मैं जानना चाहता हूँ।

अब मैं और अधिक नहीं कहूँगा। मैं ने जो कुछ कहा है, मैं उम्मीद करता हूँ कि सारे संसद उस पर विचार करेंगे ताकि हमारे देश की वास्तव में वृद्धि हो, न कि यह कि वृद्धि के नाम में बहनों को दुःख ही हो।

(English translation of the above speech)

Babu Ramnarayan Singh (Bihar): Sir, the Tariff Commission Bill will soon be an Act and after that three or five commissioners will be appointed. Their duty will be to look after the expansion of commerce and industry of the country. All this is very pleasing to the ears. It is said in the *Shastras* as well, "*Vanijye Vasta Lakshmi*"—Lakshmi, the Goddess of Wealth, favours commerce and trade. Therefore, we can have hopes. But, I have to see what will be the advantage of appointing these commissioners. Lakhs of people are working in the Ministry of Commerce and Industry and I think, crores of rupees are being spent on it annually. If our country is not getting any benefit even after spending so much, I fail to understand how these three or four persons, who are to be appointed, can be of any benefit to the country. This is something worth considering. The hon. Shri Mahtab and the country as a whole should think what type of work this Ministry is doing. Why is the expenditure being increased by creating such new posts when they are not able to increase the wealth of the country or make any progress in the matter of commerce and trade? The Government and every Ministry must always keep these things in mind.

The second point is about giving protection to the various industries. The Sugar Industry is enjoying protection for the last twenty years as we are told by Prof. Saksena. However, I am glad to see that this protection has been withdrawn. But my point is why should not those industries be started by the State itself instead of

[Babu Ramnarayan Singh]

protection being given to any industry or to a capitalist.

Shri Syamnandan Sahaya (Bihar): That way the whole problem would be solved.

Babu Ramnarayan Singh: What is this absurdity of imposing tax on the whole country in order to give aid to one or two capitalists? We repeatedly discuss that such and such industry should be nationalised. Well, nationalisation will come afterwards, but why should the Government not take the initiative in regard to those industries which cannot be nationalised or which are not yet existent in the country.

If you want to give them protection, give it, but I want to know why complete control should not be exercised on the industry which is given protection or why its accounts should not be thoroughly checked or why its margin of profit should not be fixed as also the conditions of work for the labourers? If that industry cannot be controlled by the State why should any protection be given to it. And, Sir, that kind of protection is fraught with many dangerous possibilities. It offers a good field for corruption.

Now-a-days expansion of commerce means import of heavy machinery from abroad for establishing sugar, flour or oil mills etc. Therefore, this House, the Government and the country as a whole should carefully consider whether that industry, for which protection is sought, is really a new industry or is it that factories are being constructed in place of home industries resulting in thousands of persons becoming unemployed. This must be carefully considered. Sir, thousands of persons were engaged in the sugar making industry in this country and it is a very old industry. These mills and factories are of recent creation while the sugar-making industry has continued since ages passed in our country and first class sugar was produced which we used to consume to our heart's content. It is wrong to say that no sugar used to be produced before the establishment of these mills.

Shri Hussain Imam: How nice was *misri* (sugar crystals)!

Babu Ramnarayan Singh: We know how nice *misri* used to be and now it is not available in the market. Therefore, the import of heavy machinery has benefited only a few capitalists while the country has not gained anything. Moreover, many persons have

been thrown out of employment. There are many industries which have not yet been established in our country. Those should be started here so that people might get employment and new things could be made available to them. But it is all useless if lakhs of persons are thrown out of employment due to the setting-up of these mills and factories etc. This is not at all a wise thing.

Now-a-days, it is said that cloth is costly and rarely available while so many textile mills are working. Sir, you know that our country used to produce cloth and it was available in abundance and was also exported. All that cloth was produced with the help of the *Charkha* and the hand-looms. But, today, in spite of so many textile mills, cloth is not available. Shri Mahtab assures us that *dhoties* and *sarees* would be available in abundance in such and such months but those are not available anywhere in the market as yet. Therefore, before giving protection to any new industry, the Commission or the Ministry will have to consider the possible effects of that industry on our social structure and also as to how many persons would be thrown out of employment.

Sir, I would quote an example from my own district. A flour mill and an oil mill were started there. What was the result? Many widows were deprived of their livelihood they obtained by grinding the flour, and all those persons who were usefully engaged in the occupation of oil-crushing were deprived of their occupation and have now become labourers and are hankering after jobs. Therefore, I would submit that before starting any new industry the country and this House should see to it that nobody becomes unemployed due to that industry and that wealth is not concentrated in the hands of a few capitalists. These things should not be allowed to happen. I think many of us will consider those things and my friend Shri Mahtab will certainly consider it as he is a staunch Congressman. I hope, he remembers how both of us had to grind flour in the Bhagalpur jail. Now, what has he done about the cottage industries, specially *Khadi*? I want to hear it from his own mouth. I want to know what has been done or is about to be done for the development of *Khadi* by a patriot of his calibre.

Now, I shall not speak any more. I hope that the House will take into consideration all that I have said so that there might be real progress and not in name only where many have to live

in poverty and pestilence for the sake of a few.

Shri Ramalingam Chettiar (Madras): I am glad that the Bill has come to the last stage of being passed and will soon be an Act on the statute book. The appointment of a permanent Tariff Commission has been a long-standing demand both from the producers' and the consumers' standpoints. From the producers' standpoint it has been said that those industries which deserve protection did not get it and from the consumers' point of view it has been said that it was only some favoured people that got protection and their—the consumers'—interest was not taken into consideration sufficiently. Now a permanent Commission is going to be set up and it is not only going to consider the protection or other help that may be required by industries but it is also going to see what the effect of the protection or subsidy will be on the industry, whether the particular industry has really developed in such a manner by taking advantage of the protection or subsidy that it does not form a permanent burden on the consumers.

Much has been said in the past that some of the industries to which protection had been given have enjoyed it for years but at the same time they had not developed sufficiently to bring down the protection given and help the consumers by reducing the prices. That has been the complaint for a long time. I do hope that the provision made in the present Bill will be given full effect and that the Government will give full scope for consideration by the Commission every year of the developments made in the protected or subsidised industries, whether the industries have made sufficient progress which was required of them and if so, to what extent protection may be removed or modified from time to time. These are considerations which should be constantly kept in mind by the Government.

I would also request the Government to see that at least an annual statement is furnished to the House as regards the developments made by the several industries to which protection has been given and what the Commission thinks of the actual developments that have been made, whether they consider that the industries concerned have achieved the progress expected of them and whether any change in the protection or subsidy granted to them should be made from time to time. I do hope that this aspect of the matter will be borne in mind by the Government and this

House will get at least an annual statement regarding this matter.

With this remark I congratulate the Government that at least at this stage they have brought this Bill to have a permanent Tariff Commission established.

Shri Syamnandan Sahaya: There is no doubt that this Bill gives effect to a long-standing desire with regard to industrial development in this country. Tariff Commissions have been known in the past and even the alien Government used to appoint Tariff Boards to consider the requirements of an individual industry. But a Tariff Commission in order to serve a really useful purpose could not be a temporary institution, appointed for a specific purpose and then dissolved. If I may submit, that procedure has been one of the main reasons why in spite of protection being given to industries—and these industries have continued to receive it for a large number of years—they have not been able to bring about results and achieve the objectives which the Tariff Board, the Government and the people hoped for at the time when protection was granted to them.

While there can be no two opinions about the policy of protection to industries in a country which is from an industrial point of view comparatively backward, the fact remains that protection cannot be a permanent feature of industries in any country for any great length of time. Therefore the question should be considered as to how it is possible for an industry after receiving protection for a certain number of years to become self-supporting and thus reach a level of efficiency and production that it might be able successfully to compete in the world market without the help of such protection. That is a question which must be answered by those who either ask for protection or give it, in order to find out why it is that in this country, in some industries which have received protection, there has not been that marked improvement as the country or the Government expected of them. And this, I submit, is a question which must receive the closest attention of the Government and the hon. Minister in charge of Commerce and Industry. My hon. friend must be able to find out the reasons why in spite of protection being given, and for a long time, certain industries have not been able to make the headway which was expected of them.

Babu Ramnarayan Singh: Sugar industry.

Shri Syamnandan Sahaya: Any industry. My hon. friend here was right when he mentioned the sugar industry. We gave protection to the sugar industry for twenty years and still we find that consumers have to pay a heavy price for protection. Therefore I say that we must try and find out why it is that the results which we desired have not been achieved. One of the main reasons, in my opinion, is that the Government and the people in this country expected that mere grant of protection was good enough for an industry to go well. That, I submit, is an error. Protection is one of the ways by which a country can be industrialised, but it is not the only way. Government, when granting protection to a particular industry, takes upon itself a special responsibility of seeing that the consumer who pays for the protection is not made to suffer for long, and therefore the Government must provide other facilities, must think out what other arrangements have to be made in order that the industry, within a seeable period, becomes self-sufficient and can stand on its legs.

One of the things which Government has to do in the above connection is to keep in constant view the import policy, although protection is granted with a view to see that the prices of the Indian producer may be such that he may be able to compete even with foreign goods and that the foreign goods may not be able to sell at a price cheaper than what the Indian producer can sell at. Although the protective duties do meet this requirement to a very large extent, it is also a fact that sometimes certain circumstances are created by which in spite of protection the producer in this country has only to pile up his products till the foreign goods in the market are sold away. I know of industries where even if the selling price of the Indian manufacture is nearly half the price of the foreign manufacture the Indian manufacturer is able to sell his goods only after the British goods in the market have been consumed, even though the price of the British goods may be very high.

Shri A. C. Guha (West Bengal): There may be difference of quality.

Shri Syamnandan Sahaya: I am coming to that. There certainly are reasons and difference in quality is one, but that is not the only reason.

Shri A. C. Guha: As in the case of cycles

Shri Syamnandan Sahaya: That is what you think; but there are others who think otherwise. That is your experience of cycles—there are other industries; for instance, the other day the hon. Minister mentioned the case of the wood screw industry. Having a little experience of one industry and talking about the lot puts some confusion in the mind of Parliament and I would suggest, in fact appeal, to hon. Members when discussing these matters to give a really serious consideration because this Bill which you are passing today is a very important measure, a very important step in the direction of industrialisation of this country and therefore it would not do merely to take an instance and come to a conclusion on that. I say if the cycle manufacturers are not doing their job, take away their protection—no one is asking you to continue it. But that is no reason to damn the policy of protection as a whole, or to condemn protection.

In this question of protection mere tariff is not enough to meet the requirements of the situation, and one of the things I suggested was that the question of imports also counts for a great lot. And if an inquiry is made, I have no doubt in my mind that it will be conclusively proved that sometimes even though the qualities are as good, even though the qualities have been certified to be good by the Indian Stores Department and from inquiries at different places by the Supply Department of the Government of India, even though all this has been achieved, the fact remains that the Indian manufactured goods have not been able to find that market which foreign goods do. Therefore, I submit that this tariff protection should be supplemented by other factors and one of the factors is that the import policy of the Government should be such that the Indian manufactured goods may be able to find a market. Of course, there are ways of doing it. No one would suggest that while the country is producing five per cent. of its requirements, the remaining 95 per cent. should not be imported merely in order that this five per cent. may sell. No one would make a suggestion like that. But certainly the suggestion can be made that even when the production in this country is not according to the requirements of the country there should be a system of pooling the produce of this country with the imports and then selling them. As it is, if a genuine desire for an inquiry is in the mind of the Government, and if they really set up an inquiry to find out what have been the chief difficulties in the way of our industries and the manufactured goods of those in-

dustries, they will find that it has really been foreign competition. It is an everyday affair. If you have an O. G. L. system and if there are large stocks in the country then the Indian manufactured goods do not find their proper place. I would earnestly request the hon. Minister to take the case of the wood screw industry in which a large number of small factories have been started in Delhi. This inquiry would mean no extra expenditure. Do not appoint any committee; the Minister or his Deputy can find out the facts for themselves as to what has been the reason why this industry is at present in its present condition. Its capacity is such that it can meet the entire requirements of the country, but even so when such a large import exists most of the factories are lying idle. Perhaps the hon. Minister is aware that needles worth about Rs. 20 crores have been imported into this country...

Shri Karmarkar: Twenty crores worth or twenty crore needles?

Shri Syammandan Sahaya: Twenty crores.

Shri Karmarkar: I say, no.

Shri Syammandan Sahaya: Not all at once but over a period. I shall give the figures—they are all published in the export-import journals, and I am quoting from that. Twenty crores worth needles of all sizes and types—sewing needles, machine needles etc. Perhaps Government may have better data available to them and they will be able to tell us the figures, but the fact remains that if you look into the markets at Calcutta or Bombay or Delhi you will know the conditions of these stocks of needles. Now my friend there referred to cycles. Free-wheels and chains imported into the country under the O. G. L. today are selling at rates lower than their imported rates. Therefore, I say that while these things may not matter up to a point, they do matter when you ask the consumer to pay for protecting and improving some industry. And then on the other side a circumstance is created wherein the consumer pays but the country does not get the full advantage. I submit therefore that this is one of the matters which deserve the consideration of the Government and I would certainly suggest to them that it would not be prudent merely to sit down after passing a Tariff Commission Bill or after giving protection and then thinking that the industry by itself even if other circumstances be unfavourable will go ahead and improve.

Then there is another point to which I wanted to draw the attention of the hon. Minister and that is that I feel that this question of quality and standardisation is a very important one. After all, I need not tell the House nor the hon. Minister that the know-how in industry is today even more important than the machinery. When new industries are started or even where industries have been in existence for a long time, there has always been serious difficulty about expert knowledge and I might suggest—of course, this is not a matter to be incorporated in the legislation—that wherever a protective duty is imposed and protection is given to an industry, Government should maintain an expert of that industry even though at the cost of the industry itself. They might charge a certain percentage for the salary and other expenses of the expert, but Government must maintain an expert. Otherwise, how will you know? You will have to depend upon factors and opinions which are not correct for the purpose and then again it does not help the industry. If you have a real expert who goes from factory to factory of that particular industry and advises them what to do and suggests remedies for the wrongs that are being done, it will help you to put the industry on a better footing in less time and you will be able to remove the protective duty even earlier if you spend a little and at the cost of the industry by having experts. I may mention to you one case. We had ordered certain machineries from different countries and some of them were to come from Hungary. As the machineries were being manufactured there, we also appointed an engineer in order to supervise that the machineries were according to the specifications and according to our requirements. One of the lathes which was being manufactured was found at the moment to be not of the proper quality. Then a dispute arose as to whether we should take that machinery or not and ultimately the matter was referred to the Government. The Government maintained an expert and that expert decided in favour of my engineer and scrapped the machinery so that it may not be used at all in Hungary itself or be sent to a foreign country. This expert has not only this duty, to see that the goods produced are of first quality, but if there is any dispute with regard to an industry, that expert goes into that also and advises as to what should be done. Therefore, I submit that the mere granting of protection will not be able to bring about the results in the matter of industrial development that we visualise. Something more has to

[Shri Syamnandan Sahaya]

be done. One of the things that I suggested was that the import policy has to be so shaped that local manufactures might find a market for themselves and secondly Government should even at the cost of the industry be able to retain men in this country who would render expert advice to the industry, concerned. It is not that it is not the duty of the industry. They also do that. They have engineers appointed from foreign countries, but an expert of that stature who will have the necessary sanction behind him can only be maintained by Government and I suggest that in order that the protected industries may be able to achieve results and may be able to stand on their own legs in a short time these two things are most important.

Then the third thing which I was going to suggest was that in the matter of the constitution of these Tariff Commissions, it is not possible for the Government to have a man with the knowledge of a particular industry on every Tariff Commission. They will have three men or five men and these five men may not necessarily have experience about the industry which they are going to consider. I was therefore going to suggest that Government should have advisory committees attached to these Tariff Commissions whenever a particular industry is under consideration. If for instance they are considering the question of the wood screw industry, they must have an advisory committee which knows something about the wood screw industry, so that they may make available to the Tariff Commission the benefit of their experience in that particular line. After all, conditions vary from industry to industry. They have their own requirements. They have their own difficulties. It is sometimes very easy for friends to get up and say, "Why have you not industrialised?" or "What is the difficulty in Government starting industrial concerns?" I would say at once that it will solve a great problem if Government start even a small needle or pin factory and run it on a commercial basis. It is quite another matter to run a Railway and have a surplus and then ask for an increase in the railway fare. That type of Governmental business is not the one we are contemplating. We are contemplating at present a business run on commercial lines. There are the big textile concerns. Why do not the Government run one or two of them, or one or two of the sugar factories on their own initiative? Then they will be able to know what it means to run

industry and be able to make it self-supporting. Perhaps my friends must have obtained some experience of having run the Sholapur Mills for some time. The Sholapur agents may be bad people. You turned them out. You acted wisely, but after all, what have you been able to achieve? The Sholapur Mills are, I have heard, more a training centre rather than a textile producing centre. They are running only one shift. I suppose. Of course, I speak subject to correction. Surely, Government have very much better information at their command and they will place it before the House. But if the Government themselves take upon some industry and see what it means to run that industry and how to make a little profit out of it, then of course it will be different. Then the position of even the others, the non-Governmental people who are in that industry, will be very safe because then Government will have the experience of what difficulties mean and how they are to be solved. I submit therefore that these advisory committees will be very helpful to these Tariff Commissions and on the Tariff Commission we shall have very eminent men with experience and knowledge of accounts, knowledge of general economic conditions. All this is perfectly right, but a knowledge of the difficulties of the industry which you are tackling is also equally necessary, if not very much more, and for that purpose you cannot have on the Tariff Commission when an industry comes up a man who is an expert in or has experience of that particular industry. I would therefore repeat what I have suggested, that it would be a very useful thing if you could attach to these Tariff Commissions temporary advisory committees composed of people who know the difficulties of that industry. These advisory committees will have no executive function. They shall only place before the Tariff Commission the views and the experience that they have with regard to that particular industry.

Before I conclude, I must repeat what I said at the beginning, that a permanent Tariff Commission meets a very long felt want, a thing which we have all been crying for for a long time, and the Government are to be congratulated on the steps they have taken. But I will again draw the attention of the hon. Minister—who I know is very keen on industrialisation—to the fact that the mere grant of protective duty is not going to bring about the results which he and others have in mind and after a certain period

again some friends will rise and say, "What have you done for twenty years?" You have granted protection to the sugar industry and still it cannot stand on its own legs. The reasons are obvious. If you have a census of the working of the sugar factories you will find how many of them are getting cane according to their requirements. If you do not take a bold step in this matter and see that the raw material is available—if *gur* can sell at a higher price than what the grower is going to get by supplying cane to the factories, why is he going to supply it to the factories at all?—so, if you do not take a bold step, things will not improve. Therefore, this question of raw materials, this question of import policy, this question of expert advice and this question of having an advisory committee attached to the Tariff Commission while it is considering a particular industry—all these questions in my opinion deserve as serious a consideration (if the Government sincerely are desirous of industrialising the country) as anything else that the present legislation has laid down.

Shri Hussain Imam: I regret that this Tariff Commission Bill that has been brought forward with a fanfare has not made any appreciable change in the condition of things as they were during the British regime; and has made no marked distinction between the old Government and the present-day National Government. What are the distinguishing features of the present Bill as against the Tariff Boards that used to function formerly? The Tariff Boards of old were also bodies in which membership was for a certain number of years and they functioned in almost the same manner in which this Commission is going to function. The greatest dissatisfaction which I feel today is in regard to clauses 4 and 5 relating to qualifications and disqualifications of members of the Commission. Do they in any way differ from the practice of the past? Have you brought in any new thing which did not exist in the time of the British? It is the most general kind of thing. As long as you have a good Government you may be certain that good people will come in. But—God forbid—if a Government which is not as mindful of the interests of the people as the present, comes in power, your Act will be unable to prevent the appointment to this Commission of people most unsuitable to the job. There is no specific provision anywhere in the Bill that such and such people will be qualified and such and such people will not be qualified. They are all expressed in general terms.

This is exactly what has been the practice so far. The only right improvement we have made from the past is about their ineligibility for appointment in private industrial concerns. That I admit, is an improvement, because we have the past experience of almost every important member of the Tariff Board getting an appointment under one of the major industries of India—from Sir Padamji Ginwala right down to Dr. John Matthai. The membership of the Tariff Board was the easiest method of getting into the bigger industrial concerns. I admit that the new provision has been made not to check it, but to canalise it. Even there the Government has taken over power to allow people to accept jobs subject to their approval. I was attacking the provision on the ground that you are leaving loop-holes for jobbery and other kinds of things.

I also regret the inability of Government to accept our amendment with regard to an enquiry into the nature of the capital which is invested in the industry. Our demand was that an enquiry should be held into the composition of capital of the industries which ask for protection. We particularised foreign capital, but there are other instances of which you, Sir, must be aware. Industries are started by private persons. They form a company—which is only a public company for name's sake. Ninety per cent. of the shares is held by a family and yet it is called a public company and those people ask you to place the burden on the general consumer for the benefit of a particular family or a group of persons. That is not prevented now, because we have avoided an enquiry into the capital structure of the industries concerned.

The greatest hindrance in the development of industries in India is the ever-changing import policy of the Government of India. If one can say anything that is most uncertain, it would be the import policy. What is today allowed to be imported freely, next year becomes the most difficult thing to get and what is most difficult to get today comes under the Open General Licence next year. Any one who has the interests of the industries of India at heart, cannot be blind to this fact. There are hundreds of industries which are thriving today because of restricted imports. They do not enjoy any protection. Our general level of taxation of imports is about 30 per cent., maybe now it is 37 per cent. This is now acting as a protective duty to hundreds of cottage industries. But the Government all of

[Shri Hussain Imam]

a sudden wakes up one day and changes its policy. Things which were being imported in small quantities are allowed to come as though through a floodgate with the result that many of our industries which were flourishing without protection have now to come to you and ask for protection. This leads to additional burden on the consumers.

I will give you one instance which I came to know only recently. I refer to razors—not the safety razors which only the town-people and the literate classes, a very small percentage of our population, use—but the barber's razor which is used in every village home. During the whole of the war period there was practically no import of these razors, with the result that a large number of cottage industries started manufacturing razors. A good part of these persons were displaced persons. Meerut, quite near Delhi, is one of the centres of this industry and any hon. Member who is interested in it could go and see it. Government first of all allowed a small quantity of foreign razors to come in. I am now told that they have opened the floodgates and licences for import to the tune of about Rs. one crore—without which we were managing for the last ten or twelve years—have been granted. This has led to the swamping of the market by foreign razors. This Government, we find, is not even a *trimurti*; it has thirteen faces in the shape of thirteen Ministers. One of the Ministers—the Minister in charge of Works, Production and Supply—was pleased yesterday to state that we do not need to have any rock salt, because India has attained self-sufficiency in salt, not rock salt but brine. Those who are discriminating consumers are forced to pay Rs. 80 for a thing worth Rs. three, as was pointed out by Sardar Sochet Singh.

Here is a case where imports are forcing people to ask for protection. People who were not in need of protection will now ask for protection; instead of the duty being 37½ per cent, you will have to raise it to 50 per cent, and make the consumer pay more because of your senseless policy. The Tariff Commission must have a say in the import policy of the Government.

I have no complaint against the Government, as long as they take action in good faith. But their knowledge of the commercial world is restricted. Of course you cannot expect any set of persons however well qualified they may be to be able to tell you everything about every industry, particularly in a country like ours with 35 crores of people. Well, what is the position today? We have only this

satisfaction, that the Government has the best of intentions but blunders. But who pays the cost? Mostly the smaller industries or the shareholders of the big industries. The managing agents always get their lion's share and they have been further saved by the new Bill that has been brought forward by Government. But the shareholder has nowhere to go. The general consumer who forms the bulk of the country has no say in the matter. And we, the representatives of the people, are denied the right to sit in judgment on the actions of the Government. Yesterday we had a great deal of discussion on the subject whether the reference to Parliament of all its actions must be compulsory on the Government or not. The Government would not accept that position and our hon. colleagues also gave an easy sailing to the Government and allowed it to do things by executive power except in regard to increase of customs duty. When a protective duty is brought forward, only then the increase in duty is to be the function of Parliament to consider. May I just point out to the hon. Minister a large number of cases in which papers were laid on the table of the House but for the last two sessions—almost a year—this House has not been given an opportunity to discuss them? Let me begin with the Colombo Conference. The papers in respect of this were laid on the table of the House, but the Government has not been able to give time for its discussion by the House. We had a Sterling settlement with the British Government. The papers were laid on the table of the House, but no discussion was initiated and we could not get time. And so on and so forth. There are a hundreds of instances of the things that are laid on the table of the House and never discussed. I do not want that this House, this sovereign House, should be dependent on the pleasure of the Government to give it a chance or not, to discuss those matters. If it is a democracy, the representatives of the people have the inherent right of sitting in judgment on all actions of the Government.

Here again we find that this Bill, even as amended, sadly lacks that provision. With the exception of what was provided in the former Act, whereby certain measures under the Tariff Act will be placed before the House and discussed and sanctioned, no new provision has been made. It has not been made compulsory that all actions of the Government,—even other than fiscal—will have to come to this House for discussion and sanction.

I do not wish to prolong the discussion. I will conclude now by saying that we are at the parting of the ways.

If the House is not vigilant and watchful, slowly but surely we will be making way for dictatorship to come in no time.

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

Mr. Deputy-Speaker: The question is:

"That the question be now put".

The motion was adopted.

Shri Kamath: No reply from the Minister?

Mr. Deputy-Speaker: Nothing to reply. I have done equal justice to all Members. The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

BENARES HINDU UNIVERSITY
 (AMENDMENT) BILL AND
 ALIGARH MUSLIM UNIVERSITY
 (AMENDMENT) BILL

Mr. Deputy-Speaker: The House will now proceed with the consideration of the Benares and Aligarh Universities (Amendment) Bills. Before the hon. Minister makes a motion I may make one suggestion. I find that both these Bills relate to two Universities which are directly under the administration of the Centre. The provisions are more or less of the same nature, as also the amendments that are sought to be made. Therefore I consider that, as on a previous occasion when too same Select Committee was appointed to go into two Bills of like nature, a single Select Committee may be appointed now also. I find that is being done. Also, the motion may be made with regard to both and I will allow discussion in regard to both together. The points are similar. Therefore, there may be one discussion on both these Bills, that is, on the motion for their reference to Select Committee. That will save much of the time and we will also avoid repetition.

خواجہ صدایت الہ: بنارس ہندو

یونیورسٹی (امendment) بل

(Benares Hindu University

Amendment Bill)

ساملے ہے میں سمجھتا ہوں کہ جب

تک اصلی بل ہمارے سامنے نہ ہو -

(amendment) خالی امendment

(discussion) کے لیے کر ہم کہا تسکشن

کو سکتے ہوں - اس لئے میں یہ چاہتا

ہوں کہ جب بھی کوئی امendment

(Amendment Bill) ہمارے سامنے

(original Bill) آئے تو اورجیٹل بل

بھی جسے امendment (amend) کرنا ہے

ساتھ میں ہونا چاہئے - بنا اس کے

کوئی بل جس کو- امendment کرنا ہے یا

کوئی ورد (word) اس میں سے نکالنا

ہے اسی طرح سے ہے کہ بل کو نہ رکھا

جائے اور امendment کو رکھ دیا جائے -

ہو سکتا ہے کہ لائبریری (Library)

میں ایکٹ (act) پڑا ہو - لیکن اگر

ایکٹ لائبریری میں ہے تو بل بھی

لائبریری میں رکھ دیا جائے - ہم وہیں

سب پڑھ لیں گے - اس لئے میں کہنا

چاہتا ہوں کہ جب تک اورجیٹل

ایکٹ جس کو امendment کرنا ہے سارے کا

سارا سرکولیت (circulate) نہ ہو تب

تک کیسے ترمیم کیا جا سکتا ہے -

[Khawja Inait Ullah (Bihar): Sir, I am afraid we cannot hold a proper discussion on the Benares Hindu University (Amendment) Bill which has been brought before the House, without having the original Act before us. I therefore submit that when any amending bill is moved for consideration, it should be accompanied by the original Act which is sought to be amended. Not doing so would mean that we are moving an amendment in the House but do not place before it the bill, which is sought to be amended. Maybe the Act is lying in the Library; but if the Act is lying in the Library, let the amendment also be kept there so that all of us might read it there. Unless and until the complete original Act, which is proposed

[Khawaja Inait Ullah]

to be amended, is circulated how can an amendment be made thereto?]

Mr. Deputy-Speaker: I have heard the hon. Member. The hon. Member might kindly look into all the pages that are there in the Bill. At the instance of the Speaker, for some time past the relevant portions of the original Acts which are sought to be amended are given in the Bills. Those extracts are given on page 9 as annexure. If the hon. Member wants to compare and have a comprehensive view he can always look into the original Act itself which is available in the Library. As regards copies of the Bill, these have been circulated to all hon. Members and they are with them. I do not know what more the hon. Member wants.

Khawaja Inait Ullah: We want to have the original Act which is going to be amended by this Bill.

Mr. Deputy-Speaker: It is an amending Bill. The relevant provisions of the Act which are sought to be amended are given on page 9 of the Bill as annexure. The original sections of the Act are there. If over and above those sections which are sought to be amended the hon. Member wants to look into any further sections, it is open to him to take them from the Library. They cannot be circulated to all Members.

مسئرو آف ایجوکیشن (مولانا)

آزاد): جناب میں تحریک کرتا ہوں

کہ جو بل اس غرض سے پیش کیا گیا

ہے کہ ہندو یونیورسٹی بلانس کے ایکٹ

سنہ ۱۹۱۵ء میں ترمیم کی جائے۔ وہ

ایک سہلکٹ کمیٹی (Select

Committee) کے حوالے کیا جائے اس

ہدایت کے ساتھ کہ ۳ ستمبر ۱۹۵۱ تک

وہ اپنی رپورٹ (report) پیش کر دے۔

سہلکٹ کمیٹی کے لئے جن ممبروں

کی لسٹ (list) تیار کی گئی ہے، وہ

یہ ہے: شری جے پال سنگھ - پروفیسر

کے۔ تی۔ شاہ - شری شنکر راؤ دیو۔

شریمتی جی۔ درگا بائی - ڈاکٹر بیٹھی

تھک چہ - پنڈت ہرنے ناتھ کدرو۔

پنڈت گوند مالویہ - ڈاکٹر آر۔ یو۔

سنگھ - ڈاکٹر ڈاکر حسین ڈاکٹر شیماما

پرساد - مکرچی - سید محمد احمد لاطمی۔

سید نوشیر علی - شری محمد حفیظ

الرحمن - ریورنڈ جے۔ تی۔ سوزا - ڈاکٹر

پی۔ ایس۔ دیش مکھ - شری ایم۔

اے۔ آہنگر - شری بی۔ داس - شری

آر۔ کے۔ سدھوا - سیٹھ گوند داس۔

ڈاکٹر مدموہن داس اور محرک۔

[The Minister of Education (Maulana Azad): I beg to move:

"That the Bill further to amend the Benares Hindu University Act, 1915, be referred to a Select Committee consisting of Shri Jaipal Singh, Prof. K. T. Shah, Shri Shankarrao Deo, Shramati G. Durgabai, Dr. Bakhshi Tek Chand, Pandit Hirday Nath Kunzru, Pandit Govind Malaviya, Dr. R. U. Singh, Dr. Zakir Husain, Dr. Syama Prasad Mookerjee, Syed Mohammad Ahmad Kazmi, Syed Nausheralli, Shri Mohammad Hifzur Rahman, Rev. J. D'Souza, Dr. P. S. Deshmukh, Shri M. A. Ayyangar, Shri B. Das, Shri R. K. Sidhva, Seth Govind Das, Dr. Mono Mohon Das, and the Mover, with instructions to report by the 3rd September, 1951."

Shri B. Das (Orissa): May I point out that I will be away to Calcutta tomorrow and will not be able to take part in the discussions of the Select Committee?

Mr. Deputy-Speaker: The hon. Member submits that he is unable to be here for a week. Therefore his name may be omitted.

مولانا آزاد: ہاں بہتر ہے۔ اگر وہ

موجود نہیں رہیں گے تو ان کا نام

نہیں رکھا جائے گا۔ اب میں اس کے

بعد ہی دوسری تحریک پیش کرنے

والا ہوں۔ مسام یونیورسٹی علیگڑھ کے

لئے کہ وہ بل بھی سہلکٹ کمیٹی کے

حوالے کہا جائے۔ اس سہلیکٹ کمیٹی کے بناتے ہوئے یہ بات سامنے رکھی گئی۔
تھی کہ چونکہ یہ دونوں بل (Bill) ایک ہی طرح کے ہیں اور تقریباً ایک ہی اصول پر ترتیب دئے گئے ہیں اس لئے الگ الگ سہلیکٹ کمیٹیوں کی ضرورت نہ رہے ایک ہی سہلیکٹ کمیٹی دونوں پر سوچ وچار کرے۔
چونکہ وقت بہت کم ہے اور کام بہت زیادہ ہے اس لئے میں نے یہ بات منظور کر لی ہے۔ اس وقت بحث نہ کی جائے۔ جب سہلیکٹ کمیٹی کی رپورٹ آجائے گی تو میں پورا موقع ہوگا کہ اس پر بحث کریں۔

[Maulana Azad: Very well. If he will not be here, his name will not be included in the list.]

After this my next motion would be with regard to the Muslim University, Aligarh, seeking that that Bill too should be referred to the Select Committee. While forming this Select Committee the fact has been kept in view that there is no need for appointing separate Select Committees and the same Select Committees should consider both the Bills as they are of the same nature and are framed almost on the same principle. Also I have accepted the suggestion that they should not be debated upon at this stage because the time at our disposal is short and the work is heavy. When we receive the report of the Select Committee, we shall have an opportunity to discuss it.]

Mr. Deputy-Speaker: The hon. Minister may move that the Bill further to amend the Aligarh Muslim University Act, 1920, be referred to the same Select Committee. That is a formal motion.

مولانا آزاد: ہاں یہ دونوں بل -
ہندو یونیورسٹی بلز کا اور مسلم
یونیورسٹی بلز کا ایک ہی سہلیکٹ

کمیٹی کے حوالے کئے جائیں جس کے
ممبروں کے نام پڑھ گئے ہیں۔

[Maulana Azad: Yes, Sir, both the Bills—the Benares Hindu University Bill and the Aligarh Muslim University Bill—may be referred to the same Select Committee, the members of which I have named just now.]

Shri Sondhi: (Punjab): I would suggest Shri Deshbandhu Gupta in place of Shri B. Das.

مولانا آزاد: بہتر ہے۔ مجھے منظور

ہے۔

[Maulana Azad: Good, I accept it.]

Mr. Deputy-Speaker: Motions moved:

(i) "That the Bill further to amend the Benares Hindu University Act, 1915, be referred to a Select Committee consisting of Shri Jaipal Singh, Prof. K. T. Shah, Shri Shankarrao Deo, Shrimati G. Durgabai, Dr. Bakhshi Tek Chand, Pandit Hirday Nath Kunzru, Pandit Govind Malaviya, Dr. R. U. Singh, Dr. Zakir Husain, Dr. Syama Prasad Mookerjee, Syed Mohammad Ahmad Kazmi, Syed Nausherahi, Shri Mohammad Hifzur Rahman, Rev. J. D'Souza, Dr. P. S. Deshmukh, Shri M. A. Ayyangar, Shri R. K. Sidhva, Seth Govind Das, Dr. Mono Mohon Das, Shri Deshbandhu Gupta and the Mover, with instructions to report by the 3rd September 1951."

(ii) "That the Bill further to amend the Aligarh Muslim University Act, 1920, be referred to a Select Committee consisting of Shri Jaipal Singh, Prof. K. T. Shah, Shri Shankarrao Deo, Shrimati G. Durgabai, Dr. Bakhshi Tek Chand, Pandit Hirday Nath Kunzru, Pandit Govind Malaviya, Dr. R. U. Singh, Dr. Zakir Husain, Dr. Syama Prasad Mookerjee, Syed Mohammad Ahmad Kazmi, Syed Nausherahi, Shri Mohammad Hifzur Rahman, Rev. J. D'Souza, Dr. P. S. Deshmukh, Shri M. A. Ayyangar, Shri R. K. Sidhva, Seth Govind Das, Dr. Mono Mohon Das, Shri Deshbandhu Gupta and the Mover, with instructions to report by the 3rd September 1951."

شری حسین امام: مجھے ان بلوں
کے متعلق کچھ اصولی اختلافات
ہیں اس لئے میں قائل

[شری حسین امام]

نے یہ ہمت کی کہ میں آپ کے سامنے
اپنے خیالات کا اظہار کروں۔

جہاں تک ان یونیورسٹیوں
(Universities) کا تعلق ہے -
انگریزوں کے زمانے میں ان کو بہت
حد تک آزادی ملی ہوئی تھی اور
یہہ اپنے معاملات کو اپنے طریقہ پر
فیصلہ کر سکتی تھیں۔ اور حکومت
ہند سے ان کا تعلق بہت ہی تھورا
سا تھا اور ان کے اندرونی معاملات
میں مداخلت کا حق گویا سینٹر
(Centre) کو نہیں تھا۔ اب جو
ہل ہمارے سامنے رکھے گئے ہیں
ان کے اندر ان اداروں کی آزادی
میں کافی کمی کی جا رہی ہے۔
ان کی ہر چیز آپکے سامنے یعنی
حکومت ہند کے سامنے آئے گی۔
اور بہت سی چیزوں میں حکومت
ہند ہی اس کا فیصلہ کریگی کہ
کہا کیا جائے۔ میں ان بہت سے
لوگوں میں سے ہوں جو یہہ چاہتے
ہیں کہ ان اداروں کی آزادی
صاف نہ کی جائے۔ میں اس کا
قائل ہوں کہ ملک کو آزادی ملنے
کے معنی یہہ ہیں کہ اداروں کو
بھی زیادہ سے زیادہ آزادی ملے۔
یعنی اگر پہلے کچھ حد تک وہ خود
مستقل تھے تو آئندہ وہ زیادہ
خود مستقل ہو جائیں۔ میں
سینٹرلائزیشن (Centralization) کا

نہیں ہوں۔ میں اس کا قائل
نہیں ہوں کہ ہر چیز لاکر گورنمنٹ
ہند کے سامنے رکھی جائے اور ان کی
ملطوری سے سب چیزیں چلیں۔

اس وقت کینیڈا یہہ ہے کہ ہمارے
سامنے دنیا کی اور یونیورسٹیوں کے
نمونہ ہیں خاصکر برطین (Britain)
کے۔ وہاں پر جتنی یونیورسٹیاں ہیں
وہ سب کی سب خود مستقل ہیں۔
حکومت سے ان کا تعلق بہت ہی
تھورا ہے۔ حکومت کو اختیار نہیں
ہے کہ ان کے اندرونی معاملات میں
وہ دخل ہوں۔ آپ نے آزادی کے
بعد ہم لوگوں پر جو یہہ مزید
پابندی عائد کی ہے اس سے میرا
اصولی اختلاف ہے۔ بہت سی چیزیں
اس میں ایسی ہیں کہ جن کے
ساتھ ہر شخص سمجھتا ہو سکتا ہے۔
مثلاً یہہ کہ یونیورسٹی کے دروازے
سب لوگوں کے لئے کھول دئے جائیں۔
اس سے کسی کو مخالفت نہیں ہو
سکتی۔ یہہ صحیح ہے کہ ایک
سیکولر اسٹیٹ (Secular State)
میں کسی یونیورسٹی کا ایسا ہونا
کہ اس میں دوسرے مذہب والے نہ
آسکیں یہہ غلط ہے۔ تو اس میں
بہت سی ایسی چیزیں ہیں جن سے
مجھے کامل اتفاق ہے۔ لیکن جہاں
تک گورنمنٹ کے تعلقات ہیں اس پر
مجھے بہت اعتراض ہے۔ آپ معاف
فرمائیں گے اگر میں عرض کروں کہ

سہنترل گورنمنٹ بہت بڑی ہے -
خاص کر جہاں صدر صاحب کا نام
آ جاتا ہے وہاں یہہ خیال کیا جاتا
ہے کہ یہ چیز ایسے ہاتھوں میں جا
رہی ہے جن پر کافی وثوق کیا جا
سکتا ہے - لیکن ڈیپوٹی جنرل ان ہر
ڈسٹرکشن (Governor General
(Constitution) میں مٹا دی گئی
ہے - اب صدر کہتے - حکومت مرکزی
کہتے - یہہ دونوں ایک ہی ہے -

The President and the
Central Government are one
and the same thing. There
is no difference between the
two.

تو اب جو اختیارات آپ صدر کو
دیتے ہیں وہ اس طرح استعمال ہوں
گے - وہ کل کے کل اختیارات استعمال
ہونگے ہمارے ایجوکیشن منسٹر
صاحب (Minister of Education)
کے ماتحت - ایجوکیشن منسٹر
صاحب کے پاس جس قدر کاموں
ہجوم رہتا ہے اس سے میرے خیال،
میں ہاؤس (House) کا کوئی فیہ
نارالفا نہیں ہے - ایک دل و خیلہ
ارزو - دل بہ کئے مدعا نہم تن ہمہ
داغ داغ شد - پلہ کجا کجا نہم -
تو ایسی صورت میں یہ اُمید
کرنا کہ وہ ہر چیز کو اپنی ذاتی
توجہ دے سکیں گے بہت مشکل
ہے - اصولاً جتنی چیزیں ہوں وہ

پہلے اسسٹنٹ (Assistant) کے پاس
جائینگے - اس کے بعد وہ سپرنٹنڈنٹ
(Superintendent) اسسٹنٹ
سکریتری (Assistant Secretary)
ڈپٹی سکریتری (Deputy Secretary)
اور سیکریٹری (Secretary) کے پاس
ہوتی ہوئی مولانا صاحب کے پاس
پہنچیں گی - اور ایک لمبی چوڑی
مٹل ہو جائے گی اور اس کے بعد
مولانا صاحب سوا

مولانا آزاد - سوا میں کے اس کو
مان لیں اور کوئی چارہ نہیں ہوگا -

شری حسین امام : میرا یہہ
مطلب نہیں ہے - مگر میں
یہہ کہہ رہا تھا کہ ان کے پاس
اتنا وقت نہیں ہے کہ وہ اس پوری
مٹل کو پڑھیں - آپ کے اوپر مجھے
پورا وشواس ہے - مگر مجھے اس بات
کا بھی احساس ہے کہ آپ کسقدر
ہدیم الفرصت ہیں - میں عرض کر
رہا تھا کہ اب وقت ہے کہ ہمیں
یہہ فیصلہ کرنا ہے کہ ان یونیورسٹیوں
کو ہم آزاد رکھیں یا محکوم ادارے
رکھیں - آپ کو معلوم ہے کہ یہاں
بہت سی یونیورسٹیز ہیں - جتنی
صوبائی یونیورسٹیز ہیں وہ سب
صوبائی گورنمنٹ کے ماتحت ہیں -
ہمارے ہاتھ میں صرف تین
یونیورسٹیز ہیں - دلی - علیکوڑہ اور
بنارس - ان کے علاوہ جتنی یونیورسٹیاں
ہیں وہ سب صوبائی حکومتوں

[عمری حسین امسام]

کے ہاتھ مہن ہوں - یو - پی - کے پاس پانچ یونیورسٹیاں ہیں - جن میں سے دو تو یہہ ہوں اور باقی تین ان کے ہاتھوں میں ہیں - ان تین کے متعلق جو کام ہوتا ہے صوبائی حکومت کرتی ہے -

سوال یہ ہے کہ ان کے دستگوشنگ
 فہمچرس (Distinguishing
 features) کو دیکھیں - ان کی امتیازی ضرورت یہ تہ یہ آزاد ادارے تہ - آج ان کی کیا حالت ہے؟ کیا یہ مناسب ہوگا کہ حکومت جو کہ خود آزادی کے بعد بنی ہے اور جو آزادی کی عام بردار ہے وہ اپنے اداروں کی آزادی کو صلب کرے؟ مجھے کسی خاص ادارے کے متعلق اشارہ نہیں کرنا ہے کیونکہ یہ بل سہلکٹ کمیٹی کے پاس جا رہا ہے - اسلئے میں اپنی تقریر میں صرف اتنا عرض کر رہا ہوں کہ اگر ہو سکے تو جہاں تک اختیارات کا تعلق ہے وہ ان اداروں کے ہاتھ میں چھوڑ دئے جائیں - آج جلاب صدر - یہ حالت ہے کہ ہمارے جو لوکل سینڈ گورنمنٹ (Local Self-Government) ہے بہت حد تک صلب ہو چکی یعنی آزادی کے جو پہلے ذیلہ ہیں وہ کل کے کل ختم ہو رہے ہیں - اب تمنا ہے ہونے چرانی تین باقی ہیں - علی گڑھ - بنارس اور دہلی - اب اگر ان کی بھی آزادی صلب ہو جائے گی

تو اندھیرا اور تاریکی چھا جائے گی - اسلئے میں سہلکٹ کمیٹی کے مسہران سے پرزور اپیل کرتا ہوں کہ اس معاملہ کو اس نقطہ نظر سے دیکھیں کہ کہاں تک ممکن ہے کہ خاص کر کے پوائیٹیکل انفلوئنسز (Political influences) کو دور رکھنا چاہئے - میں اس کا حامی ہوں کہ جہاں تک پالیٹکس (Politics) کا تعلق ہے وہ ایک نسیسری ایول (necessary evil) ہے - میں اس کا بہت حامی نہیں ہوں مگر میں سمجھتا ہوں کہ یہ بعض وقت ضروری ہے اور اسلئے اسے ایلگرافٹ (ingraft) کرنا پوتا ہے - اسلئے جہاں تک کم سے کم دیپولٹیکل انٹرفیرینس ہو سکے بہتر ہے - یہ ایکنڈیمک ایٹماوسفئر (academic atmosphere) کی چھڑیں ہیں - یہاں جو سامان ہونا چاہئے وہ بالکل ہی تعلیمی اور کلچرل (cultural) ہونا چاہئے - یہاں پالیٹکس کو دخل دینے سے ہمیں نقصانات ہونگے - آپ جس وقت حکومت کے ہاتھ میں اختیارات دیتے ہیں اس وقت آپ اس میں پالیٹکس پوری طرح بھر دیتے ہیں - آپ دروازہ کھول دیتے ہیں - آپ فلٹر گٹس (flood gates) کو اوپن (open) کر دیتے ہیں کہ محض پالیٹکس سے کام ہو - بہت حد تک

ہمارے یہاں خود بہار کے اندر یہ کنگروروسس (controversy) بڑے زوروں سے چل رہی ہے۔ ہمارے یہاں ریزیڈینشل (Residential) اور نان ریزیڈینشل (Non-Residential) یونیورسٹیز کا سوال پیدا ہو گیا ہے۔ اب یہ دونوں علیحدہ اور بذریعہ ریزیڈینشل یونیورسٹیز ہیں۔ یہاں کے لڑکے۔ یہاں کے پاس شدہ جو لوگ ہیں ان کا انٹرسٹ (interest) محض تعلیم تک ہی نہیں رہتا تھا۔ وہ اپنی پوری عمر تک۔ جب تک وہ زندہ رہتے تھے۔ وہ صحیح معنی میں اس کو ایلسا میٹر (Alma mater) سمجھ کر اس کے معاملوں میں انگریست لیا کرتے تھے۔ رجسٹرڈ گریجویٹس (Registered graduates) اور ٹیچرس (Teachers) دونوں۔ جب یہ دونوں بڑے قابل۔ تعلیم یافتہ اور ہوشیار اور بڑے اعتبار والے اشخاص موجد تھے تو کیا ضرورت ہے کہ حکومت اس کے اندر دخل ہو۔ بچوں کے لئے۔ جناب صدر۔ یہ ضروری ہوتا ہے کہ ان کے سر پر سرپرستی رہے۔ گریڈینٹس (guardians) کی اور ان کے ولیوں کی۔ مگر خدا کے لئے کوئی وقت تو آنے دیجئے کہ ہندوستان کے لوگ یہ تو سمجھ سکیں کہ وہ اب مہاجر (major) ہو گئے ہیں اور لڑکے نہیں ہیں۔ اگر یونیورسٹی میں بھی یہ مادہ پیدا نہیں ہوگا کہ ان میں

وٹائینس (Reliance) ہو۔ اینڈ اوپر وشولس ہو۔ تو پھر وہ کون سا ادارہ ہوگا کہ جس میں یہ چیز پیدا ہوگی۔ ہمیں کہا جاتا ہے کہ ہمارا الیکٹوریٹ (Electorate) جاہل ہے۔ انہوہ ہے۔ پالیٹکس سے ناواقف ہے۔ اسلئے جو اختیارات ہیں وہ کچھ کم کئے جا سکتے ہیں۔ مگر یونیورسٹیز سے کون سا ادارہ آپ کو بہتر مانتا جہاں کا ہر فرد آپ کی ان چیزوں سے باہلیتی (disability) سے پاک ہے ؟

ہاں۔ اس کے ساتھ ساتھ میں یہ بھی کہونگا کہ بعض یونیورسٹیوں میں بعض بعض جگہ میں نے سنا ہے کہ کچھ کلیکس (cliques) ہو گئے ہیں۔ یہ چیز غلط ہے کہ جب ہم ہندوستان کے معاملوں کا فیصلہ کریں تو حقیقت سے چشم پوشی کریں مگر اس کا علاج یہ نہیں ہے۔ جو آپ کر رہے ہیں کہ آپ ان کے پاروسس (powers) کو کم کریں۔ اصلی علاج اس کیلئے گریجویٹس کے نمبر کر بڑھانا ہے۔ اس کے معنی یہ ہو جاتے ہیں۔ کہ پارو ان لوگوں کے ہاتھ میں ہو جو خود ذاتی طور پر اس کے اندرونی معاملات سے مستفید نہیں ہوتے ہیں۔ جن کو ذاتی فائدہ یونیورسٹیز سے نہیں ہے۔ ان کی رائے غیر طرفداری کی ہوگی اور بہت حد تک یہ ایسے مشورے دینگے جن سے کہ اُنکے ادارے کی ترقی ہو۔ اسلئے جہاں تک

[شہری حسین امام]

کلیکس کا تعلق ہے میں آپکے ساتھ پورا اتفاق کرتا ہوں کہ گارڈس کو توڑنا چاہیئے۔ مگر اسکو توڑنے کی صورت گورنمنٹ نامینڈز (Government Nominees) سے نہیں ہے بلکہ گریجویٹس کے نمبر کو بولھانے سے۔ ان کی تعداد میں ترقی کرنے سے ہے۔ بجائے اس کے کہ وہ چہرے میں ہم نابالغوں کی طرح سے ولی مقرر کر دیں۔ ہم سلفور گورنمنٹ سے یہ چاہتے ہیں

کہ کافی زمانہ گزر گیا ہے۔ اب ہماری آزادی کو کم سے کم اتنا بھر تو رکھنے دیجئے جو کہ انگریزوں نے یہاں پر چھوڑ رکھی تھی۔ یہ کس طرح انسوسٹاک ملظہ ہے کہ جو بھی آزادی ہمیں انگریزوں نے دے رکھی تھی وہ بھی آپ چھین رہے ہیں۔

श्री ऐम० पी० मिश्र : एटली के पास एक दरखास्त भेज दीजिये ।

شہری حسین امام - اگر آپ حضرات یہی چاہتے ہیں تو آپ کریلانی جی کی اسپیک کو پڑھئے گا جس میں انہوں نے فرمایا ہے کہ اگر کانستٹی ٹیوشنل (Constitutional) راستہ سے ملک کو نہیں چاہئے دینے تو اس کا جواب ہے روالہوشن (Revolution) - میں اپنی طرف سے جواب نہیں دینا چاہتا ہوں۔ آپ کو اس کے بارے میں کانگریس کے ایک ایکس پریزیڈنٹ (Ex-President) جواب دے چکے ہیں۔

جناب والا - میں عرض کر رہا تھا کہ یہ ایک ٹریجڈی (tragedy) ہوگی کہ جو اختیارات ہمیں انگریزوں نے دے رکھے تھے ان کو بھی آپ صلب کریں۔ میں بہت بانوں سے متفق ہوں لیکن جو بلہادی باتیں تھیں اور جن سے جسے اتفاق نہیں ہے ان پر میں افسوس کرتا ہوں کہ سلیمت کمیٹی غور کریگی۔

(English translation of the above speech)

Shri Hussain Imam (Bihar): I have some objections on principle with regard to these Bills and so I have taken courage to express my views before you.

So far as these Universities are concerned they were free to a great extent during the days of the British rule, and were in a position to decide about their own affairs in their own way. They had very little connection with the Government of India; in a way the Central Government had no authority to interfere in their internal matters. But now the independence of these institutions is being curtailed by the introduction of these Bills. All their affairs would now come up before you i.e., before the Government of India; not only that but many of their internal matters too would be decided by the Government of India themselves. I am one of those persons who believe that these institutions should not be deprived of their freedom. I believe that these institutions should enjoy more and more of freedom now with the attainment of freedom by the country. In other words, if they were independent to some extent previously they should be more so in future. I do not believe in centralization. I do not believe that everything should be placed before the Government and that everything should run with their permission.

The position at this time is that we have other Universities of the world before us to serve as models to us, especially those of Britain, where all Universities are independent. They have very little connection with the Government there. The Government have no authority to interfere in their

internal matters. I object, on principle, to the restrictions that have been imposed upon us after the attainment of Independence. There are many such things in it to which everybody would agree. One of the things, for instance, is that the gates of these universities should be open to all. Nobody can have any grudge against this provision. It is really improper that there should be any such university in a secular State where persons of other religions and communities can have no access. Similarly there are many other things with which I am in complete agreement. But so far as the question of Government interference is concerned, I have many objections to it. Sir, you would excuse me if I say that the Central Government is a vast organisation in itself. In particular it is believed that wherever there is any reference to the President it means that the matter would go into such hands which would have enough powers to deal with it. There is nothing like "the Governor-General in his discretion" now existing in our Constitution. Now call it the President or the Central Government, they are one and the same thing. The President and the Central Government are one and the same thing. There is no difference between the two.

The powers that would be delegated to the President would be used in this manner. They would be used through our hon. Minister of Education. I think nobody is unaware of the very heavy work that remains lying with the hon. Minister of Education.

*Yak dil o khaile arzu dil ba kih
 mudda'a niham?*

*Tan hama dagh dagh shud pamba
 kuja kuja niham?*

(My poor lone heart is besieged by hordes of desires; which of them shall I pursue? All my body is full of sores; to which of them shall I apply a dressing?)

Under these circumstances, it is very difficult to expect that he would be in a position to give his personal attention to each and everything that comes before him. As a matter of fact, all the things would first go to an Assistant and after that they would reach Maulana Saheb through the Superintendent, the Assistant Secretary, the Deputy Secretary and the Secretary. It would be a bulky file before it would reach Maulana Saheb and after that he would have no other alternative but to.....

Maulana Azad: Would have no other alternative but to accept it.

Shri Hussain Imam: I do not mean that, but what I was submitting was that you would not have sufficient time to read the whole file. As a matter of fact I have full confidence in you. But at the same time I realize how busy you are. What I have submitted is that the time has now come when we should decide whether these institutions should be kept independent or dependent. You know there are several universities in the country. Among them all the provincial universities are under the Provincial Governments. We have only three universities under our control and they are Delhi, Aligarh and Benares. Apart from these three universities all other universities are under the Provincial Governments. There are five universities in Uttar Pradesh viz., these two and the three that are under the Uttar Pradesh Government. Anything that is to be done with regard to the other three universities is done by the Provincial Government.

The question is that we should look to the distinguishing features of these two universities. They were free institutions and this was their distinguishing feature. But what is their position today? Would it be proper for the Government, which is established after the attainment of freedom and which itself is the champion of freedom, to deprive these institutions of their independence? I have not to refer to any particular institution because this Bill is to go to the Select Committee first. I am only submitting this much that, if possible, the powers should be left in the hands of these very institutions. Today, Sir, the position is that even our rights in regard to local self-government, have been curtailed to a great extent; that is to say, the very first stepping stones to independence are being smashed. Now there are only these three glimmering lights left viz. Aligarh, Benares and Delhi. If they too are deprived of their independence, darkness would prevail all around. So I most earnestly appeal to the members of the Select Committee to see how far it is possible to keep these institutions aloof from political influences. I believe that politics is a necessary evil, but I am not very fond of it. I believe it is at times necessary and so we have to engraft it. From this view point it is good if there is least political interference. These are places with an academic atmosphere. The atmosphere there should be purely academic and cultural. Permitting politics an access into them would prove harmful. When

[Shri Hussain Imam]

you delegate these powers to the Government you are thereby letting in politics. You open the gates, rather you open the flood gates, so that the work may go on with the help of politics alone. To some extent the same heated controversy is going on in Bihar as well. There the question of residential and non-residential universities has arisen. Both the Benares and the Aligarh Universities are residential universities. The students who passed from these universities, did not confine their activities to studies alone. They used to take interest in its affairs also through out their life and used to consider it as their Alma Mater in the real sense of the word. When there are registered graduates and teachers who are able, active, educated and reliable, why should the Government interfere in their working. For children, Sir, it is necessary to have guardians. But, for God's sake, let the people of India begin to think—it is high time they started thinking—that they have attained majority and are no longer minors. If even universities will have no confidence in themselves—a feeling of self-reliance—what institution is there which will have this privilege? We are told that our electorate is ignorant, uneducated, and not familiar with the complexities of politics and as such its powers may be curtailed. But what better institutions can you have than the universities whose every member would be free from all these disabilities?

Well, at the same time, I may submit that I have heard that cliques have been formed in some of the universities. It would be wrong to close our eyes to reality when we are going to decide matters affecting the country. But the remedy does not lie in curtailing their powers as you are doing. The real remedy lies in increasing the number of graduates. This means that power should remain in the hands of those persons who are not personally benefited by internal matters, and who have no personal advantage from these universities. Their opinions would be impartial and they would certainly suggest measures which would prove helpful to the progress of the institution. So far as cliques are concerned I fully agree with you that they should be put an end to. But they cannot be put an end by nominating Government nominees but by increasing the number of the graduates. It is good to increase their number instead of appointing guardians for so called minors. Sufficient time has passed and we want the Central Government to allow us to enjoy at least as much liberty as the Bri-

fishers allowed us. How sad it is that you are snatching away even the limited liberty that the Britishers had given us.

Shri M. P. Mishra (Bihar): Then send in an application to Mr. Attlee.

Shri Hussain Imam: If you want that you should read the speech of Acharya Kripalani wherein he has stated that if you do not allow the country to use constitutional methods that would mean 'revolution'. I do not want to give an answer on my own behalf. The Ex-president of the Congress has already replied to you.

Sir, I was submitting that it would be a tragedy to curb even the limited powers that the Britishers gave to us. While I agree with several provisions of the Bill, I hope the Select Committee would reconsider those fundamental principles on which I do not agree with them.

شری قی - حسین : جلاب صدر - مہیں نے بہت غور سے آپ لائق دوست حسین امام کی تقریر سنی - مہیں کہو ہوا ہوں مسٹر حسین امام کی مخالفت کرنے کھلتے -

شری حسین امام - یہ تو آپ کا پرانا شہوہ ہے -

شری قی حسین - اور اس بل کی - اس املڈنگ بل (Amending Bill) کی تائید کرنے کھلتے کہ یہ سلیکٹ کمیٹی کے پاس جائے - میرے لائق دوہت نے جو تقریر کی تو زیادہ تو اس کا حصہ میرے خیال میں اس بل سے - اس املڈنگ بل سے - کوئی تعلق نہیں رکھتا ہے - آپ نے ایک بات پر بہت زور دیا ہے - وہ یہ کہ جب ہندوستانیوں نے آزادی حاصل کی ہے تو کیا وجہ ہے کہ وہ آزادی خود چھوٹ رہے ہوں - ان آٹونامسن بانیوں (Autonomous bodies) سے جن کو کہ خود انگریزوں نے آزادی دی تھی - یہی

آپ کا بنیادی اصول—بیسک پرنسپل
(Basic Principle)—ہے جس پر
آپ نے بحث کی ہے۔ چنانچہ سمجھو اس
کے متعلق عرض یہ۔ کرنا ہے کہ دونوں
میں زمین آسمان کا فرق ہے۔ وہ آزادی
ہندوستانیوں نے۔ ہم لوگوں نے۔ ای۔
وہ کس سے لڑ کر لی۔ وہ ہم نے ایک
فاریں پاور (foreign power) سے لی۔
اور اس آزادی کو لے کر کے ہم لوگوں نے
سلطنت اپنی کی۔ یعنی حکومت جو
کی وہ چلتا کی کی۔ تب اس حالت
میں ہم لوگوں کی حکومت میں اور
انگریز جو حکومت کرتے تھے اس میں
میں آسمان کا فرق ہو گیا۔

बाबू रामनारायण सिंह : कहीं कर्क
हुआ है ?

شری ٹی حسین۔ فرق ہمارے لائق
اور بزرگ دوست بابو رام ناراٹن سنگھ
کی سمجھ میں نہیں آتا ہے کہ اس
وقت میں اور اس میں کہا فرق ہے۔
تو میں اس بڑھاپے میں ان کو نہیں
سمجھا سکتا۔ میں یہ کہہ دینا چاہتا
ہوں کہ اس وقت ہم آزاد ہو گئے۔ مگر
ان کی سمجھ میں آزادی نہیں آتی
ہے۔ میں نے ان کی تقریریں بھی اس
ہاؤس میں سنی ہیں جن میں انہوں
نے بہت کچھ کہا ہے کہ یہ
حکومت بالکل ناقص ہے۔ میرو
سمجھ میں ناقص حکومت نہیں ہے
بلکہ ہمارے بزرگ دوست کی عقل
ناقص ہے۔

Shri Hussain Imam: There is more
suppression of self-governing institu-
tions* in the Provinces.

شری ٹی حسین : میری سمجھ
میں ایسا خیال کرنا غلط ہو گا۔ ایک
صوبے کو ہم نے لے لیا چونکہ اس کی
حکومت نہیں چل سکی۔ ہماری
حکومت منتظر کی ہے۔ اس کا یہ فرض
ہے کہ اس کو تھکانے سے چلائے۔ اس
لئے ہم لوگوں نے پنجاب کی حکومت
اپے ہاتھ میں لے لی ہے۔

Shri Hussain Imam: There is more
curtailment of liberty now.

شری ٹی حسین : دونوں میں
بہت فرق ہے۔ اب اگر ہم آزادی ملنے
کے بعد لوگوں کی آزادی کو کٹیل
(curtail) کرتے ہیں تو وہ اس طریقے
کی نہیں ہے جس طریقے سے انگریز
ہماری آزادی کو کٹیل کرتے تھے۔
وہ ہمارے دیس کے دھلے والے نہیں
تھے اور غیر ملکی یعنی فارنس
(foreigners) تھے۔ لیکن ہم لوگ
تو سب آپس میں ایک ہیں۔ اور اگر
آپ غور سے اس بل کو دیکھیں گے تو کہیں
پر یہ نہیں لکھا ہوا ہے کہ ہم لوگ
ہندو یونیورسٹی یا ہارس یا علی گڑھ
مسلم یونیورسٹی کی آزادی کو کٹیل
کرتے ہیں۔ یہ یونیورسٹی ایجوکیشن
کمیشن نے کچھ ریگنڈیشنس
(recommendations) دی تھیں۔
انہیں کے مطابق یہ بل تیار ہوا ہے۔
اس میں دو باتیں خاص ہیں۔ ایک
تو یہ ہے کہ اگر کوئی لڑکا مذہبی تعلیم
نہ لہنا چاہے تو اس پر اس کے لئے

[شری ٹی حسین]

زبردستی نہ کی جائے۔ اس کے علاوہ ایک لڑکے کو ہم اسکول میں پڑھنے کے لئے بھیجتے ہیں تو آپ کی یونیورسٹی ہندو ہو یا مسلم ہو وہ زبردستی کرتے ہیں کہ اس کو قیل تعلیم مذہبی دی جائے۔ ہم نہیں چاہتے کہ اس کو مذہبی تعلیم دی جائے۔ مذہبی تعلیم اگر اس لڑکے کو دلانا ہے تو وہ ہم اس کو گھر پر دے سکتے ہیں۔ تو پہلی بات جو سب سے ضروری ہے وہ یہ ہے کہ مذہبی تعلیم اگر کوئی والدین اپنے بچوں کو دلانا چاہیں تو یونیورسٹی کی طرف سے ان کو دی جائے لیکن اس کے لئے کوئی کسی طرح کا کمپلین نہ کہا جائے۔

دوسری بات جو نہیں ہونی چاہئے وہ یہ ہے کہ جیسے علی گڑھ مسلم یونیورسٹی کے کورٹ (court) میں جو فائنل باقی مذہبی کمیٹ (final body syndicate) ہوتا ہے تو اس میں ڈر علی گڑھ یونیورسٹی کا کورٹ ہے تو سوائے مسلم کے کوئی ہندو نان مسلم (non-Muslim) نہیں ہو گا۔ اس کے علاوہ وہاں پر کتنے ہندو لڑکے پڑھتے ہیں اور کتنے تھپڑ وہاں پر ہوتے ہیں۔ وہی حال بنارس ہندو یونیورسٹی کا ہے۔ وہاں کے یونیورسٹی کورٹ میں ایک بھی نان ہندو (non-Hindu) یا مسلمان نہیں ہے۔ تھپڑوں اور لڑکوں کا بھی قریب قریب وہی حال ہے جو علی گڑھ مسلم

یونیورسٹی میں ہے۔ مجھے صرف یہ دو چیزیں کہنی تھیں اور ابھی کچھ اور زیادہ بولنے کا وقت نہیں ہے اور ابھی یہ بل سلیکٹ کمیٹی میں جائیں۔ حسین امام صاحب سلیکٹ کمیٹی سے اس بل کے واپس لوٹنے پر بحث کر سکتے ہیں اس کے پہلے کچھ کہنا ناموزوں ہے۔

شری حسین امام : اس وقت بولنے کی ضرورت اس لئے تھی کہ سلیکٹ کمیٹی کے سامنے ہمارا نقطہ نظر دے۔

شری ٹی - حسین : سلیکٹ کمیٹی خود بہت غور کر کے یہ بل واپس کرے گی۔ اور چونکہ یہ بل سلیکٹ کمیٹی کو چارہا ہے اس لئے مجھے کچھ اور زیادہ کہنا نہیں ہے اور میں اپنی اسپیچ کو ختم کرتا ہوں۔

(English translation of the above speech)

Shri T. Husain (Bihar): Sir, I have carefully listened to the speech of my able friend Shri Hussain Imam and now rise to oppose it.....

Shri Hussain Imam: That has been your old habit.

Shri T. Husain: and to support the motion that this amending Bill be sent to the Select Committee. In my opinion, the major portion of the speech of my able friend has no relevance, whatsoever, to this particular Bill, this amending Bill. The only point which he has emphasised is that when the Indians have attained their independence, why should they snatch the liberty of those autonomous bodies which were allowed to enjoy their independence by the Britishers. This is the basic principle on which he has argued, Sir, in this connection, I have to submit that there is a vast difference between these two cases. We Indians attained that freedom after fighting a foreign power. After getting our freedom we established our own State; in other words the Government that we established was of the people. In this way

there is a vast difference between the Government that we have at this time and the Government that functioned at that time.

Babu Ramnarayan Singh (Bihar): But where is that difference?

Shri T. Husain: If our able and respected friend Babu Ramnarayan Singh does not understand the difference in his old age. I do not know how to make him understand. I beg to submit that we have become free now. But he does not understand this freedom. I have also heard his speeches in the House in which he expressed his opinion that the Government was inefficient. I do not think there is anything wrong with the Government; it is rather the sense of discretion of my respected friend that has gone wrong.

Shri Hussain Imam: There is more suppression of self-governing institutions in the provinces.

Shri T. Husain: In my opinion it would be wrong to think so. We have taken over the administration of a certain state because the Government there did not run smoothly. Ours is the Central Government. It is their duty to run it smoothly. So we took over the administration of Punjab.

Shri Hussain Imam: There is more curtailment of liberty now.

Shri T. Husain: There is a vast difference. If we at all curtail the liberty of the people after the attainment of independence it is not in the manner in which the Britishers used to do. They did not belong to this country but were aliens or foreigners. On the other hand, all of us here are one. If you look into this Bill you will not find even a single word in it to the effect that we are curtailing the liberty of the Benares Hindu University or the Aligarh Muslim University. The University Commission had made certain recommendations and this Bill has been prepared in conformity with those recommendations. There are two specific provisions in it. One is that if a student would not like to take religious teachings he would not be compelled to receive it. As against this if we send a student to a school, your university, whether it may be Hindu or Muslim, compels him to receive his education in a particular religion. We do not want that he should be given any religious education against his wishes. If he is to be given any religious education it may be imparted to him at his home. The first thing which is most important is that if the parents of a child wish to give any religious education to him,

they can have this facility from the university, but no compulsion would be allowed in this connection.

The second thing which should not be there is this. For instance, take the case of the Aligarh Muslim University. It has laid down that there would be no Hindu or non-Muslim on the final body of the University court viz., the Syndicate, notwithstanding the number of the Hindu students and teachers there. Similar is the case with the Benares Hindu University. There is not a single non-Hindu or a Muslim on its court. The condition of the teachers and the students is almost the same as it is in the Aligarh Muslim University. I had to state only these two things. Nor is there any occasion for a long speech. Let this Bill go to the Select Committee, and after it comes back to the House Mr. Hussain Imam can have a debate on it; it would be unfair to say much before that.

Shri Hussain Imam: The necessity of speaking at this stage was this that our viewpoint might remain before the Select Committee.

Shri T. Husain: The Select Committee will return this Bill after careful consideration. As it is being referred to the Select Committee I have no intention to speak any more. With these words Sir, I finish my speech.

Shrimati Jayashri (Bombay): I congratulate the Government on bringing forward these two Bills. By their Visva Bharati Bill the Government honoured the memory of the great poet Rabindranath Tagore. Similarly by these two Bills we are paying our tribute to the memory of two great persons. By the Benares Hindu University (Amendment) Bill we pay our tribute to the sacred memory of Pandit Malaviya. He was a great exponent of our Indian culture and we hope that by giving stability to this University we will be able to maintain Indian *sanskriti*. Similarly by passing the Aligarh Muslim University (Amendment) Bill we will be able to give permanent basis to Muslim culture and pay our homage to the memory of Sir Sayed Ahmed.

I would like to draw the attention of the hon. Minister to one point and that is the practice of allowing students to appear at the examinations in these universities as private students. This will help women who are not generally able to attend colleges and other institutions regularly. This practice will give an opportunity to women to continue their studies as well as their household work. This provision is there in the Bombay University—The Nathubhai University or the Karve

[Shrimati Jayashri]

University as it is called—and I think such a provision should be there in the Statute of these two Universities also. I take this opportunity to point this out to the hon. Minister so that women may be helped to continue their education.

श्री ऐस० ऐन० दास : उपाध्यक्ष महोदय, जो दो बिल अभी संसद् के सामने रखे गये हैं, उन के रखने का मुख्य आशय यह है कि उन दोनों यूनिवर्सिटियों में जो साम्प्रदायिक भावनायें हैं, साम्प्रदायिक शिक्षा देने का जो एक आवश्यक प्राविजन (provision) है, उस में परिवर्तन लाया जाय। मैं समझता हूँ कि गवर्नमेंट ने इस बिल को उपस्थित कर के एक सही कदम उठाया है। लेकिन साथ ही मैं यह कहूँगा कि देश की इस बदली हुई परिस्थिति में जब कि यूनिवर्सिटी कमीशन (University Commission) ने हमारे सामने यूनिवर्सिटी के सुधार के लिये बहुत से सुझाव रखे हैं; मैं समझता हूँ कि यह अच्छा होता अगर यूनिवर्सिटी कमीशन द्वारा सुझाई हुई सारी बातों का समावेश करते हुए ये दोनों बिल हमारे सामने उपस्थित किये जाते। और दूसरा स्थान भेरे सामने यह आता है कि छिटफुट लोकमत जो अखबारों द्वारा प्रकट होता है उसे देखते हुए सरकार ने इस समस्या पर पूरी तौर से विचार नहीं किया या अगर कोई विचार किया भी है तो पूरे यूनिवर्सिटी कमीशन के जो सुझाव हैं, उन को इन दोनों बिलों में समावेश करने की कोशिश भी नहीं की है। मैं समझता हूँ कि जहाँ तक इन दोनों बिलों के जो उद्देश्य बताये गये हैं, उन से यह पता चलता है कि अभी इस सम्बन्ध में सरकार आगे नहीं बढ़ना चाहती है। सब से पहली बात मैं इस सभा के सामने यह रखना चाहता हूँ कि आज की देश की

परिस्थिति में इस तरह की संस्थाओं की आवश्यकता नहीं है, जिन का नाम तो कुछ और हो और काम कुछ और हो। जैसा कि इस बिल से प्रकट होता है कि इन दोनों यूनिवर्सिटियों में शासन का जहाँ तक ताल्लुक है और पढ़ाई का जहाँ तक ताल्लुक है, जात पाँत, धर्म और मजहब आदि का कोई भेद नहीं किया जायगा। पहिले ऐसी बात थी। पहले यह बात थी, लेकिन अब जो बिल हमारे सामने आया है उसे देखने से पता चलता है कि अब दोनों यूनिवर्सिटियों में किसी प्रकार का भेद नहीं किया जायगा। यह भी इस में बतलाया गया है कि इन यूनिवर्सिटियों में पढ़ने वाले जो छात्र होंगे उन के ऊपर किसी धर्म की शिक्षा लादी नहीं जायेगी। अगर वहाँ के विद्यार्थी किसी धर्म की शिक्षा लेना चाहेंगे तो उन को उस धर्म की शिक्षा दी जायेगी। ऐसी हालत में इन संस्थाओं का नाम हिन्दू यूनिवर्सिटी या मुस्लिम यूनिवर्सिटी रखने की कोई आवश्यकता मैं नहीं समझता। अगर यह कहा जाय कि हिन्दुओं ने हिन्दू यूनिवर्सिटी के बनने में चन्दा दिया और मुस्लिमों ने चन्दा दिया मुस्लिम यूनिवर्सिटी के बनने में इस लिये इस प्रकार के नाम रखना जरूरी है, तो मैं कहना चाहता हूँ कि यह पुराने जमाने का इतिहास है जब अंग्रेज लोग इस मुल्क में मौजूद थे और अंग्रेजी शिक्षा का ढंग कुछ ऐसा था कि भारतीयता का नाम उस में नहीं आने पाता था और अंग्रेजी शिक्षा के प्रभाव में पड़ कर लोग दूसरे धर्म की तरफ झुकते थे। उस समय के नेताओं ने उस समय के लिये जरूरी समझा होगा कि देश के अन्दर धार्मिक भावना को कायम रखने के लिये ऐसी

संस्थाओं की जरूरत है। मेरे मन में महामना मालवीय जी और मुस्लिम यूनिवर्सिटी के संस्थापक सर सैयद अहमद के लिये बड़ा मान है। लेकिन अब १९५१ ई० में इस प्रकार की संस्थाओं की हिन्दुस्तान में जरूरत नहीं है जिन के नाम के साथ हिन्दू और मुसलमान शब्द जुटे हों। इस लिये मैं सरकार से अनुरोध करूंगा और जो सिलेक्ट कमेटी बनी है उस के सदस्यों से मैं अनुरोध करूंगा कि इस आवरण के रखने की कोई जरूरत नहीं है। ऐसे ओढ़ने को रखने की क्या जरूरत जो ओढ़ने के लायक ही नहीं रह गया। और इस सम्बन्ध में ऐसे नाम रख कर क्या हम दुनिया और वहां पढ़ने वाले जो विद्यार्थी हैं उन को भी धोखे में नहीं डालेंगे ? जब हिन्दू यूनिवर्सिटी में तमाम वर्ण, धर्म और जाति के लोग पढ़ सकते हैं फिर इन साम्प्रदायिक नामों की क्या आवश्यकता ? वहां जो विद्यार्थी स्वतन्त्र हिन्दुस्तान के पढ़ेंगे, उन के सामने यह सवाल पैदा होगा कि इस का नाम हिन्दू यूनिवर्सिटी क्यों रक्खा गया जब कि वह देखेंगे कि उस में सभी धर्म वाले पढ़ते हैं। इस सवाल का जवाब कोई प्रोफेसर नहीं दे सकेगा, और किसी प्रोफेसर या वाइस चान्सलर (Vice Chancellor) के पास जा कर कोई विद्यार्थी कहे कि क्यों साहब इस का नाम हिन्दू क्यों हुआ जब इस में सभी पढ़ते हैं, या अलीगढ़ यूनिवर्सिटी का छात्र जो किसी धोखे में नहीं है, दिमाग जिस का साफ है, अपने आचार्य से पूछेगा तो मैं समझता हूँ कि कोई वाइस चान्सलर या प्रोफेसर इस का उचित उत्तर नहीं दे सकेगा। यह एक दुखद बात होगी कि विद्यार्थियों के दिमाग पर ऐसा असर पड़े जिस की हिन्दुस्तान में जरूरत नहीं है। इस लिये आज जो सब से पहिली बात मैं कहना चाहता था वह यह कि इन दोनों यूनिवर्सिटियों के

नाम बदल दिये जायें। इन के नाम या तो संस्थापक के नाम से रखे जायें या इन के नाम अलीगढ़ और बनारस यूनिवर्सिटी रखने चाहियें। ऐसा किया जाय तो ज्यादा बेहतर होगा। हिन्दुस्तान की आगे आने वाली औलाद इस प्रकार किसी प्रकार की मुश्किल और श्रवहे में नहीं पड़ेगी। साम्प्रदायिक भावना जो नाम से पैदा होती है उस की जरूरत शिक्षा संस्थाओं में नहीं है। व्यक्तिगत घरों में या परिवार में धार्मिक शिक्षा का स्थान है। धर्म का पालन, धर्म के आदेशों पर चलना तो हिन्दुस्तान में हमेशा से है ही। लेकिन शिक्षा संस्थाओं में विद्यार्थियों के दिमाग में इस प्रकार का भाव पैदा होना जिस से संकीर्णता की बात उन के दिमाग में आये अच्छा नहीं है। हमें ऐसा हस्तजाम करना चाहिये कि हिन्दुस्तान के छात्रों में ऐसे भाव न आयें।

दूसरी बात जो मैं कहना चाहता हूँ वह यह है कि यहाँ कहा गया है कि दोनों संस्थाओं में, अगर हिन्दू यूनिवर्सिटी के विद्यार्थी यह चाहेंगे कि उन को हिन्दू धर्म के पढ़ाने का हस्तजाम किया जाय तो वह किया जायगा, मुस्लिम यूनिवर्सिटी में मुस्लिम विद्यार्थी चाहेंगे तो उन को मुसलमान धर्म पढ़ाने का हस्तजाम किया जायगा। अगर विद्यार्थी के चाहने से ही सारा काम होने वाला है तो क्यों बनारस हिन्दू यूनिवर्सिटी या किसी यूनिवर्सिटी में सही। जो दूसरे मजहब के विद्यार्थी हैं अगर वह चाहते हैं कि वह अपने मजहब की बात सीखें तो क्यों न गवर्नमेंट इस का हस्तजाम करे जब कि यूनिवर्सिटी सरकार से पैसा पाती है। इस लिये मैं समझता हूँ कि धर्म या मजहब की शिक्षा जो है, एक ऐसी बात है जिस को हम में से बहुत से लोग नहीं समझते। धर्म

के विद्यार्थी हिन्दू धर्म के इयादा ज्ञाता होते हैं या मुस्लिम यूनिवर्सिटी से निकल कर मुसलमान धर्म को वहाँ के विद्यार्थी इयादा जानते हैं यह बात नहीं है। यह सब धोखे की चीज है। इस लिये यूनिवर्सिटियों का कानून बनाने समय हम लोगों को इस बात का ध्यान रखना चाहिये कि हम प्रकार की किसी चीज का समावेश नहीं होना चाहिये। लेकिन जो सब प्रकार के धर्मों के तुलनात्मक सिद्धान्त, धार्मिक इतिहास के तुलनात्मक अध्ययन का समावेश हर एक यूनिवर्सिटी में होना चाहिये। कहीं कम कहीं इयादा। हो सकता है कि हिन्दू यूनिवर्सिटी हिन्दू धर्म के बारे में विशेष लाइब्रेरी रखे, विशेष अध्ययन की योजना करे, उसी तरह मुसलिम यूनिवर्सिटी में मुस्लिम धर्म के जो सिद्धान्त हैं उन के विशेष अध्ययन का प्रबन्ध करे। लेकिन नाम रख कर यह स्वीकार करना कि वह विशेष हिन्दू धर्म की है या दूसरी विशेष मुसलमान धर्म की है यह ठीक नहीं है। इस लिये दूसरी बात में कहना चाहूंगा कि धार्मिक शिक्षा का जहाँ तक सवाल है उस को हटा दिया जाय तो अच्छा है। जैसे और यूनिवर्सिटियों में शिक्षा मिलती है वैसी ही अलीगढ़ और बनारस यूनिवर्सिटी में भी मिले तो यह इयादा अच्छा होगा।

अभी हमारे लायक दोस्त इन्धाम हुसैन साहब ने कहा कि यूनिवर्सिटी के जो अधिकार हैं उन में सरकार हस्तक्षेप करना चाहती है। देश के स्वतन्त्र होने के बाद ऐसी तजवीज होना कि सरकार कुछ संस्थाओं के अधिकार अपने हाथ में ले ले यह उचित नहीं है। सिद्धान्ततः मैं इस को उचित समझता हूँ कि शिक्षा की संस्थाओं पर सरकार का

बहुत ऊँचा चाँबू हिन्दुस्तान में रही है और दूसरे मुल्कों में रही है। धर्म के ऊँचे ऊँचे आदर्श सभी में हैं। कोई धर्म ऐसा नहीं है दुनियाँ में जिस का आदर्श ऊँचा न हो। लेकिन फिर भी हम ने देखा है हिन्दुस्तान के इतिहास में और दुनियाँ के इतिहास में कि धर्म के नाम पर खून की नदियाँ बही हैं। मुझे यह बात कहने में गर्व होता है कि हिन्दुस्तान के अन्दर मजहब के नाम पर इस तरह की कोई चीज नहीं हुई थी जैसी कि हिन्दुस्तान के स्वतन्त्र होने के बाद हुई, मजहब के नाम पर एक भाई ने दूसरे भाई का गला काटा है, एक भाई ने दूसरे भाई की गर्दन लेने की कोशिश की है। धार्मिक शिक्षा का असली तात्पर्य जानना भी कठिन है। पंडित के पास जाइये तो वह दूसरी बात बतलायेगा, मौलवी के पास जाइये तो वह दूसरी बात बतलायेगा, और हमारे राष्ट्र तीसरी बात बतलायेगा। इस लिये हम इस क्षेपे में शयो पड़े। यूनिवर्सिटी में वच्चे नहीं पढ़ते हैं, यूनिवर्सिटी में प्रौढ दिमाग के लड़के आते हैं, जिन के दिमाग स्कूलों में पढ़ते पढ़ते पक्के हो गये हैं वह यूनिवर्सिटियों में आते हैं, उन के लिये धर्म की शिक्षा की आवश्यकता नहीं है। या अगर धार्मिक शिक्षा का इत्तजाम यूनिवर्सिटी में होना चाहिये तो धर्म का जो इतिहास है, धार्मिक संस्थाओं का जो इतिहास है, जो धर्म की फिलासफी है उस का तुलनात्मक अध्ययन होना चाहिये। धार्मिक शिक्षा का इत्तजाम जो हम जारी करेंगे उस की क्या आवश्यकता है? धर्म की शिक्षा घर में और समाज में

होता है। हिन्दुस्तान में प्राचीन काल से शिक्षा सरकार के मातहत नहीं रही। देश के जो आन्ध्रमै लोग थे, देश को भलाई करने वाले सुधारक लोग हुए, उन्होंने ने अपनी स्वतन्त्र संस्थाएँ बना कर गुरुकुल स्थापित कर के उन को कुलपतियों के अधिकार में रखा। सरकार से पैसा अवश्य मिलता था लेकिन किसी प्रकार का अधिकार सरकार को नहीं था। आज अगर ऐसी बात सम्भव हो तो मैं इस का स्वागत करूँगा। लेकिन आज जिस प्रकार सरकार का काम बढ़ता जा रहा है, सरकार का काम पहले लड़ाई करना और रक्षा करना था। आज की सरकार खाने में, पीने में और छोटी से छोटी चीज में दखल देती है। ऐसी अवस्था में अगर हम इस बात की आशा करें कि सरकार शिक्षा संस्थाओं को चलाने का पूरा खर्च देते हुए उन पर नियन्त्रण न रखे यह सम्भव नहीं है। आज के समाज की अवस्था में अब सरकारी नियन्त्रण से शिक्षा संस्था को बचाना संभव नहीं है।

इस लिये जब सरकारी खजाने से रुपया जाता है तो सरकार का यह कर्तव्य है कि उस पर उचित नियन्त्रण करे। हो सकता है कि सरकार उस नियन्त्रण के व्यवहार करने में गलती करे लेकिन यह तो ऐसी खराबी है जिस से हमें छुटकारा नहीं हो सकता। इस लिये आज कल के जमाने में सरकार का नियन्त्रण जरूरी है। अभी मेरे भाई ने कहा कि जो स्वतन्त्रता उस को अंग्रेजी जमाने में थी उस को भी हम खत्म कर रहे हैं। हम भी उस वक्त में रहते थे। उस समय यदि सरकार का सीधा नियन्त्रण नहीं रहता था तो टेढ़ा नियन्त्रण रहता था। इस लिये उसे ठीक ठीक मुनासिब नहीं है।

अभी तक जो यूनिवर्सिटियों के संचालक हैं उन में विभिन्नता पाई जाती है। विभिन्न यूनिवर्सिटियों में भिन्न भिन्न नियम हैं। कहीं वाइस चांसलर चुने जाते हैं और कहीं नामीनेशन द्वारा नियुक्त किये जाते हैं। मैं समझता हूँ कि यूनिवर्सिटी कमीशन ने यूनिवर्सिटीज के सुधार के सम्बन्ध में जो बातें व्यक्त की हैं उनका समावेश करने के लिये जितनी भी धारयाँ और हिस में लाने की आवश्यकता हो उन को भी लाया जाय।

इन शब्दों के साथ मैं फिर माननीय मन्त्री जी से अनुरोध करूँगा कि वह हिन्दू और मुसलमान के नाम को हटाये, और धार्मिक शिक्षा जिस रूप में है उस को बदल कर धार्मिक इतिहास और धार्मिक सिद्धान्तों की शिक्षा का समावेश सभी यूनिवर्सिटियों में हो ऐसा इन्तजाम करें। आज सन् १९५१ में किसी संस्था का किसी धर्म व नाम रखने से न केवल उस संस्था की संकीर्णता प्रकट होती है वरन् हमारे देश की भी संकीर्णता प्रकट होती है।

अन्त में मैं यह कहूँगा कि यह जो बनारस यूनिवर्सिटी एमेंडमेंट बिल के क्लॉज ४ में और अलीगढ़ यूनिवर्सिटी एमेंडमेंट बिल के क्लॉज ५ में हैं: "The University shall be open to persons of either sex....." तो आज सन् १९५१ में यह बात सेक्स (sex) की रखने की क्या आवश्यकता है: हमारे विधान में साफ कर दिया है कि सेक्स की वजह से कोई भेद नहीं किया जायगा। जब यह बात हमारे संविधान में है तो फिर इस को यहां रखने की कोई आवश्यकता नहीं है। इस लिये मैं चाहूँगा कि इस शब्द को निकाल दिया जाय। इस से

[श्री एस० ऐन० दास]

यह प्रकट हो सकता है कि इस से पहिले संस्थाओं में स्त्रियों के लिये कोई इन्तिजाम नहीं था और इस वजह से कहा गया है कि अब यह चीज हटा दी जाय। यहां तो पहिले भी किसी संस्था में इस प्रकार का कोई भेद नहीं किया जाता था।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

(English translation of the above speech)

Shri S. N. Das (Bihar): Sir, the main purpose of the two Bills just moved in the Parliament is to change the provisions that sustain the existence of communal sentiments and communal education in both these Universities. I am sure the Government have taken a right step by bringing these Bills. With that, however, I want to add that it would have been in the fitness of things if all the suggestions made by the University Commission in the context of the changed circumstances in the country were incorporated in these Bills which should then have been presented to us. I also think that the Government has not given full consideration to the problem by taking stock of the public opinion which is expressed through news-papers from time to time. Or, even if they have given some thought, they have not attempted to incorporate all the recommendations of the University Commission in the body of these Bills. So far as the objects of these Bills go, they only indicate that the Government do not wish to proceed in this connection at the present juncture. The first thing that I want to submit to the House is that in the present circumstances in the country there is no need of institutions whose names do not justify their work. As is apparent from these Bills, no discrimination would now be made on grounds of caste, creed or religion in the matter of administration and education in the two Universities. Previously, that was not so. Then such discrimination existed there; but the Bills before us show that no discrimination would be observed in these Universities now. They also lay down that religious instruction would not be made obligatory on the students of these Universities. It would be given only to those who wish to receive it. Under these circumstances, I see no

point in retaining the names of these institutions as the Hindu University and the Muslim University. If the plea is put forth that Hindus collected funds for the establishing of the Hindu University and Muslims for that of the Muslim University and so these names should remain, I would say that now it is only past history, of a time when the Britishers ruled the country and the system of education was such that the Indian culture hardly found a place there and under the influence of the English education the people got inclined towards other religions. At such a time, our leaders would have felt the necessity of such institutions in order to keep alive the religious faith and sentiment. I have great esteem for Mahamana Malaviyaji and for the founder of the Muslim University, Sir Syed Ahmad Khan. But now, in the year 1951, there is no need in India of institutions whose names are allied with the words Hindu and Muslim. Therefore, I would plead with the Government and the members of the Select Committee that there is no justification for continuance of these titles. Where is the use of retaining a thing that has lost its worth? By refraining from having such names we shall also be keeping out of delusion the world at large as well as the students receiving education there. When persons belonging to any creed, caste or religion can get education in the Hindu University what is the purpose in giving it a communal name? The question will pose itself before students of free India who will receive education there as to why the institution was given the name of Hindu University when persons of all faiths received education there. And if a student were to ask his Professor or the Vice-Chancellor why the title Hindu existed when all could receive education there, they would not be able to give any answer. Similarly, if a student of the Aligarh University, who is not under any illusion and who has a clear mind, were to put that question to his Professor, I think the Professor or the Vice-Chancellor would not be able to give a satisfactory reply to that question. It would indeed be a sorry circumstance if our students are allowed to be influenced by something which is not required in India any more. So the first point I wanted to make is that the names of these Universities should be changed. Their names should either be after their founders or they should simply be the Aligarh and the Banaras University. The coming generation of the country would thus remain under no illusion. In educational institutions there is no place for communal sentiments that are

born of names. Religious education has its proper place in private homes and families. In India there has always been the observance of religious principles. But it is not proper to fill their minds with such feelings in educational institutions for it is likely to create narrowness in their viewpoint. We must set matters in such a way that such feelings may not be imported into the minds of the students of our country.

It has been prescribed that if the Hindu students of the Hindu University wish to receive religious instruction in the Hindu religion and the Muslim students of the Muslim University in Muslim religion, arrangements would be made for giving such education. For that I would ask if these things are going to be done according to the wishes of the students, then, if the students of other religions studying at the Banaras University or at any other University, want to be given instruction in their respective religions, why should not the Government see to it that the University makes arrangements for the same when it gets a grant from the Government? I think, therefore, that the subject of giving instruction in religion is a matter the import of which many of us do not realize. Religion has been a thing sublime in India as also in other countries. High principles are found in all religions. There is no religion in the world that does not have high ideals. In spite of that, however, we find in the history of India, and in the history of the world, what massacres have taken place in the name of religion. I am proud to say there happened no such thing in the name of religion in India till after independence when men slaughtered their fellowmen in the name of religion. It is also difficult to know the purpose of religious education. Go to a Pundit and he would say one thing; go to a Maulvi, he would say something else; go to the leaders of the country and they would tell you a third thing. Why should we, then, land ourselves in this middle? Not children, but boys of ripe minds, boys whose minds have matured in receiving education in schools, come to the Universities. They have no need of religious instruction. Or, if arrangements must be made for religious education in the Universities, then the instruction should be given in the history of religion, in the history of religious institutions, in the comparative study of religious philosophy. What is the necessity of making arrangements for religious instruction? Religious education is imparted in the home, in the society and at other places. With

whatever little knowledge I have of the Universities, I can say that it is a delusion to think that the students coming out of the Hindu University have any more grasp of the Hindu religion or that the students coming out of the Muslim University have any more understanding of the Muslim religion. So in enacting a law for the Universities we must keep in mind that no such thing is incorporated therein. There should instead be the inclusion of instruction in the comparative study of the principles of various religions, in the comparative study of religious history in all the Universities. There may be a difference of degree. The Hindu University would probably maintain a special library containing literature on Hindu religion, and would probably make special arrangements for that kind of study. In the same way, the Muslim University would probably make arrangements for the study of the principles of Muslim religion. But to distinguish them by name and to recognize them as mainly giving instruction in Hindu or Muslim religion is not proper. Therefore my second point is that the provision for religious education should better be removed, and the education in the Aligarh and Banaras Universities should be on the lines of other Universities.

Our able friend Shri Hussain Imam said that the Government wanted to interfere with the rights of a University, that it was not becoming for the Government, after we have achieved independence, to make arrangements by which they usurp the rights of some institutions. In principle, I think that the Government should exercise no power over educational institutions. The Government runs on a tradition; it has a particular way. In India the matter of education has never been under Government control since olden times. The reformers and the well-wishers of the country set up their own institutions and established Gurukulas and the Acharyas of these Gurukuls carried on the work under Kulapatis (chancellors). No doubt, grants were received from the Government but it had no administrative hold over them. If that is possible now, I would welcome it. But the functions of Government are on the increase these days. Formerly the work of the Government was to wage wars and protect the people. The Government of today interferes in matters of food and drink and other small affairs. Under these circumstances, we should not expect them to bear all the expenditure without exercising any control. In the social set-up of today it is not possible to exclude educational institutions.

[Shri S. N. Das]

from exercise of Governmental control. So the money spent from Government treasury warrants that Government should extend proper control over them. It is possible that a Government may not use its power to exercise control in a right manner. But this is an evil from which there is no escape. Therefore, Government control is necessary in the present times. Just now my friend said that the independence we had in this matter under the British rule is being finished now. I also lived in their time. If they did not use direct control, they exercised indirect influence. So a comparison is not proper.

There is still to be found a difference in the method of appointment of the Heads of various Universities. In some the Vice-Chancellors are elected; in others they are nominated. I think that all the suggestions made by the University Commission with regard to improving their condition should also be included in the provisions of the Bills.

With these words I would again request the hon. Minister to remove the names Hindu and Muslim and change the present form of religious instruction into instruction in religious history and religious principles and make arrangements for their introduction in all the Universities. Giving an institution a name on some religious basis in the year 1951 not only indicates the narrow-mindedness of that institution but also of the country.

In the end, I would say that in the modern era there is no need of the provision made in Clauses 4 and 5 of the amending Bills relating to the Banaras and Aligarh Universities, respectively, which runs that "the University shall be open to persons of either sex.....". There is no point in putting the word 'sex' when our Constitution has made it clear that no discrimination will be made on the grounds of sex. When it is there already in our Constitution, there is no need to provide for it here. So I plead for the exclusion of these words. Their presence may go to indicate that in the past there was no place for women in these institutions and therefore that lacuna is being removed now, while the fact is that no such difference was observed previously.

With these words I support the Bills.

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

Babu Ramnarayan Singh: I had to say something.....

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

The question is:

"That the question be now put."

The motion was adopted.

مولانا آزاد : جناب میرا مقصد تو یہ تھا کہ سلیکٹ کمیٹی (Committee) میں یہ بل جا رہا ہے - سلیکٹ کمیٹی کی رپورٹ آنے کے بعد ہم کو اس پر بحث کرنے کا پورا موقع ملے گا۔ اس لئے دو مرتبہ بحث کیوں ہو اس لئے میں نے بحث نہیں کی - میں سمجھتا ہوں اب بھی مجھے بحث میں حصہ نہیں لینا چاہیے - کمیٹی کی رپورٹ آنے کے بعد ہمیں پورا موقع ملے گا کہ معاملے کے ہر پہلو پر نظر ڈالیں -

[Maulana Azad: Sir, my object was that as the Bill was being referred to the Select Committee, we could have an opportunity for a full scale discussion on the Bill after we had received the report of the Select Committee and that it should not be debated twice; So I have not discussed it. I think I should not take part in the debate even now. We shall have an opportunity to discuss this matter in all its aspects after we receive the Select Committee Report.]

श्री कानत: उपाध्यक्ष महोदय, मैं माननीय शिक्षा मंत्री तथा संसद् सेवा में एक छोटा सा सुझाव पेश करना चाहता हूँ। मेरा ख्याल यह है कि जो विषय इस मोशन में निहित है वह इतने सरल नहीं हैं कि सिलेक्ट कमेटी अपना काम तीन तारीख तक खत्म कर सके। इसलिये रिपोर्ट करने का समय बढ़ा दिया जाय और तीन तारीख से बदल कर दस तारीख

कर दी जाय। दूसरी बात मुझे आप से यह मालूम करनी है कि क्या इस सेशन का समय भी बढ़ाया जा रहा है। मैं ने सुना है कि १५ के आगे भी समय बढ़ाया जायगा। क्या यह बात सही है? क्या आप इस पर रोशनी डालेंगे?

Shri Kamath: Sir, I would like to make a small suggestion to the hon. Minister of Education. I think the issues involved in it are not so simple as to enable the Select Committee to submit its report by the 3rd September. It is therefore requested that the time to report be extended from 3rd to 10th September. The second thing that I would like to know from you is whether the term of the present session of Parliament is also being extended. I have heard that it is being extended even beyond the fifteenth. Is that a fact? Would you please throw light on it.]

Mr. Deputy-Speaker: As regards the first point that the time may not be enough.....

مولانا آزاد : بہت کافی ہے ایک
ہفتہ سے زیادہ کی ضرورت نہیں۔

[**Maulana Azad:** It is sufficient. Nothing more than a week's time is required.]

Mr. Deputy-Speaker: That is the view of the hon. Minister. If, however, it takes more time we can always have the time extended—but if possible the Select Committee will report within that time.

As regards the other point, that is, whether the sitting will go beyond the 15th or not, of course, the hon. the Leader of the House will make a statement about it as soon as possible, if there is still a doubt in the minds of hon. Members.

The question is:

"That the Bill further to amend the Banaras Hindu University Act, 1915, be referred to a Select Committee consisting of Shri Jaipal Singh, Prof. K. T. Shah, Shri Shankarrao Deo, Shrimati G. Durgabai, Dr. Bakhshi Tek Chand,

Pandit Hirday Nath Kunzru, Pandit Govind Malaviya, Dr. R. U. Singh, Dr. Zakir Husain, Dr. Syama Prasad Mookerjee, Syed Mohammad Ahmad Kazmi, Syed Nausherali, Shri Mohammad Hifzur Rahman, Rev. J. D'Souza, Dr. P. S. Deshmukh, Shri M. A. Ayyanger, Shri R. K. Sidhva, Seth Govind Das, Dr. Mono Mohon Das, Shri Deshbandhu Gupta and the Mover, with instructions to report by the 3rd September 1951."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Aligarh Muslim University Act, 1920, be referred to a Select Committee consisting of Shri Jaipal Singh, Prof. K. T. Shah, Shri Shankarrao Deo, Shrimati G. Durgabai, Dr. Bakhshi Tek Chand, Pandit Hirday Nath Kunzru, Pandit Govind Malaviya, Dr. R. U. Singh, Dr. Zakir Husain, Dr. Syama Prasad Mookerjee, Syed Mohammad Ahmad Kazmi, Syed Nausherali, Shri Mohammad Hifzur Rahman, Rev. J. D'Souza, Dr. P. S. Deshmukh, Shri M. A. Ayyanger, Shri R. K. Sidhva, Seth Govind Das, Dr. Mono Mohon Das, Shri Deshbandhu Gupta and the Mover, with instructions to report by the 3rd September 1951."

The motion was adopted.

Mr. Deputy-Speaker: Under the rules, the Deputy-Speaker, if he is a member of the Select Committee, has to be the chairman. So, the Deputy-Speaker will be the chairman of both these Committees.

GOVERNMENT OF PART C STATES
BILL—contd.

Mr. Deputy-Speaker: The House will now take up further consideration of the Government of Part C States Bill. The consideration stage is over and we shall now take up clause 2.

Shri Kamath (Madhya Pradesh): May I submit, before the House proceeds further, that the amendments that have been tabled by the Mover himself, the hon. Minister of States, are of such complex and varied character that I feel that the whole matter deserves to be discussed afresh. The spate of amendments that have come from him as well as the amendments tabled by hon. Members reveal that Government has

[Shri Kamath]

changed their original plan beyond recognition.

Mr. Deputy-Speaker: I can easily understand the difficulty of hon. Members. There are a number of amendments which have been tabled by the hon. Minister. Possibly most of them are agreed amendments and have been tabled in consultation with many Members. Still there can be difference of opinion. Though I called clause 2 for consideration, I have no objection, if it is the wish of the House, to the hon. Minister referring to the salient features of the amendments in general. So far as Members are concerned, instead of once again starting a general discussion on the whole matter they may confine themselves to discussion clause by clause and take into consideration what the hon. Minister in general says, so that all the amendments may be taken as a whole in trying to find out how far each individual clause can be considered. Sufficient time and sufficient opportunity will be given to hon. Members on each individual clause to discuss the points raised by the hon. Minister—they need not start another general discussion. Therefore, for the purpose of convenience, and to understand the Bill and the modifications that the Government itself proposes to introduce, I shall call upon the hon. Minister to make, if he is willing, general observations regarding the nature of amendments to clause 2.

Pandit Thakur Das Bhargava (Punjab): I would respectfully submit one point for your consideration. The changes proposed are of such a drastic nature that I can almost say that the whole Bill is changed. In regard to certain States where there are no Legislative Assemblies, new Assemblies are to be set up. As regards the powers of the Chief Commissioners in those States, and as regards Delhi itself, the changes are so many and so drastic. Therefore, I would respectfully ask that when clause 2 is taken up and the hon. Minister makes the statement suggested by you, at that time a general discussion for some time may be allowed so that all Members may understand the changes. You may fix the period—I do not want to prolong this Bill—but something general may be said about the whole scheme of the Bill which has been so changed now. As a matter of fact, if all the amendments are taken into consideration it is a new Bill altogether. I therefore submit that it is a fit case in which some time should be allowed for general discussion.

Shri Sivan Pillay (Travancore-Cochin): There are two sets of amendments for clauses 1 to 10. It is so confusing and we do not know which amendments the hon. Minister is going to press.

Pandit Kunrru (Uttar Pradesh): I agree with my hon. friend Pandit Thakur Das Bhargava in suggesting that the changes are of such an important character as virtually to place a new Bill before us. It is desirable therefore that the hon. Minister in charge should make a few general observations in order to make clear not merely the scope of the amendments but the policy of the Government and their future intentions with regard to the development of the States that are affected by the Bill. It is further necessary that we should be told clearly what is the reason for making the far-reaching changes embodied in the official amendments. In addition to this, it is very necessary that although the consideration stage of the Bill is over we should be allowed to offer general observations in regard to the scheme of what I may call the new Bill that the hon. Minister has placed before us.

Mr. Deputy-Speaker: I can only say this. When last time this Bill was taken into consideration, I found a number of hon. Members rising in their seats and saying that the provisions were defective and that they had to be extended to various other States and so on. Some conferences were held and also informal meetings, and I believe that as a result of those conferences and informal discussions the final draft now placed before us has been evolved by Government. Once again to say "What is the object of all this?" looks strange to me. It is in pursuance of the desire of the House that the other States must be brought into line with Part A and Part B States as far as possible and must be given as much representation as possible and it is in order to meet that desire and that demand on the part of Members of this House that this has been brought in. I do not think it is right for me to allow a general discussion with respect to clause 2 and there is no provision to do so. But in order to make hon. Members understand the general scope of the amendments, I would ask the hon. Minister to make a few general observations with regard to the amendments that he proposes to introduce. But so far as general discussion is concerned, I shall confine it to clause 2 only and the amendments thereon. Not that the other amendments will not be discussed, but discussion will be allowed freely on the

other clauses when each one of them is taken up.

Shri Deshbandhu Gupta (Delhi): Before the hon. Minister makes a statement or general observations, I want to make a submission. You will find that in this Bill, which as Pandit Kunzru said is a new Bill, some changes have been made with a view to enlarging the scope of responsible Government for certain States whereas there has been a retrograde step taken in respect of the State of Delhi.

The Minister of Home Affairs (Shri Rajagopalachari): I think we must decide whether to have a discussion on the subject or not. Under cover of making an observation, he is dealing with clause 26.

Shri Deshbandhu Gupta: I am only trying to draw a distinction between Delhi and other States and seek your indulgence.

The Minister of States, Transport and Railways (Shri Gopaldaswami): Do I understand that speeches are allowed now on the different clauses of the Bill?

Shri Deshbandhu Gupta: I am not making any speech. I am making a point for the consideration of Mr. Deputy-Speaker. I do not want to hold over this Bill or delay its passage. That has been my view from the beginning, but I only want to make it clear that since the scope of discussion on a particular clause is limited, therefore, in the case of a Bill like this, where a drastic change has been made, you should very kindly allow full scope for discussion when clause 26 comes up, so that the various points of view may be brought forward. That is one point. The second point is that my hon. friend has given notice of amendments which really do not relate to or fit in with the Statement of Objects and Reasons.

Shri Sidhva (Madhya Pradesh): But the Statement of Objects and Reasons is not part of the Bill.

Shri Deshbandhu Gupta: But the objects are so well defined here that it will be a contradiction of the Statement of Objects and Reasons if some amendment is now made to be in accordance with what my hon. friend wants now. This may also be borne in mind and the Statement may be suitably amended if necessary.

Mr. Deputy-Speaker: Not necessary.

Shri Dwivedi (Vindhya Pradesh): You were pleased to state that Part C States should be given representation as far as possible. May I know what

you mean by 'as far as possible'? Is the limitation constitutional or otherwise?

Mr. Deputy-Speaker: The hon. Member need not take me to be an expert on what has been done in this matter. I only stated generally that in order to meet the demand of several Members a number of changes have been made. They may be satisfied or may not be satisfied. They will have ample opportunity to represent their point of view when each clause is taken up.

Shri T. N. Singh (Uttar Pradesh): In your observation a little while ago, you said that the general consensus of the House was for the amendment of this Bill in a particular direction. So far as I remember, no such general sense was expressed in the House this way or that way. Certain Members of Part C States had some private talks with the Minister concerned and the House itself was not involved. So, on this point I would like to have some clarification from the hon. Minister.

Mr. Deputy-Speaker: The House is concerned. Of course, it is open to any hon. Member who is opposed to grant of any concessions to Part C States to get up and quarrel with the other Members.

Clause 2 relates to definition. In view of the desire expressed, I shall, if the House so desires, pass over clause 2 and call clause 3, where there will be a large scope for discussion.

Shri Gopaldaswami: It may conduce to convenience of discussion and consideration of the amendments if you, Sir, would call clauses 2 to 10. My first amendment relates to clauses 2 to 10, and to clause 1 also, but as clause 1 is usually taken up at the end of the debate, we may leave it out, and you may call clauses 2 to 10.

Mr. Deputy-Speaker: I have no objection. In view of the general desire of the House to have an opportunity to discuss all the relevant and important matters, I shall pass over the rule and call clauses 2 to 10 together. With respect to the amendments, when they come in, I shall put the amendments with respect to each clause separately.

12 Noon

Clauses 1 to 10

Shri Gopaldaswami: I beg to move:

For clauses 2 to 10, substitute:

"1. Short title and commencement.—(1).....

(2) This section and sections 2, 3, 11, 13, 14, 15, 22, 46A, 46B and 47 and the First, Second, Third and

[Shri Gopalaswami]

Fifth Schedules shall come into force at once, and the remaining provisions of this Act shall come into force on such date or dates as the Central Government may by notification in the Official Gazette appoint, and for this purpose the Central Government may appoint different dates for different provisions of this Act and for different States:

Provided that the provisions of sections 3, 11, 13, 14, 15 and 22 shall not come into force in any of the States of Kutch, Manipur and Tripura until such date or dates as the Central Government may by notification in the Official Gazette appoint in this behalf.

2. *Interpretation.*—(1) In this Act, unless the context otherwise requires—

(a) 'article' means an article of the Constitution;

(b) 'Assembly Constituency' means a constituency provided by order made under sub-section (2) of section 11 for the purpose of elections to the Legislative Assembly of a State;

(c) 'Delhi' except where it occurs in the expression 'State of Delhi' means such area in the State of Delhi as the Central Government may by notification in the Official Gazette specify;

(d) 'Election Commission' means the Election Commission appointed by the President under article 324;

(e) 'Judicial Commissioner' includes an Additional Judicial Commissioner;

(f) 'New Delhi' means such area in the State of Delhi as the Central Government may by notification in the Official Gazette specify;

(g) 'State' means any State specified in Part C of the First Schedule to the Constitution other than Bilaspur.

(2) For the purposes of this Act, the castes specified in the First Schedule shall be the Scheduled Castes in relation to the Part C State under which they are so specified, and the tribes specified in the Second Schedule shall be the Scheduled Tribes in relation to the Part C State under which they are so specified.

(3) Any reference in this Act to the Chief Commissioner shall, in relation to a State for the time being administered by the President through a Lieutenant-Governor, be construed as a reference to the Lieutenant-Governor.

(4) Any reference in this Act to laws made by Parliament shall be construed as including a reference to Ordinances made by the President under article 123.

PART II

LEGISLATIVE ASSEMBLIES

3. *Constitution of Legislative Assemblies and their composition.*—(1) There shall be a Legislative Assembly for each State.

(2) The allocation of seats in the Legislative Assemblies of the States of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh shall be as shown in the Third Schedule.

(3) In the Legislative Assembly of each State specified in the first column of the Third Schedule there shall be the number of seats specified in the second column opposite to that State which shall be filled by direct election, and of those seats—

(a) the number specified in the third column shall be the number of seats reserved for the Scheduled Castes, and

(b) the number, if any, specified in the fourth column shall be the number of seats reserved for the Scheduled Tribes.

(4) The composition of the Legislative Assembly of any State which is not specified in the first column of the Third Schedule shall be such as the President may by order specify in relation to that State.

(5) As from the date on which the Legislative Assembly of Coorg is, after having been duly constituted under the provisions of this Part, summoned to meet for its first session, the Coorg Legislative Council shall cease to function and shall be deemed to be dissolved."

[PANDIT THAKUR DAS BHARGAVA in the Chair]

Shri Sarwate (Madhya Bharat): Sir, I rise to a point of order. This Bill comes within the purview of article 117

of the Constitution and as such requires the previous recommendation of the President for its introduction.

I may in this connection also refer to clause 44 of the Bill, sub-clause (1) of which says:

"As from the 1st day of April, 1952, all revenues received by the Government of India in a State in relation to any matter enumerated in the State List, all revenues received by the Chief Commissioner and all grants made from the Consolidated Fund of India to the State shall form one Consolidated Fund to be entitled 'the Consolidated Fund of the State'."

Sub-clause (1) (c) and (f) of article 110 of the Constitution says that a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters:

"(c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;

* *

(f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State;"

This relates to audit, and the article is this:

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters....."

It deals with audit matters. And article 117(1) lays down:

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President....."

Shri Sidhva: How is it a Money Bill?

Shri Sarwate: It does not require to be a Money Bill. Article 117 (1) says if it is a Bill which makes provision for any of the matters specified in article 110(1), it shall not be introduced or moved except on the recommendation of the President.

Shri Gopalaswami: May I rise to a point of order on the hon. Member's point of order? May I suggest that

this point of order might be taken up when we come to that particular clause? I do not think that we should take it up as a point of order in connection with the Bill as a whole.

Shri B. Das (Orissa): If any point of order arises, my friend Mr. Sarwate should have got up when the Bill was introduced. The House has already given its consent for the introduction of the Part C States Bill. So the question of the President's consent does not arise.

Pandit M. B. Bhargava (Ajmer): There was a reference to this in the President's address.

Shri Lakshmanan (Travancore-Cochin): Article 110 only says:

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, etc."

This Bill contains provisions other than those enumerated under heads (a) to (f) of article 110(1). Therefore this article has no relevancy here.

Shri Gopalaswami: I have a complete answer to that, but I thought we might save time if we took it up when that clause comes.

Mr. Chairman: As pointed out just now, the objection should not have been taken at this stage. We have already passed the consideration motion of the Bill.

Secondly, even if a Bill is introduced and is being considered, the only point is that it cannot be passed unless the President's consent has been given—according to article 117(3). So the objection is premature now.

Apart from other objections or the replies which the hon. Minister may have, these two things appear to me to be quite apparent and I do not see any point why we should stay the Bill on account of this objection of the hon. Member.

Shri T. N. Singh: With respect to your ruling I want to know whether it is not open to a Member, once the general discussion has taken place, if in the second stage there is anything found to be out of order, to raise a point of order.

Mr. Chairman: This is again asking me to give a ruling on a hypothetical point. I have already stated that the Bill cannot be passed but can certainly be considered clause by clause; so that I do not propose to give a ruling on such hypothetical questions.

Shri Sarwate: If you will permit me, I do not say that it comes under the purview of article 117(3). I say that it comes under the purview of article 117(1) which says:

“A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President etc. etc.”

This Bill makes provision for a matter which is dealt with in sub-clause (f). Therefore, I am saying that this is not permissible to be brought in without the previous permission of the President. I am not bringing it under article 117(3). I am bringing it under article 117(1).

Pandit M. B. Bhargava: May I know whether after the ruling which has already been given by you it is open to the hon. Member to question it?

Mr. Chairman: He wants to raise his objection on another point. But with respect to that point I do not think there is any necessity to go back to the point again.

Shri Gopalswami: As I said, the amendment to be substituted is for clauses 2 to 10. I think I will stop with moving only the new clauses 1 to 3. I wish to inform the House that the clauses referred to in these amendments.....

Mr. Chairman: But clause 1 has been postponed for consideration at the proper stage.

Shri Gopalswami: That is why I did not move sub-clause (1) of clause 1 of my amendment. I have moved only from sub-clause (2) of clause 1.

Mr. Chairman: As a matter of fact the hon. Minister has moved sub-clause (2) of clause 1. What the Deputy-Speaker gave the House to understand was that only clauses 2 to 10 will be taken up first. So my submission is that so far as the first clause is concerned, it stands postponed and will be taken up at the proper time when usually the first clause is taken up, that is at the end.

Shri Gopalswami: When the Deputy-Speaker referred to clauses 2 to 10 he was referring to the clauses as numbered in the original Bill. I am substituting only about three clauses in place of clauses 2 to 10.

Mr. Chairman: Is it the idea that sub-clause (2) will be an independent clause?

Shri Gopalswami: No. It is only a question of taking it up in point of time. The usual practice in the House is to take a clause like clause 1 at the end of the discussion. That is why I left it out so that it may be taken up after the debate is over. I have moved only from sub-clause (2).

Mr. Chairman: In the original Bill clause 1 is a very small one and the subject-matter of that clause is just like that of the amended clause 1(1). The subject-matter of sub-clause (2) is not included in the original Bill. Now, the clauses are taken up in the House according to the original Bill. Since the Deputy-Speaker was pleased to say that clauses 2 to 10 will be considered, I understand that all the amendments to clause 1, as well as clause 1 itself, will come at the end. That is the position. Or, if the hon. Minister wants clause 1 to be taken up, it can be done now. After all we can depart from the practice and take up clause 1 itself. There will be no difficulty.

Shri Gopalswami: The only reason why I wanted to move sub-clause (2) of clause 1 of my amendment was that it gives the House an opportunity of considering the scope of the Bill.

Mr. Chairman: That is correct—it gives the House as well as the Government an opportunity. But at the same time I am sorry to note that the Deputy-Speaker, when he put it to the House, specifically stated that clause 1 will be postponed and clauses 2 to 10 will be taken up. But now if the hon. Minister wants that clause 1 may be taken up first, the Chair has no objection.

The Minister of State for Transport and Railways (Shri Santhanam): The original clause 1 becomes the amended clause 1(1).

Shri Gopalswami: There are two alternatives about which you may give a ruling. The first is that we take up clause 1 as it is in the original Bill, along with clauses 2 to 10. That is one alternative. The other alternative is that I remove sub-clause (1) of clause 1 from my amendment now and renumber these amendments in such a way that sub-clause (2) of clause 1 of my amendment will become clause 2 of my amendment.

Mr. Chairman: As a matter of fact, there is no substantial difference. I leave it to the hon. Minister to accept any course which he pleases. I would be guided by the advice of the hon. Minister and if he thinks it would serve his purpose to begin with clause 2, I have no objection. If he wishes to

take the first clause also, I have no objection.

Shri Gopaldaswami: My own amendment is worded as follows: "For clauses 1 to 10, substitute:....."

Mr. Chairman: Then let us take up clauses 1 to 10.

Shri Gopaldaswami: There is no change in sub-clause (1) at all.

Shri A. C. Guha (West Bengal): If the hon. Minister moves the amendments in List No. 4, then what would happen to the amendments that have been given notice of as amendments to his amendments in List No. 1?

Mr. Chairman: The procedure has always been that the amendments are moved to clauses in the Bill. We have taken up clauses 1 to 10 and all the amendments which relate to clause 1 will be taken up including this amendment and if any other amendments are to be moved to these amendments, they will also be taken up.

Shri A. C. Guha: My idea is that certain amendments have been given notice of in List No. 1 and certain other hon. Members have given notice of amendments according to this list. If the hon. Minister now changes the order and moves the amendments in list No. 4, then the order of amendments given notice of by private Members will also require to be changed.

Mr. Chairman: We all know that all the original amendments are contained in List No. 1 and subsequently in List No. 4 there are amendments. Some hon. Members have given amendments to List No. 1. The hon. Members will not be deprived of their rights to move amendments which substantially change the subject matter of amendment No. 95 but the Chair cannot just compel the hon. Minister to move his amendments in List No. 1. It is his choice. Since the other amendments were given under the impression that List No. 1 stands, the Chair will allow all the hon. Members to give fresh notice or to amend their amendments in such a way that they will become amendments to the new amendments in List No. 4. We take it that clauses 1 to 10 are before the House.

Shri Gopaldaswami: I will read out sub-clause (1) of clause 1 of my amendment, which I have not read:

"1. *Short title and commencement.*—(1) This Act may be called the Government of Part C States Act, 1951."

The rest I have read out.

My hon. friend, Mr. Guha referred to Lists 1 and 4. Lists 1 and 4 are both lists for which I am responsible and in List 4 we have amended some of the amendments which were given notice of in List 1. We have also given notice of one or two new amendments. Both the lists have to be read together in order to see what I shall move. I shall only move the amendments as in List 1; where they are modified or added by List No. 4, I shall only move the amendments as so modified or added to. In order to assist hon. Members to follow these amendments better, I have given instructions that a list of the amendments as they will be moved by me, that is to say List No. 1 as modified by List No. 4 be prepared. A list of those amendments will be made out and will probably be in hon. Member's hands by this evening or tomorrow morning. Having moved this first amendment of mine, I desire to say a few words on matters which come within the purview of some of the sub-clauses and clauses that I have put into this amendment. In a sense, I think this particular amendment raises practically all the issues that will arise in connection with the changes made in the Bill except perhaps with regard to the "Council of Ministers".

Hon. Members will recall the somewhat chequered history of this Bill. Before the original Bill was framed, I had very extensive consultations with Members of Parliament interested in the Part C States and evolved a Bill which at that time, I thought, commanded general assent from them. That Bill was introduced and subsequently a motion was made for taking it into consideration. A good deal of criticism was directed against the provisions of the Bill. But none of them went to the root of the whole thing.

The motion for taking into consideration was passed by the House without any dissent. Subsequently, I called the Members interested in the States for the purpose of examining with their assistance the amendments which several of them had given notice of to the provisions of that Bill. We made some progress at the first meeting, but at the second meeting the whole atmosphere changed and there was a unanimous expression of opinion that some very drastic changes must be made in the Bill before it could be made acceptable to the House. As a result of that, I came to Parliament and told Parliament what exactly had happened. In the circumstances what was said at the informal meeting had to be considered in detail by the Gov-

[Shri Gopalaswami]

ernment before they could reach conclusions as to how the Bill was to be changed. Now that consideration has been given and a further meeting with hon. Members interested in these things was held and the changes proposed were discussed and there was a general measure of agreement with the changes that were proposed and the amendments were drafted in accordance with those changes. After these changes were embodied in these amendments as a result of the discussion that we had with Members interested, the whole Government considered this matter and the amendments as given notice of represent the decision of the Government as a whole. After those notices were given, I again held a meeting of Members of Parliament who felt interested in this Bill. We had discussions about the actual drafted amendments and as a result of that discussion, we made certain minor changes in the provisions embodied in the amendments themselves. That explains why after giving notice of the list of amendments in List No. 1, I had to give a fresh notice of certain amendments in those amendments which were not only partly for the purpose of carrying out the results of that later discussion but partly also for improving the language etc., of the amendments themselves. That explains these two lists of amendments.

Certain hon. Members have taken the view that the amendments practically change the whole face of the Bill. I must take exception to that statement. The main principles of the original Bill were that out of the ten Part C states in the Schedule to the Constitution, one State Bilaspur was to be left out altogether because of its tiny character; of the other nine States, all of them were to get a set-up with a Council of Advisers which was to be associated with the Chief Commissioner; in the case of Vindhya Pradesh and Himachal Pradesh, this set-up of a Council of Advisers was only to be of a temporary character until Legislatures and Councils of Ministers came to be established in those States; with regard to the other seven States, this Council of Advisers was to be of a less temporary character and they would continue until Parliament decided otherwise by a fresh enactment. These were the principles of the original Bill. So far as Legislatures and Councils of Ministers in the two States of Himachal Pradesh and Vindhya Pradesh are concerned, they were fashioned on the lines applying to Part A States; but there were certain restrictions placed upon the powers of those legislatures. Those restrictions were detailed in the provi-

sions of the Bill. What has happened on account of the new changes? The principle is maintained that we are dividing the Part C States into those which must have a Legislative Assembly and a Council of Ministers, and those where only a Council of Advisers without legislatures should be attempted. Only we have increased the number of Part C States which would get legislatures and Councils of Ministers and reduced the number of States which are to have only Councils of Advisers without Legislatures. If we look at sub-clause (2) of clause 1 of my amendment, it will be found that with regard to the six States of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh, there will be a set-up consisting of a Legislature and a Council of Ministers. Those provisions as regards Legislatures and Councils of Ministers could be extended to the other three States whenever Government considered it appropriate to extend those provisions to those States, that is to say, to the three States of Cutch, Manipur and Tripura. Till such Legislatures and Councils of Ministers could be established in these States, we have made provisions in the Bill for giving them a Council of Advisers to be associated with the Chief Commissioner in the administration of the State concerned, so that that principle is also maintained. We are also maintaining in every State where a Council of Ministers is contemplated that there should be a Legislature to which the Council of Ministers should be responsible. The only thing we have done, as I said, is we have increased the number of these States from two to six.

There are, however, some other provisions in which some changes have been made. You will find, for instance, in the case of these amendments, that it really means the omission of what was Part II of the original Bill, which related to detailed provisions for the setting up of Councils of Advisers in the majority of the States as was then contemplated. Hon. Members might ask why this omission has been made. At the time when the original Bill was introduced, we thought that there was an interval of time between them and the completion of the General Elections during the whole of which it was considered not quite desirable that those particular States should be left without some democratisation at least of the executive machinery. We have now reached a stage when the General Elections are almost upon us. To pick out men now and associate them as Councils of Advisers with the Chief Commissioner would put the Government in considerable embarrassment.

and these Advisers cannot really function with effect and in a manner which would not excite criticism of people who might think that a particular Government in power had picked a few men from amongst non-officials for the purpose of putting them into power on the eve and for the purpose of the General Elections. Also it is not worth creating a machinery of this sort for the very brief period that now exists between now and the completion of the General Elections. The General Elections also will be so held that the Legislatures of these States will come into existence immediately after they are over, and when they come into existence they will have a Council of Ministers in each of those States.

There is another provision with regard to the Legislatures in the old Bill which provided for some nominated members in those Legislatures. That has been done away with. The constituencies for the Legislatures will be delimited on the same lines as the constituencies in the Part A and Part B States.

One criticism that was very strongly urged at the time of the previous debate was that the provision which conferred on the Chief Commissioner the right to preside over the Legislative Assemblies in the first instance, was unnecessary and was undesirable. We have accepted the force of this criticism and we have now provided that each Legislature should have a Speaker and a Deputy-Speaker elected on the same lines as in Part A and Part B States.

The legislative functions of the Legislatures have been widened. They will now cover, generally speaking, all subjects included in the State Lists and the concurrent lists. Only in the case of Delhi these new amendments provide for the exclusion of, I believe, three or four items, in the State List from the cognisance of the State Legislature. That step Government have taken for reasons which the House is fully aware of. Delhi occupies a very peculiar position. It is the capital city of a large federation and it is, as in almost all federal countries, necessary that in the area over which the Federal Government has to function daily, practically in all detail, that Government should have unfettered power, power which is not contested by another and subordinate Legislature. It is possible hon. Members may say, that so long as the Federal Centre has the power also to make laws in respect of the State subjects, these new provisions in the Bill are unnecessary and this exclusion need not have been contemplated. The answer to that is, that

it is important that this competition between the State Legislature and the Federal Legislature should be avoided in order to avoid friction in the exercise of legislative power in regard to subjects which from an all-India point of view, have to be considered as most important. It is possible that we can control the State Legislature even without such exclusion but once the State Legislature has the power to legislate in regard to these matters, it would be a source of perpetual friction as to how much of the field the State Legislature should occupy and how much should be entered upon by the Central Legislature. Also I think the State will stand to gain by handing over these important subjects to Parliament exclusively, because Delhi cannot live at all and much less can it live in accordance with the standards which we should maintain with respect to a metropolis of a large country like ours, if it is to depend upon the small mercies and the smaller resources of a State Legislature. It is advisable therefore that, if we are to maintain the capital as it should be, the responsibility for maintaining it according to proper standards must be in the hands of the Centre. That is the reason which has persuaded Government to take the step; not merely is it a question of the constitutional powers and functions of municipal corporations being excluded in this way in regard to this city but the all important question of the maintenance of law and order has to be in the hands of the Central Government. Up to this day friction between the Centre and the State has not happened, because Delhi has been under the direct charge of the Centre all these years as a Centrally-administered area. I am sure that this particular issue will be debated at length, somewhat hotly perhaps, and I have no doubt that my hon. colleague will have more to say on the subject when the debate takes place.

With regard to the Council of Ministers this Bill makes a new departure from the usual principles of what you might call responsible Government. It provides for a procedure which would resolve differences between the Chief Commissioner and his Council of Ministers. Hon. Members will remember that pure, undiluted responsible Government would require the Chief Commissioner to act as a mere constitutional figurehead and he will have to accept everything that his Council of Ministers may advise him to do or not to do. So far as these Part C States are concerned, so long as they remain a separate category of States in our Constitution and so long as the ultimate responsibility for good

[Shri Gopalswami]

administration in these areas is vested in the President acting through either a Chief Commissioner or a Lieutenant-Governor, the Chief Commissioner or Lieutenant Governor has to take a somewhat more active part than the Governor of a Part A State or the Rajpramukh of a Part B State is expected to do. That is why this compromise has been arrived at. On the one hand we have to retain the responsibility of the Chief Commissioner and his advisers to the Centre, on the other hand we have to enforce the collective responsibility of the Council of Ministers to the Legislature which is to be established, and between the two, we have arrived at this compromise, namely that whenever an irreconcilable difference of opinion has arisen between the Chief Commissioner and his Council, he should refer the question to the Centre and whatever decision the Central Government may give will be final. In cases of emergency, if urgent, immediate action is necessary, the Chief Commissioner may direct some action to be taken pending the decision of the Central Government. That is one provision which is an important one and which we have put into this Bill.

There is another rider to that particular proposition, a rider which relates to New Delhi. The rider is that on every matter on which any orders are issued by the Council of Ministers in regard to New Delhi the concurrence of the Chief Commissioner would be necessary. Of course, the Chief Commissioner can remit anything the Council of Ministers may have decided, to them for reconsideration, and if, unfortunately, it becomes necessary for him even after such reconsideration to differ from the decisions of his Council of Ministers he will no doubt obtain the orders of the Central Government. At meetings of the Council of Ministers the Chief Commissioner will preside if he is present; if he is not present the Chief Minister may preside.

There is a provision in the Bill for action to be taken whenever it is found that the administration of the State could not be carried on in accordance with the provisions of this Bill. It is more or less on the same lines as the similar provision in regard to Part A and Part B States. There is, of course, another provision which corresponds to article 371 in regard to Part B States, that is to say that the Centre may exercise control and may give particular directions to the Government of a Part C State whenever such direction is considered necessary.

Those are the main things. If the House looks at the amendment itself, the House will note that sub-clause (2) of clause 1 deals with the States to which the provisions of the Bill as regards Legislatures and Councils of Ministers will be applied and those three other States to which only the provisions relating to the Council of Advisers will be applied.

Then, as regards definitions in clause 2, I have nothing to say except draw attention to item (c) sub-clause (1) which defines Delhi, New Delhi and the State of Delhi. Delhi will be practically Old Delhi. New Delhi will be not only the New Delhi as we know it, but as it may be expanded, if it becomes necessary, by inclusion of some of the Notified Areas in its neighbourhood. The State of Delhi includes both these cities and the three hundred villages round about.

Shri Deshbandu Gupta: Expanded, and also reduced if necessary?

Shri Gopalswami: May be reduced. Discretion is given to the Central Government. Naturally, when we are developing a city of this description, there may be both reductions and expansions in area and the discretion is full so far as the Central Government is concerned. If there is a reduction, the jurisdiction of the Delhi State-Legislature becomes more than what it might otherwise be.

Shri Deshbandhu Gupta: Reduction in the size of New Delhi may mean accession to Old Delhi.

Shri Gopalswami: There may be expansion of Old Delhi, or there may be a leaving out of certain areas from both New Delhi and Old Delhi. That also might happen.

There is one thing about which I think I ought to make a clear statement and that is this. I believe some hon. Members are somewhat perturbed over our having included small States like Ajmer, Coorg and Bhopal amongst the States which will have Legislatures and Councils of Ministers. Now, I want to make it perfectly clear that this does not mean that Government have gone back upon their previous statements in this regard, namely, that practically in respect of all these States which I have mentioned Government must consider very seriously the question of their being merged in neighbouring States. The fact that Bhopal gets a Legislature and a Council of Ministers now as a result of this Bill does not mean that we have ruled out the consideration of the question of

merging Bhopal, say, in Madhya Bharat. Nor would it mean that we have ruled out the consideration of the question of Ajmer being merged in Rajasthan.

Shri Sidhva: What is the difficulty in merging now?

Shri Gopalaswami: The difficulty as regards Bhopal I have explained more than once. There are two reasons. One is that for a period of five years we could not effect any such change without the consent of the Nawab of Bhopal.

Shri Sidhva: You said you will persuade him.

Shri Gopalaswami: I have been trying to persuade him. Persuasion requires the assent of the other party too. That attempt at persuasion will go on. The other reason is that I am by no means satisfied today that opinion is unanimous in Bhopal for merger. I think my hon. colleague will tell you that in respect of Ajmer the position is more or less the same. We cannot say with any definiteness that everybody there, or even the great majority of the people do want this merger. I think the hon. Member who represents Ajmer here does not want merger today, whatever may have been his opinion some time back.

Shri Sidhva: I understood that he was in favour of merger.

Shri Gopalaswami: That is why I say—whatever may have been his opinion previously he does not want it today.

There are other people along with him. A small deputation headed by him met me the other day and said that they did not want merger. I made it perfectly clear to them that Government by this Bill are not ruling out merger in any sense.

Similar is the case with regard to Coorg. Perhaps, there might be stronger reason for retaining Coorg as it is than there may be in the case of Ajmer. But that is a matter which the people of the State themselves have to decide and I am afraid they are more or less equally divided on the question at the present moment. So long as they remain separate States, Government's idea is that they should have the benefits of this kind of set-up.

With regard to the three States of Tripura, Manipur and Kutch, we have put in a clause which enables us to give them Councils of Advisers. Hon. Members know why Government are not prepared to give them Legislatures and Councils of Ministers just yet. They are on the border; they are of great strategic importance.

Shri Kamath: The hon. Minister has unconsciously moved a little to the left, and become inaudible.

Shri Gopalaswami: They are places of strategic importance. Their development is very much in arrears and the assistance of the Centre is needed for bringing them up to a standard when we could consider setting up of Legislatures and Councils of Ministers there. Political conditions there are not favourable to success of these institutions, if we start them at once.

Clause 1 I have already explained; clause 2 consists merely of definitions. Clause 3 provides for Legislative Assemblies for each State. You will find that this is a sort of general provision which might apply to every State. But this particular clause will not apply to those three border States for which there is a proviso in clause 1. In the case of these three States, whenever it is decided to extend this provision to them, the composition of the Legislative Assembly would be determined by the President by order. The last sub-clause refers to the extinction of the present Coorg Legislative Council as soon as the new Legislature comes into being.

1 P.M.

Shri Dholakia (Kutch): Political conditions in Kutch are as good as, or better than, in any of the States. Why is it excluded, may I know?

Shri Gopalaswami: That may be, I have mentioned other reasons why Kutch could not have this at the present moment. It is a border State, it is of strategic importance, and its development is very much in arrears. The Centre is pouring money into Kutch for the purpose of developing it.

Shri Deshbandhu Gupta: With regard to Bhopal, as the main difficulty is the consent of the Nawab, may I understand if the consent is received even before the elections are held the merger would be effected?

Shri Gopalaswami: It is difficult to say. A good number of administrative factors will have to be considered before we accept a change from what we are providing in this Bill, during the period when elections might be going on.

Shri Sidhva: Am I to understand that so far as Bhopal is concerned, if the settlement does not come about, it is a settled fact that Bhopal shall have a Legislative Assembly; or will there be a change again?

Shri Gopalaswami: Once you pass this Bill and you do not get the merger—

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completed before the elections are concluded the provisions in this Bill will be implemented.

Shri Sidhva: Will it be a settled fact that there will be a separate Legislature for ever even if the merger question materialises?

Shri Gopaldaswami: I have already said that the Legislature which will be set up in Bhopal or in the other two States that I have mentioned is not of the character of a permanent constitutional machinery that we are setting up there. So long as it is a separate State it will have that machinery. But once merger is decided on, that Legislature will disappear and Bhopal will get representation in the Madhya Bharat Legislature and in the Madhya Bharat Government.

Mr. Chairman: Amendment moved:

For clauses 1 to 10, substitute:

"1. *Short title and commencement.*—(1) This Act may be called the Government of Part C States Act, 1951.

(2) This section and sections 2, 3, 11, 13, 14, 15, 22, 46A, 46B, and 47 and the First, Second, Third and Fifth Schedules shall come into force at once, and the remaining provisions of this Act shall come into force on such date or dates as the Central Government may by notification in the Official Gazette appoint, and for this purpose the Central Government may appoint different dates for different provisions of this Act and for different States:

Provided that the provisions of sections 3, 11, 13, 14, 15 and 22, shall not come into force in any of the States of Kutch, Manipur and Tripura until such date or dates as the Central Government may by notification in the Official Gazette appoint in this behalf.

2. *Interpretation.*—(1) In this Act, unless the context otherwise requires—

(a) 'article' means an article of the Constitution;

(b) 'Assembly Constituency' means a constituency provided by order made under sub-section (2) of section 11 for the purpose of elections to the Legislative Assembly of a State;

(c) 'Delhi' except where it occurs in the expression 'State of Delhi' means such area in the

State of Delhi as the Central Government may by notification in the Official Gazette specify;

(d) 'Election Commission' means the Election Commission appointed by the President under article 324;

(e) 'Judicial Commissioner' includes an Additional Judicial Commissioner;

(f) 'New Delhi' means such area in the State of Delhi as the Central Government may by notification in the Official Gazette specify;

(g) 'State' means any State specified in Part C of the First Schedule to the Constitution other than Bilaspur.

(2) For the purposes of this Act, the castes specified in the First Schedule shall be the Scheduled Castes in relation to the Part C State under which they are so specified, and the tribes specified in the Second Schedule shall be the Scheduled Tribes in relation to the Part C State under which they are so specified.

(3) Any reference in this Act to the Chief Commissioner shall, in relation to a State for the time being administered by the President through a Lieutenant-Governor, be construed as a reference to the Lieutenant-Governor.

(4) Any reference in this Act to laws made by Parliament shall be construed as including a reference to Ordinances made by the President under article 123.

PART II

LEGISLATIVE ASSEMBLIES

3. *Constitution of Legislative Assemblies and their composition.*—(1) There shall be a Legislative Assembly for each State.

(2) The allocation of seats in the Legislative Assemblies of the States of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh shall be as shown in the Third Schedule.

(3) In the Legislative Assembly of each State specified in the first column of the Third Schedule there shall be the number of seats specified in the second column opposite to that State which shall

be filled by direct election, and of those seats—

(a) the number specified in the third column shall be the number of seats reserved for the Scheduled Castes, and

(b) the number, if any, specified in the fourth column shall be the number of seats reserved for the Scheduled Tribes.

(4) The composition of the Legislative Assembly of any State which is not specified in the first column of the Third Schedule shall be such as the President may by order specify in relation to that State.

(5) As from the date on which the Legislative Assembly of Coorg is, after having been duly constituted under the provisions of this Part, summoned to meet for its first session, the Coorg Legislative Council shall cease to function and shall be deemed to be dissolved.”

Shri Shiv Charan Lal (Uttar Pradesh): May I ask one question? May I know whether this is the final amendment or whether further amendments will be coming from Government. so that we may prepare ourselves?

Shri Gopalaswami: So far as I can say at present—I do not know what may happen as a result of the bombardment of hon. Members of the House on the Bill—but so far as I can judge at present, no further amendments are contemplated.

Mr. Chairman: The other amendments to these clauses may be moved so that after all the amendments are moved we may consider them. Though the clauses may be considered separately, at the same time all the amendments to them may be moved now. So far as this amendment is concerned, perhaps there are one or two amendments in regard to its clauses. But the rest of the amendments, as stated by Shri Arun Chandra Guha, have not been given. But there will be enough time to give amendments to these clauses also when the papers are received this evening or tomorrow morning. At this stage all the amendments to clauses 1 to 10 can be moved. Any Member desirous of moving his amendment will kindly stand up and he will be allowed to move it.

Shri A. C. Guha: My amendment is No. 75 in List No. 3.

Mr. Chairman: I am afraid this is an amendment to an amendment.

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Shri A. C. Guha: This is an amendment to the hon. Minister's amendment.

Mr. Chairman: Unless the hon. Minister moves that amendment, the amendment of the hon. Member will not be relevant.

Shri A. C. Guha: All these would be amendments to the amendments moved by the hon. Minister.

Mr. Chairman: The hon. Minister has so far moved only amendment No. 95 in List No. 4 and all the amendments to this amendment are quite relevant. All amendments to clauses 1 to 10 can now be moved.

Shri A. C. Guha: This is also an amendment relating to clauses 1 to 10.

Mr. Chairman: This is an amendment to an amendment.

Shri Rajagopalachari: The amendments originally given notice of by hon. Members were naturally with reference either to the original Bill or the first list of amendments given by the hon. Shri Gopalaswami and one such is amendment No. 75 in List No. 3. It definitely relates to the subject matter which is proposed to be moved. In anticipation of the numbers being altered so as to relate these amendments to the latest amendment, the hon. Member is reading this. In substance, it would be the amendment of which he will give notice tomorrow and in order to save the time of the House, he is moving it now.

Mr. Chairman: I have gone through the amendment. It is a substantial amendment apart from the fact that it is an amendment to an amendment. It raises a very substantial question. It is quite relevant and the amendment may be subsequently drafted in such a manner as may suit the amendments now before the House. I therefore, allow this amendment to be moved.

Shri A. C. Guha: I beg to move:

In the amendment proposed by the hon. Shri N. Gopalaswami Ayyangar, printed as No. 2 in List No. 1 of Amendments, after sub-clause (2) of the proposed clause 2, insert:

“(3) That in the States of Manipur, Tripura and Kutch, till such time as the Legislative Assemblies are not elected, the Electoral Colleges to be elected under the Representation of the People Act, 1950 (Act LXXIII of 1950) will be allowed to function as legislatures with such powers and privileges as the President may confer on them.”

{Shri A. C. Guha}

Repeatedly the Government have come before the House with Bills providing certain administrative and constitutional procedures for the Part C States and every time the Government have shown an attitude which is unimaginative and unresponsive to public demand and which is retrograde. The attitude of the Government has always been tainted with suspicion towards the popular demand and popular elements.

Shri Gopaldaswami: May I ask, Sir, whether you are now ascertaining only the amendments that are going to be moved, speeches being reserved to a later occasion, or each Member moves his amendment with a speech?

Shri C. Rajagopalachari: Since these amendments have to be re-drafted and there is to be special numbering and all that, it would be convenient if it is ascertained which amendments are moved and which will not be moved. Then, perhaps, we may discuss.

Mr. Chairman: I will just ask hon. Members to indicate what amendments they are going to move. All the same, I think, they will be entitled to give new amendments to the amendment moved today by the hon. Minister, though at the present moment also they can indicate what amendments they are going to move. Only five minutes are left. I would therefore request hon. Members kindly to indicate the numbers which are going to be moved.

Shri Rajagopalachari: Just as Mr. Guha has done in the case of amendment No. 75.

Shri A. C. Guha: Shall I proceed, Sir?

Mr. Chairman: Let us know what amendments are going to be moved. If there is time, he will continue; if there is no time, he will continue on the next day.

Shri Sidhva: My difficulty is the same. I have sent amendments to amendments in List 1. Subsequently, this List 4 has come in. Of course, my amendments Nos. 76 and 77 refer to different clauses. I want your guidance in that respect whether I should also frame amendments afresh and give notice and whether they will be accepted.

Mr. Chairman: It will be more convenient if hon. Members would kindly refer to clauses 1 to 10. Now, in their place, there are only three clauses, so that it will be infructuous to move or say anything about such of the amendments as relate to clauses

which have now been omitted. Therefore, I would rather like that consolidated amendments may be given notice of as early as possible. In so far as those amendments are concerned, which pertain to the subject matter of clauses 1 to 3, as now proposed by the hon. Minister's amendment, they may be indicated even just now, if hon. Members are in a position to indicate that they are going to move any of those amendments.

Shri Sidhva: I will have to recast.

Shri Gopaldaswami: None of Mr. Sidhva's amendments relates to these three clauses.

Shri Rajagopalachari: I might also help hon. Members, if you do not mind. Amendment No. 36 relates to this subject; No. 37 relates to this; Nos 38, 39, 40 and 41 of list 2 relate to this. In list No. 3, amendments Nos. 73, 74, 75 relate to this. Hon. Member has already referred to 75. Similarly, if we know whether amendments numbers 36, 37, 38, 39, 40, 41, 73 and 74 are intended to be moved or not, it would help.

Shri A. C. Guha: As for amendment No. 37, there is a fresh notice of the same substance in amendment No. 112. I think that need not be moved now as the hon. Minister has already included proposed clause 46A in the new amendment. So, that amendment I do not like to move.

Shri Dwivedi: As regards amendment No. 35, the hon. Minister has already indicated that he is accepting the change.

Mr. Chairman: No. 35 is not one of the amendments which have been mentioned by the hon. Home Minister. I only wanted to enquire in respect of amendments Nos. 36, 37, 38, 39, 40, 41, 73, and 74—whether any of these amendments are going to be moved.

Capt. A. P. Singh (Vindrya Pradesh): Amendments Nos. 73 and 74 are going to be moved.

Shri Dwivedi: Amendment No. 36 is also to be moved.

Capt. A. P. Singh: What about amendment No. 72 pertaining to the same subject? I have said that the word 'certain' be omitted.

Mr. Chairman: Does it relate to the subject matter mentioned in the amendment moved by the hon. Minister?

Capt. A. P. Singh: I think so. It should be moved.

Mr. Chairman: If it relates to long title, then, it will be relevant at the

time when the long title is taken up. It need not be moved now.

Capt. A. F. Singh: The omission of the word 'certain' affects the other clauses: not only the long title, but the short title and other things.

Mr. Chairman: Is it a composite amendment to the long title and other clauses? Then, it may be objectionable. He can divide the amendment into two parts so that it could be moved at the proper time. Any other amendments?

Shri Dwivedi: Dr. Parmar is not present. The amendments Nos. 38, 39, and 41 regarding Bilaspur stand in my name also. I shall withdraw them as soon as my hon. friend Dr. Parmar is here on the next day. For the present, I would like to move them.

Mr. Chairman: The hon. Member will have to be here to move his amendments.

Shri Dwivedi: They are in my name also.

Mr. Chairman: Does the hon. Member propose to move them?

Shri Dwivedi: Yes.

Mr. Chairman: These amendments are taken as moved:

(i) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar, printed as No. 2 in list No. 1 of amendments, omit sub-clause (2) of the proposed clause 1.

(ii) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar printed as No. 2 in list No. 1 of amendments, in sub-clause (1) of the proposed clause 2, for "Himachal Pradesh" substitute "the State of Himachal Pradesh and Bilaspur".

(iii) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar, printed as No. 2 in list No. 1 of amendments, in sub-clause (2) of the proposed clause 2, omit "except the State of Bilaspur".

(iv) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar printed as No. 2 in list No. 1 of amendments, in sub-clause (3) of the proposed clause 3, for "for the time being" substitute "which is declared to be".

(v) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar, printed as No. 2 in list No. 1 of amendments, in sub-clause (1) of the proposed new clause 2, omit "Vindhya Pradesh".

(vi) In the amendment proposed by the hon. Shri N. Gopaldaswami Ayyangar, printed as No. 2 in list No. 1 of amendments, after sub-clause (2) of the proposed new clause 2, add:

"(3) All the provisions of Part A States in the Constitution shall *mutatis mutandis* apply to Vindhya Pradesh."

The House then adjourned till Half Past Eight of the Clock on Monday, the 27th August 1951.