

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

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1951

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

5001

5002

PARLIAMENT OF INDIA

Wednesday, 6th June, 1951

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

"INDIA SPEAKS"

*4923. **Shri A. C. Guha:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether any officer has been recruited to function as editor of "India Speaks";

(b) if so, when the appointment was made;

(c) whether the journal "India Speaks" has been published as yet; and

(d) if not, on what duty that officer is now being employed?

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

(a) Yes; in addition to editing "India Speaks", the officer appointed to the post was to produce pamphlets relating to educational broadcasts, priced pamphlets on varied subjects—music etc. and "India Calling", the External Services programme journal.

(b) 1st October, 1948.

(c) No.

(d) Editor, "India Speaks", is being employed at the Headquarters of All India Radio to deal with the following subjects:

(1) Programme journals of External Services—"India Calling" in English, *Id-at-ul-Hind* in Arabic and *Sada-i-Hind* in Persian.

(2) Pamphlets regarding educational broadcasts.

(3) Relations with foreign broadcasting organisations.

(4) Anti-piracy.

Shri A. C. Guha: May I know since when these duties have been allotted to him?

Shri Santhanam: He has been performing these duties all the time, some of them at any rate.

Shri A. C. Guha: Am I to understand that he was doing all these duties since his appointment in 1948?

Shri Santhanam: These are the duties which he is performing today. Of course, there may have been additions and subtractions during the course of these three years.

Shri A. C. Guha: Have the Government any idea of bringing out the paper "India Speaks"?

Shri Santhanam: The Information Ministry has not been able to get funds for the purpose.

Shri A. C. Guha: Is it necessary to continue the post of the editor of "India Speaks"?

Shri Santhanam: I understand he is to be employed in one of the regular senior jobs, the occupant of which is going to some other place.

EMPLOYMENT OF WOMEN IN DEFENCE SERVICES

*4924. **Dr. Ram Subhag Singh:** Will the Minister of Defence be pleased to state:

(a) whether females are eligible for employment in the defence services; and

(b) if so, how many of them have so far been appointed?

The Deputy Minister of Defence (Major-General Himatsingh): (a) Ladies are ineligible for enrolment or employment in the Regular Armed Forces, except the Military Nursing Service and the Army Medical Corps.

(b) The number of Ladies employed in the Military Nursing Service is 318 and in the Army Medical Corps 29.

Dr. Ram Subhag Singh: May I know whether women were employed in the regular services during World War II?

Mr. Speaker: As fighting forces?

Dr. Ram Subhag Singh: Regular defence forces.

Major-General Himatsinghji: Yes, Sir. In World War II, under the British regime, ladies were employed in the Women's Auxiliary Corps (India) in the Army and in the Navy as Members of the Women's Royal Indian Naval Service; none in the Air Force.

Dr. Ram Subhag Singh: May I know whether the women employed in the Rani of Jhansi Brigade of the I.N.A. have been absorbed in the Indian Army as the I.N.A. men have been?

Major-General Himatsinghji: We have no ladies in the Armed Forces, except as stated by me earlier. Therefore, the question does not arise.

Dr. M. M. Das: May I know whether the appointments of these women are on a short term basis or a long term one?

Major-General Himatsinghji: Part of them are on a permanent basis, and a part on a temporary basis, as the future plans regarding the strength of the Armed Forces have not yet been finalised.

SCHEMES FOR SETTLEMENT OF EX-SERVICEMEN ON LAND

*4926. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Defence be pleased to state whether there is any scheme to settle ex-servicemen on the land reclaimed by Government for the purpose?

(b) In what States are such schemes being introduced as an experimental measure?

(c) What help is proposed to be given to the settlers on such newly reclaimed land?

(d) Is it meant only for ex-servicemen or for other villagers with uneconomic holdings or with no holdings at all?

The Deputy Minister of Defence (Major-General Himatsinghji): (a) to (c). I would invite the attention of the hon. Member to the reply given by me to Starred Question No. 4189 on the 16th May, 1951.

(d) The scheme is intended for ex-servicemen only. Perhaps, to refresh the memory of hon. Members, I might add that the scheme was for settling 1434 ex-soldiers on 22,600 acres of land in Rampur, Madhya Bharat, Bhopal and in U.P., at a total cost of Rs. 62,17,400.

Pandit Munishwar Datt Upadhyay: May I know what right of land tenure will these people have: will it only be a life estate or will it be hereditary?

Major-General Himatsinghji: The scheme is intended to have them as State Managed Farms, to be run for the first two or three years by the States, and then, the land will be given to each settler. But, they will work as co-operative societies. The land will belong to him and the co-operative society will help him with tractors, advice etc., which he cannot otherwise afford by himself.

Mr. Speaker: The point is whether the land will be hereditary property.

Major-General Himatsinghji: The land will belong to him as long as he pays his dues and therefore it is on permanent basis.

Mr. Speaker: To his heirs also?

Major-General Himatsinghji: Yes, Sir.

Pandit Munishwar Datt Upadhyay: Will only the rights of a member of a co-operative society vest in them or will they have any further rights?

Major-General Himatsinghji: The rights only of a member of a co-operative society vest in them, but they are not allowed to sell the property.

Shri A. B. Gurus: Sometime ago, the hon. Minister said that land was allotted to serving personnel. May I know whether it has affected the policy of the Government with regard to the settlement of ex-servicemen?

Major-General Himatsinghji: I remember the hon. Member asked me some time ago whether certain land has been allotted to those serving soldiers and officers. I said it was so in the case of displaced persons from West Punjab. I believe the land allotted to some individuals has been over 1,000 acres. Naturally, it does affect in some way the released soldiers, as that much land is left for allotment to ex-servicemen.

श्री एम० एल० वर्मा : क्या माननीय मंत्री जी बल्लार्योगे कि उनकी स्कीम मे राजस्थान भी शामिल है ?

[Shri M. L. Varma: Will the hon. Minister be pleased to state if Rajasthan is also included in his scheme?]

Major-General Himatsinghji: We have asked all the States to submit their suggestions on the scheme. Certain States have submitted reports and they are being examined by the Central Government, especially as regards their financial effect. I regret that nothing has come from Rajasthan, yet.

Pandit Munishwar Datt Upadhyay: What is the acreage of land available in the U.P. for this purpose and may I know whether the settling of these ex-servicemen has started or not?

Major-General Himatsinghji: The scheme has just been finalised. I have got the details, Sir. As there is another question on this subject later on, may I answer this question later?

Mr. Speaker: What is the number of that question? Let me see whether it is likely to be reached.

Major-General Himatsinghji: It is Mr. Dwivedi's question, No. 4941.

Mr. Speaker: We may take it up then

COMPTROLLER AND AUDITOR-GENERAL OF INDIA

*4927. **Shri S. N. Das:** (a) Will the Minister of Finance be pleased to state whether Government have considered the necessity and desirability of making provision by law for the performance of duties and exercise of powers by the Comptroller and Auditor-General of India in relation to the accounts of the Union and of the States?

(b) If so, when will a bill be introduced in the Parliament?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The matter is under consideration but it is not possible to say at this stage when a bill will be introduced in Parliament.

Shri S. N. Das: May I know whether the administrative powers of the Comptroller and Auditor-General have been prescribed by the President?

Shri C. D. Deshmukh: The position is that under Article 149, the duties and powers of the Comptroller and

Auditor-General have to be prescribed in relation to the accounts of the Union and of the States and until such law is made, he continues to perform the duties and exercise the powers which the Auditor-General of India was performing and exercising in relation to the accounts of the Dominion of India and of the provinces respectively.

Shri S. N. Das: I want to know whether the administrative powers have been prescribed by the President after the attainment of Independence.

Shri C. D. Deshmukh: No change has been made. He continues to exercise the powers which he exercised before.

Shri Rudrappa: I want to know whether he has got powers or whether he is entrusted with the duty of auditing the accounts of the Corporations which are formed in which the Government has got shares also.

Shri C. D. Deshmukh: Usually, it is laid down in what may be called the Charter of the Corporation. When a Corporation is set up, that is, by legislation, the legislation usually contains provisions in regard to audit.

Shri S. N. Das: May I know whether any time limit is fixed by which the Comptroller and Auditor-General is required to submit the general financial statement to the Central Government?

Shri C. D. Deshmukh: I do not know what is meant by general financial statement. If the reference is to reports by the Auditor-General under Article 151, then I may say there is no time limit fixed for that.

Shri B. R. Bhagat: May I know whether the audit and accounting systems in some of the former States have been brought on a par with those in other parts of the country?

Shri C. D. Deshmukh: I require notice of that question, because primarily it concerns the work of the Auditor-General.

Shri R. Velayudhan: May I know whether the Finance Ministry exercises any control over the Auditor-General at present?

Mr. Speaker: Control over the Auditor-General?

Shri R. Velayudhan: Yes, Sir.

Shri C. D. Deshmukh: I hardly think it is a proper question. The situation is as prescribed in the law on the subject.

Pandit Munishwar Datt Upadhyay: May I know whether the Auditor-General is responsible for the maintenance of accounts of the State Governments or is he responsible only for the audit?

Shri C. D. Deshmukh: At the moment both functions are exercised by the staff under the Comptroller and Auditor-General of India.

Shri S. N. Das: May I know whether it is a fact that the accounts for the last three years, that is to say, the general financial statement on the accounts of the State Governments and the general financial statement for the Central Government have not yet been submitted?

Shri C. D. Deshmukh: I cannot give an exact answer; but I believe some accounts have yet to be completed finally, in relation to past years.

'DAILIES' IN INDIA

*4928. **Shri Amolakh Chand:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the information regarding the number of English dailies, Hindi dailies and other language dailies published in India during the year 1950-51 will be laid on the Table of the House as promised in the answer to Starred Question No. 2713 asked on 2nd April, 1951; and

(b) the number of advertisements issued by Central Government to English and other language dailies in 1950-51?

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

(a) The information received from the States is being compiled and will be laid on the Table of the House as soon as it is ready.

(b) The Advertising Branch is concerned with the placing of display advertisements only on behalf of the Central Government. 3,524 insertions of display advertisements were issued to English dailies and 4,661 to other language dailies, by the Advertising Consultant on behalf of various Ministries.

Shri Amolakh Chand: May I know whether except the display advertisements any other Government advertisements are sent to the papers?

Shri Santhanam: Yes, Sir. There are other advertisements also, but they are sent by the different Ministries direct, they do not go through the L. and B. Ministry.

Shri Amolakh Chand: May I know why the prominent language dailies are not provided with advertisements from the Public Services Commissions of the Centre or the Provinces?

Shri Santhanam: Sir, these Commissions are autonomous bodies set up by the Constitution and they exercise their own discretion in giving advertisements to newspapers.

Seth Govind Das: Out of the 4,000 advertisements which had been sent to language newspapers, how many were sent to Hindi dailies?

Shri Santhanam: Sir, in 1950-51, they were sent to 55 Hindi papers and 129 other language papers.

Seth Govind Das: Sir, my question was, out of these 4,000.....

Mr. Speaker: Order, order.

Shri A. C. Guha: May I know the ratio of the English dailies to the Indian language dailies?

Shri Santhanam: Sir, I have got information about the column inches. The ratio is 1 to $1\frac{1}{4}$ between the English and the language papers.

Seth Govind Das: Sir, my question was not answered.

Shri Dwivedi: What is the number of accredited correspondents in the case of English dailies and what is the number in the language dailies?

Mr. Speaker: I don't follow the question. Did he say accredited correspondents?

Shri Dwivedi: Yes, Sir. Government accredit certain correspondents and ..

Mr. Speaker: Order, order. I am afraid the hon. Member is mixing up things. Seth Govind Das.

Seth Govind Das: My question was, out of the 4,000 display advertisements which had been sent to the different dailies, how many were sent to Hindi dailies. That question has not been answered.

Mr. Speaker: I think he said 55 dailies.

Seth Govind Das: That was the number of papers. I wanted to know the number of advertisements.

Shri Santhanam: I have got only the number of papers and the column inches. The number of advertisements has no particular meaning, for an advertisement may be one inch, it may be one hundred inches. If the hon. Member will be satisfied with the

column inches, I can give the information to him.

Seth Govind Das: Yes.

Mr. Speaker: Order, order. He need not read the details here. He may give them separately to the hon. Member.

Shri Amolakh Chand: Is there any basis for the complaint that some newspapers receive more display advertisements in preference to other papers of similar standing and circulation?

Shri Santhanam: Sir, our Advertising Consultant tries to deal with the papers as impartially as he can; but where private interests are concerned there will always be some complaint of that kind.

Shri R. Velayudhan: May I know whether there are any rules regarding the issue of advertisements of the Union Public Service Commission, to the effect that they should not be given to the language daily papers?

Shri Santhanam: I could not follow the question, Sir.

Mr. Speaker: He wants to know why the Union Public Service Commission does not give advertisements to some papers. The Commission is an autonomous body.

Shri R. Velayudhan: Are there any rules?

Mr. Speaker: He may refer to the rules.

MAITHON AND PANCHET HILL DAM PROJECT

*4929. **Shri Jnani Ram:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the project estimate of Maithon and Panchet hill dams has been finally prepared;

(b) if so, the estimated cost of the same; and

(c) the time when the actual dam construction will start?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) The final estimates have been prepared by the engineers of the Damodar Valley Corporation but they are under scrutiny by the engineers of the participating Governments.

(b) These figures will be available only after the scrutiny of the estimates by the technical experts of the participating Governments.

(c) The estimates are being discussed by the technical representatives of the participating Governments and will be finalised after considering the report of the experts after which it will be decided when to take up the works for execution. And as regards part (b) of the question, with your permission, I would like to add that the estimates of the D.V.C. itself is Rs. 11,84,92,000 for Maithon and Rs. 13,38,26,000 for Panchet Hill. These figures are being examined by our experts.

Shri Jnani Ram: What is the cost of the preparation of the project estimate?

Shri Sri Prakasa: I fear I cannot give the figures.

Shri B. R. Bhagat: May I know whether the figures of the estimates will come before the Board of Consulting Engineers?

Shri Sri Prakasa: I cannot say at the moment whether such estimates go to the Board of Consultants. If they do, they will be sent.

Shri A. C. Guha: The hon. Minister has stated that the estimate is being now examined by the engineers of the participating Governments. Are we to understand that the estimate will not be examined by the Central Government, for instance, by the C.W.I.N.C.?

Shri Sri Prakasa: One of the participating Governments is the Central Government and our engineers are also examining the estimates.

बाबू रामनारायण सिंह : जो ऐस्टीमेट अभी तैयार हुआ है उसके मुताबिक सब मिला कर कितना खर्चा होगा।

[Babu Ramnarayan Singh: What will be the total expenditure according to the estimate just prepared?]

श्री श्री प्रकाश : मैं ठीक नहीं समझ सका कि माननीय सदस्य किस आंकड़ों को चाहते हैं। यदि माइथन और पंचत हिल बांधों के सम्बन्ध में यह प्रश्न है तो उस का उत्तर मैं ने दे दिया है। यदि सारे खर्च का तखमीना आप चाहते हैं तो जैसा पहले कहा जा चुका है, आरंभ में यह विचार था कि इस योजना पर करीब ५५ करोड़

खर्च होगा, परन्तु अब तो १०० करोड़के करीब के खर्च का तलमीना किया जा रहा है।

[**Shri Sri Prakasa:** I have not been able to understand properly what figures are required by the hon. Member. If his question relates to the Maithon and Panchet Hill Dams I have already answered it. If he wants an estimate of total expenditure then, as stated already, it was thought in the beginning that this project would cost about 55 crores but the estimate now made amounts to about 100 crores.]

MEMORIAL TO INDIAN ARMY

*4930. **Dr. Ram Subhag Singh:** (a) Will the Minister of Defence be pleased to state whether any memorial exists in England to the Old Indian Army (as it was before partition)?

(b) If so, does India contribute towards the maintenance of that memorial?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) Yes. A memorial called "CHATTRI" erected in memory of Hindu and Sikh soldiers who died in the First World War exists in Patcham, a suburb of Brighton.

(b) Government have agreed to pay £92/4 as annual contribution towards its maintenance.

Dr. Ram Subhag Singh: May I know whether no other officer other than Hindus and Sikh soldiers were fighting in Europe at that time?

Mr. Speaker: He refers to old history.

Major-General Himatsinhji: In World War I there was no Indian Officer fighting in the Indian Army except perhaps myself.

Dr. Ram Subhag Singh: What was the total cost of erecting that memorial?

Major-General Himatsinhji: The cost was borne by the British public.

HYDROGRAPHIC SURVEY

*4931. **Shri P. Basi Reddi:** (a) Will the Minister of Defence be pleased to state whether there has been any systematic hydrographic survey of the country?

(b) If not, what steps, if any, have Government taken for conducting one at an early date?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) Yes.

(b) Does not arise.

Shri P. Basi Reddi: Has Government got any estimate of the hydrographic resources of the country?

Major-General Himatsinhji: During the British regime the Admiralty in U.K. were responsible for all hydrographic work connected with the Indian waters. This responsibility has now fallen on the Indian Navy including the preparation of operational charts. Now, a small Marine Survey Organization has been organized in the Indian Navy but there is no organization yet which can translate the survey into charts. With a view to bridging this gap, it is proposed to set up a Hydrographic Office in India. The proposal involves acquisition of certain equipment from U.K., stores and training of personnel also and besides that, the financial question is there.

CHILDREN OF SCHOOL GOING AGE IN COAL MINES AREAS

*4932. **Shri A. Joseph:** Will the Minister of Education be pleased to state:

(a) the number of children of school going age in the coal mine areas in India;

(b) what is the proposal with Government to educate those children;

(c) the number of schools in those areas run by the Local Government, Labour Welfare Fund Committee and private individuals; and

(d) whether Government propose to give mid-day meals to school children in the famine areas of Bihar?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) to (d). As the question primarily relates to State Governments in which coal mine areas are situated, the information has been called for from the State Governments. It will be placed on the Table of the House in due course.

BROADCAST IN TELUGU

*4933. **Shri A. Joseph:** Will the Minister of Information and Broadcasting be pleased to state whether there is a proposal to broadcast in Telugu for the people of Andhra in other countries?

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

Shri A. Joseph: May I know what are the basis for broadcast to other countries in other languages from the External Services of the All India Radio?

Shri Santhanam: Necessity and desirability.

Shri A. Joseph: Is it based on population of Indians in other countries?

Shri Santhanam: That is taken into consideration.

Shri A. Joseph: Is the population of Andhras in other countries more than others?

Mr. Speaker: He is making a suggestion for action

COMMUNISTS DETENUS

*4934. **Shri A. Joseph:** Will the Minister of Home Affairs be pleased to state:

(a) the number of communist detenues in Part 'C' States without trial since 1949 to April 1951;

(b) the number of such detenues released conditionally and unconditionally upto 15th May, 1951; and

(c) in cases where allowances have been given to their families, on what basis they were given?

The Minister of Home Affairs (Shri Rajagopalachari): (a) to (c). Information is being collected and will be laid on the Table of the House in due course.

Shri Rathnaswamy: May I know whether any of these detenues sentenced to death since 1949 to 1951 have been granted clemency and if so, in how many cases were Communists sentenced to death?

Mr. Speaker: The hon. Member is going into details in respect of which information is being collected.

Shri Rathnaswamy: I want to know whether any detenues, sentenced to death has since been granted clemency?

Mr. Speaker: He should - await receipt of information.

Shri A. Joseph: May I know if there were any non-violent activities in the jails against the wardens and if so, what action is being taken by Government—whether any Committee has been appointed by Government in this connection?

Mr. Speaker: It is hypothetical. Is he aware of any such cases?

Shri A. Joseph: If there are.

Mr. Speaker: That is hypothetical.

COMMUNISTS IN ASSAM

*4937. **Shri Sarangdhar Das:** Will the Minister of Home Affairs be pleased to state:

(a) if the military operations in Kamrup District, Assam with a view to round up communists and other ing;

(b) the number of communists and non-communist terrorists arrested up to 19th May, 1951;

(c) the number of both categories detained under the Preventive Detention Act;

(d) the number prosecuted;

(e) the number convicted; and

(f) if it is possible to forecast the time when the operations are likely to end?

The Minister of Home Affairs (Shri Rajagopalachari): (a) to (f). Information is being obtained from the Government of Assam and will be laid on the Table of the House as soon as it is received. I may add however that I have just received a telegram from the Assam Government that the operation was a police operation although the military co-operated initially in their internal security role. The military were withdrawn about a month ago and only police operation continues. 1498 persons were arrested but the majority of them were released after interrogation. Cases are under scrutiny and no detention orders have yet been passed. One case is being prosecuted, other cases are under investigation. It is not possible to forecast the time when the operations are likely to terminate.

Shri Sarangdhar Das: May I know if some Socialists have been arrested during the last two or three weeks?

Shri Rajagopalachari: Those who have arrested are not in a position to find out their political opinions so easily and to send the information.

Dr. Ram Subbag Singh: May I know whether the cost of employing the military in some of the districts of Assam is being charged from the villages concerned?

Shri Rajagopalachari: Notice might be given about this question. I have not got the information.

Shri B. Velayudhan: May I know the nature of the actual violence committed by the Communists or Nagas?

Shri Rajagopalachari: The crimes against which these operations are

being conducted, there are killing, burning of property, looting and similar acts.

Shri R. Velayudhan: May I know if only one person could be traced for prosecution for killing, looting or arson?

Shri Rajagopalachari: The hon. Member's presumption is entirely wrong. 1498 persons were arrested, I said. One case is before the court. The rest are under investigation for prosecution.

Shri Chaliha: May I know the number of death on account of the activities of the Communists in the districts of Sibsagar and Kamrup?

Shri Rajagopalachari: Quite a large number but I would not be able to give the number.

Shri J. N. Hazarika: Is there any truth in the allegation that in certain cases police have committed excesses? If so, may I know whether Government will make any enquiries into it?

Shri Rajagopalachari: I think we should wait for the excesses to be reported.

Shri Sarangdhar Das: Is the Minister aware that during the last election in South Kamrup a large number of people were arrested and after the elections were over about 750 people were released and the rest were being prosecuted?

Shri Rajagopalachari: I would like to have notice.

INCOME-TAX (ARREARS)

*4938. **Shri Krishnanand Rai:** Will the Minister of Finance be pleased to state:

(a) the arrears of income-tax at the beginning and at the end of the financial year 1950-51 respectively;

(b) how many cases of evasion of income-tax were sent to Courts and how many of them were compromised during this year; and

(c) whether Government has finalised any scheme to recover the arrears in the year 1951-52; if so, what is that scheme?

The Minister of State for Finance (Shri Tyagi): (a) The arrears of income-tax demand at the beginning of the year 1950-51 as reduced in appeal revision, etc., was Rs. 137.2 crores and that at the end of the year was Rs. 152.3 crores;

(b) The information is not readily available. It is being gathered and a

statement will be laid on the Table of the House.

(c) Yes; a concessional scheme for realising the arrears of tax within the current year has been announced in a Press Note, dated 20th May, 1951, a copy of which has already been laid on the Table of the House in reply to Unstarred Question No. 356, dated 30th May, 1951.

Shri Krishnanand Rai: May I know whether any new policy has been formulated in the last meeting of the Income-tax Officers under the Chairmanship of the hon. Minister to deal with the defaulters of arrears and if so, what is that policy?

Shri Tyagi: The arrears pertain to the years from 1941-42 to the last year and hence they have accumulated. In view of the difficulty in payment which the assessee would feel if they were required to pay it all in a lump sum the Commissioners recommended a concessional scheme of realisation, according to which a notification was issued and it is intended that we distribute this balance of arrears in various convenient instalments to be realised during the course of the year in agreement with the assessee.

Shri Krishnanand Rai: Is it a fact that Government have knowledge of the defaulters of income-tax on concealed incomes and due to the fact that they have invested their money in productive enterprises, Government do not want to deal with them harshly?

Shri Tyagi: That is not a fact.

Dr. Ram Subhag Singh: May I know whether it is a fact that some persons who had evaded income-tax have since sent their dues to the Finance Ministry and if so, what is the amount of money so received?

Shri Tyagi: If my friend means to hint at the so called "conscience money" the question was replied the other day. It is not a big amount.

Shri Sondhi: At the beginning of 1950-51 the arrears amounted to 137 crores and at the end of the year they amounted to 152 crores. Is it because of the increase in the sanctioned staff to his department that the arrears have gone up?

Shri Tyagi: The department in fact is very short of the requisite staff, for, the number of assessee is increasing at the rate of 8,000 per month and the total number as given to me is about eight lakhs and the staff is not increasing at the same pace. Steps are now

being taken to increase the staff to cope with the increasing amount of work.

Shri Sondhi: Is it not a fact that during the last two years the number of officers has been increased by another 400?

Shri Tyagi: I cannot say what exactly is the increase but this much I am sure of, namely that even now the staff is not adequate for the amount of work we have on hand.

Pandit Munishwar Datt Upadhyay: What was the amount of assessment in 1950-51 and what was the amount realised?

Shri Tyagi: For the year 1950-51 the demand was 141.50 crores and the collection was 88 crores.

PAYMENT OF PENSIONS BY PAKISTAN

*4939. **Shri Kesava Rao:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that payment of advances of pensions by the Pakistan Government has been extended; and

(b) if the answer to part (a) above be in the affirmative, what are the reasons for the extension?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). Yes, Sir. On account of the unsettled conditions consequent on the Partition, including the dislocation of staff in Government offices, there has been unavoidable delay in the actual transfer from Pakistan to India and vice versa of records relating to pensioners who, after Partition, migrated to India or Pakistan. Provisional payments have therefore had to be made by the Governments of India and Pakistan pending final transfer of the pension papers; and this arrangement is being extended from time to time by mutual agreement between the two countries.

Shri Kesava Rao: May I know whether Government have any idea of the outstanding amount to be paid by Pakistan?

Shri C. D. Deshmukh: I should require notice.

Shri Kesava Rao: What is the number of persons affected by the postponement of these payments?

Shri C. D. Deshmukh: On that too I have not got the information.

Shri Kesava Rao: May I know whether the Finance Minister had re-

ferred to the question of payment of pensions during the last Finance Ministers' Conference between India and Pakistan?

Shri C. D. Deshmukh: It did not come up directly. The question was incidentally mentioned as an element of the overall settlement that was attempted. But there was no special discussion in regard to pensions.

Shri Kesava Rao: How long would it take to decide this question?

Shri C. D. Deshmukh: That is difficult to say at the moment. The provisional arrangement has been authorised up to the 30th September, 1951 and further payments will be made when the pension papers are transferred from one country to the other, according to the incidence of the pensions.

Shri Kesava Rao: May I know whether the Government of India is paying advances to the persons affected due to the delay in the payment of the pensions?

Shri C. D. Deshmukh: Yes, Sir, under the mutual agreement the Governments of India and Pakistan have authorised provisional payments in respect of pensions for which the respective countries have assumed liability and the pensions which are the liability of the other country. These provisional payments have been made to those pensioners who applied for them before the 30th September, 1948. Where clear evidence of the amount of pension is available the full amount is paid provisionally and in other cases payments have been made on the evidence available reduced by the maximum amount which could have been commuted. Indemnity bonds and sureties are also obtained in order to safeguard against overpayments.

Shri A. C. Guha: May I know if the Government has made any arrangement regarding the payment of pensions to pension-holders in East and West Bengal?

Shri C. D. Deshmukh: Those are included in the arrangement to which I made reference just now.

Mr. Speaker: Next question.

NATURAL RESOURCES IN PART 'C' STATES

*4940. **Shri Dwivedi:** Will the Minister of Natural Resources and Scientific Research be pleased to state if any attempt has been made by the Geological Survey of India to make an estimate of the mineral wealth in each of

such Part 'C' States as formed part of Indian States before independence?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): The Geological Survey of India has carried out numerous investigations on the mineral resources of the States which are now included in Part 'C' States. A list of investigations undertaken in recent years, is laid on the Table of the House. [See Appendix XXVIII, annexure No. 27.] The Geological Survey of India report that so far no reliable estimates of the reserves of mineral resources in these States have been made. Detailed surveys of these resources will be carried out in the future.

श्री द्विवेदी : मैं यह जानना चाहता हूँ कि बिष्णु प्रदेश में हीरे और कोयले की खानों के राष्ट्रीयकरण में क्या बिलम्ब है।

[**Shri Dwivedi:** I wish to know what delays the nationalisation of diamond and coal mines in Vindhya Pradesh.]

श्री श्री प्रकाश : यह तो एक ऐसा प्रश्न है जिस का सम्बन्ध सारे शासन से है, चाहे मेरे विभाग से नहीं है। इस कारण सम्भवतः उचित होगा कि माननीय सदस्य अपना प्रश्न प्रधान मंत्री से पूछें।

[**Shri Sri Prakasa:** This is a kind of question that relates to the entire Government and not to my Department in particular. Hence it would possibly be more proper for the hon. Member to address his question to the Prime Minister.]

श्री द्विवेदी : मैं जानना चाहता हूँ कि क्या ऐसे राज्यों में जो कि छोटे छोटे टुकड़ों में बंटे हुए थे और जहाँ इस सम्बन्ध में कोई तरफ़की नहीं की जा सकती थी, अब उन राज्यों के भारत सरकार में मिल जाने के कारण राष्ट्रीयकरण किया जा सकता है। मैं यह भी जानना चाहता हूँ कि क्या हर साल कोई रकम इसके लिये मुकर्रर की जाती है, या इस साल के लिये कोई रकम मुकर्रर की गई है जिस से इस काम को पूरा किया जा सके।

[**Shri Dwivedi:** I wish to know whether in the case of those States

that were formerly divided into small parts and where no development was therefore possible, nationalisation is now possible by reason of their accession to the Government of India. I also wish to know if any amount is set apart for the purpose every year and also whether any such amount has been set apart for the current year.]

श्री श्री प्रकाश : जैसा मैंने पहले उपप्रश्न के उत्तर में कहा यह प्रश्न मेरे विभाग का नहीं है क्योंकि इसका सम्बन्ध राष्ट्रीयकरण की नीति से है। जहाँ तक मुझे मालूम है अभी तक इस पर कोई विचार नहीं किया गया है। कम से कम मुझ से इस विषय में कोई पूछ ताछ नहीं हुई है।

[**Shri Sri Prakasa:** As I have already stated in reply to the previous supplementary question this question does not relate to my Department as it relates to the policy of nationalisation. As far as I know this has not at all been considered so far. At any rate no enquiries have been made from me on the subject.]

Mr. Speaker: He can ask some other question:- not about nationalisation.

श्री द्विवेदी : जो खनिज पदार्थ आज कल प्राइवेट लोगों द्वारा इस्तेमाल किये जा रहे हैं उन पर सरकारी कंट्रोल का क्या तरीका है ?

[**Shri Dwivedi:** What is the system of Government control in the case of minerals at present used by private people?]

Mr. Speaker: Order, order.

Thakur Krishna Singh: What area has been covered by the Geological Survey in Himachal Pradesh and when was it covered?

Shri Sri Prakasa: I have only got a list in my hand of the various minerals in which investigations have been made. I fear I cannot give the exact number of acres covered by our investigations.

Thakur Krishna Singh: Are the Geologists still surveying any part of Himachal Pradesh?

Shri Sri Prakasa: If the hon. Member will look into the statement I have laid on the Table he will get the information that he wants.

श्री द्विवेदी : किन किन रियास्तों में यह खनिज पदार्थ बहुतायत से पाये जाते हैं ?

[**Shri Dwivedi:** In what States are the minerals found in abundance?]

श्री श्री प्रकाश : मैं माननीय सदस्य का ध्यान उस बक्तव्य की तरफ आकषित करना चाहता हूँ जो मैं ने संसद के पटल पर रक्खा है, उस से उन को सब जानकारी हो जायेगी।

[**Shri Sri Prakasa:** I wish to draw the attention of the hon. Member to the statement that I have placed on the Table of the House, which would furnish him all the information.]

REHABILITATION OF ARMY DISPLACED PERSONNEL

*4941. **Shri Dwivedi:** Will the Minister of Defence be pleased to state:

(a) if any acreage of land has been set aside or is likely to be set aside for allotment and rehabilitation of released Army personnel in Vindhya Pradesh;

(b) if so, what sums of money do Government propose to give as loan, *taccavi*, subsidy or other facilities to such persons; and

(c) when is the scheme likely to be taken up to be put into operation?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) The exact acreage that will be utilised for this purpose cannot be given at present. The Government of Vindhya Pradesh have, however, offered about 10,358 acres of Government culturable waste lands for the resettlement of demobilised soldiers, and the matter is under examination.

(b) Information on this point cannot be given at present as the cost of this resettlement scheme, has not so far been worked out.

(c) It cannot be stated at present as to when exactly the scheme will be implemented. Provided sufficient numbers of released Army personnel volunteer to settle on these lands, it is anticipated that the scheme will be put into operation sometime after November, 1951.

Shri Dwivedi: May I know whether the Government of Vindhya Pradesh have submitted any report in connection with the resettlement of these ex-service personnel?

Major-General Himatsinhji: The Government of Vindhya Pradesh have not sent the detailed report of the scheme, but they have, as I said, offered land of about 10,000 acres and have asked the Government of India to give them the details of ex-soldiers to be resettled in Vindhya Pradesh. We have gathered this information and will be sending it to them in the near future.

Shri Dwivedi: May I know if similar reports have already been received by the Government of India from other States?

Major-General Himatsinhji: As I stated before, Government have asked all the States to submit reports on resettlement of ex-soldiers. So far we have received complete reports from Uttar Pradesh, Bhopal and Madhya Bharat, and schemes for these States have been finalised by the Central Government. Then there are schemes proposed by States which are under consideration of the Ministry of Defence, in regard to resettlement in the States of Bombay, Orissa, Punjab, Hyderabad, Mysore and Travancore. We have had offers of land from Vindhya Pradesh and Madras, but schemes in regard to these two States have not been formulated and we hope to do it in co-operation with the States concerned.

Shri Dwivedi: May I know whether the total acreage of land in Vindhya Pradesh which is being contemplated for resettlement of ex-soldiers, is divided in small plots situated separately?

Major-General Himatsinhji: The land offered by Vindhya Pradesh unfortunately is not in plots of 1,600 acres or above but in small bits all over Vindhya Pradesh. Therefore, this will not be a colony but we will have to make a scheme of individual settlement. That is why this scheme has taken time to formulate.

Dr. Deshmukh: What is the total acreage so far offered by all the States?

Mr. Speaker: He may give the figures if he has got them but it is going beyond the question.

Major-General Himatsinhji: I have not got the figures from all the States, Sir. Here I would, however, like to answer the question of my hon. friend, Mr. Dwivedi which he put earlier. He wanted to know whether we have got figures from States in regard to which we have finalised the schemes. The total acreage of these lands comes

to 22,000 acres. It is divided as follows:

Rampur . 3500 acres—to settle 300 men.	
Madhya	
Bharat . 1100 „—„ „ 44 „	
Bhopal . 2000 „—„ „ 90 „	
Afzalgarh	
in U.P. 16000 „—„ „ 1000 „	

EDUCATION OF ABORIGINALS

*4942. **Shri S. C. Samanta:** Will the Minister of Education be pleased to state:

(a) the amount set apart each year from 1947 to 1950 for the promotion of higher education among the aboriginals and hill tribes; and

(b) whether the whole of this amount set apart for each year was spent and if not, whether the unspent surplus money was allowed to lapse?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a)

1947-48 Nil
1948-49 Rs. 50,000
1949-50 Rs. 1,50,000
1950-51 Rs. 1,80,000

(b) There were some savings in the amounts set apart for 1949-50 and 1950-51. The unspent balance of 1949-50 was utilised in 1950-51 and that of 1950-51 is expected to be utilised in 1951-52.

Shri S. C. Samanta: May I know whether there is any Board to administer the fund and, if so, who is its Chairman?

Shri A. P. Jain: There is a Board which administers the fund and its Chairman is Dr. Tara Chand, M.A., D. Phil., Secretary and Educational Adviser in the Education Ministry.

Shri S. C. Samanta: Is there any separate selection Board for administering scholarships to aboriginals and hill tribes?

Shri A. P. Jain: No, it is a single Board but there are representatives of Scheduled Tribes on it.

Shri S. C. Samanta: May I know what special steps have been taken with regard to promotion of higher education among the aboriginals, after the Constitution was introduced?

Shri A. P. Jain: The amount of grant has been increased.

Shri Rathnaswamy: May I know whether this amount set apart for the higher education of the aboriginals includes provision also for technical

and professional education of these people?

Shri A. P. Jain: It does. The subjects for which scholarships are awarded are: medicine and allied subjects including nursing, engineering, architecture, agriculture, forestry, veterinary science, technology, commerce, law, social sciences, fine arts, laboratories, etc. etc.

Shri Rathnaswamy: May I know whether any of them have been sent to foreign countries for higher education?

Shri A. P. Jain: This fund is not meant for sending persons to foreign countries. but efforts have been made to spread the awards as widely as possible. The Board felt that it would not serve any useful purpose to send any mediocre students to foreign countries and spend a lot of money over them.

Shri Sohan Lal: May I know in which States the entire amount of grant was not spent and did the Central Government ask for any explanation from them? If so, what was their explanation?

Shri A. P. Jain: The money is not allocated to the States; it is placed at the disposal of the Board and the Board invites applications. Generally the rule is that from all the States except Assam and Bihar, practically everybody who had applied has been given a scholarship. In the case of Assam and Bihar scholarships have been given on merits.

Dr. Deshmukh: Is the hon. Minister aware that this Board has nothing to do with foreign scholarships and that it is not within the capacity of the Board to determine whether a overseas scholarship should be awarded or not, but that it is with the Government.....

Mr. Speaker: Order, order. He is giving the hon. Minister information on a point on which he has already replied.

Shri Kishorimohan Tripathi: May I know the number of students in each year who took advantage of these scholarships?

Shri A. P. Jain: The number is as follows:

1948-40	... 80
1949-50	... 201
1950-51	... 248

RESEARCH OF IONOSPHERE

*4943. **Dr. M. M. Das:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether it is a fact that a Research station for the study and research of Ionosphere is being constructed under C.S.I.R. at Haringhata near Calcutta;

(b) whether it is a fact that the question of the establishment of a Central Radio and Electronics Engineering Research Institute is being examined; and

(c) whether it is a fact that a big business magnet has offered 21 lakhs of rupees for this purpose?

The Minister of Natural Resources and Scientific Research (**Shri Sri Prakasa**): (a) Designs for setting up a Research Station for the study and research of the Ionosphere have been prepared by the Council of Scientific and Industrial Research and plans approved. Tenders for the construction of the building are now being invited.

(b) Yes, Sir.

(c) Yes, Sir. **Shri G. D. Birla** has offered on behalf of the Birla Education Trust a sum of Rs. 21 lakhs for the establishment of a Central Radio and Electronics Engineering Research Institute at Pilani and the question of the site is still being examined.

Dr. M. M. Das: May I know the estimated capital expenditure for the Research Station at Haringhata under the heads purchase of land, construction of buildings, and scientific equipment, and the recurring expenditure that will be incurred?

Shri Sri Prakasa: I fear I have not got the figures which the hon. Member requires.

Dr. M. M. Das: May I know whether Government are going to accept this offer of Birla Brothers, and, if so, what steps are being taken for the establishment of that Research Laboratory?

Shri Sri Prakasa: The offer has not yet been finally accepted because Mr. Birla wants this institute to be at Pilani and we are examining whether that would be the most suitable site. In case we choose another site and the offer is still open it will be accepted, so far as I know. But if Mr. Birla insists on Pilani as the venue of the Institute and we feel that that site is not most suitable, then the offer will lapse.

Dr. M. M. Das: May I know whether the amount of Rs. 21 lakhs offered by Birla Brothers will cover all the capital expenditure for the proposed Research Institution?

Shri Sri Prakasa: No, Sir. The estimated non-recurring expenditure is Rs. 40 lakhs and the recurring expenditure is Rs. 6 lakhs. So far as I know, the rule or convention has been that if private parties offer 50 per cent. of the estimated cost, then Government finds the other 50 per cent.

Dr. M. M. Das: May I know whether the research work that will be carried out in Ionosphere will have any practical application on our industries or it will be a purely theoretical Institute?

Shri Sri Prakasa: Sir, so far as I have been able to find out, these investigations would be most helpful for our tele-communication and wireless broadcasting services.

LISTENER RESEARCH UNIT

*4944-A. **Shri Ganamukhi:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the main functions of the Listener Research Unit;

(b) whether it is a fact that a national survey on news listening has been completed; and

(c) if so, whether the data for this study was collected by the method of random sampling?

The Minister of State for Transport and Railways (**Shri Santhanam**): (a) The main function of Listener Research is to collect, by scientific methods, information on the listening habits and preferences of radio listeners and to assess listener reactions to programmes broadcast.

(b) Yes.

(c) Yes.

Shri Ganamukhi: Have any data been collected in Hyderabad about this listener research?

Shri Santhanam: I do not think so.

INCOME-TAX

*4944. **Shri Kishorimohan Tripathi:** Will the Minister of Finance be pleased to state:

(a) the date on which the law relating to investigation of income-tax was brought into force in the ex-Chhattisgarh State which now forms part of the Madhya Pradesh;

(b) whether any cases have been brought to the notice of Government after the law came into force; and

(c) in how many of these States income-tax was levied even before merger and what was the total collection from these States during 1945, 1946 and 1947?

The Minister of State for Finance (Shri Tyagi): (a) The Taxation on Income (Investigation, Commission) Act 1947, was extended to all the merged States, which include Chhattisgarh State by the Taxation Laws (Extension to Merged States) Ordinance No. XXI of 1949 with effect from 26th August, 1949. Later on this ordinance was converted into an Act, namely the Taxation Laws (Extension to Merged States and Amendment) Act, 1949 (No. LXVII of 1949).

(b) No, Sir.

(c) Income-tax was being levied in all the States of Chhattisgarh before merger. The figures of collections of income-tax in these States in 1945, 1946 and 1947 are not readily available.

Shri Kishorimohan Tripathi: What is the latest year for which assessment of incomes has been made in this area?

Shri Tyagi: The previous year's income is usually under assessment.

Mr. Speaker: But what is that year?

Shri Tyagi: It is 1949-50.

Shri Kishorimohan Tripathi: May I know if the assessment after merger has increased or has gone down the level of the pre-merger period?

Shri Tyagi: As I have said the figures are not available. If the hon. Member is keen, I will get the information for him.

INDIAN AMBULANCE UNIT IN KOREA

*4945. **Dr. Ram Subhag Singh:** Will the Minister of Defence be pleased to state whether there has been any casualty among the Indian Ambulance Unit operating in Korea?

The Deputy Minister of Defence (Major-General Himatsinhji): No deaths have been reported so far, but two cases of wound and injuries have been reported.

Dr. Ram Subhag Singh: May I know the total strength of the Indian ambulance unit operating in Korea and what is the cost involved in maintaining it?

Major-General Himatsinhji: The total strength is 17 officers, 9 junior commissioned officers and 300 other ranks. Cost in war time has not been estimated yet; but peace-time cost of that ambulance unit is Rs. 8 lakhs a year.

Dr. Ram Subhag Singh: May I know who bears the cost—the United Nations or the Government of India.

Major-General Himatsinhji: That matter has not been decided.

Dr. Ram Subhag Singh: Apart from being asked officially by the United Nations to send combatant troops to Korea, may I know whether any member nation or nations of the United Nations have also asked India to send combatants to Korea?

Major-General Himatsinhji: I am afraid I am not in a position to answer that question; that should be addressed to the Foreign Ministry.

Shri Brajeshwar Prasad: Why is this unit armed?

Major-General Himatsinhji: All medical units are armed in all the armies, not so much to fight, but for self defence, i.e., to protect themselves if anybody breaks any international convention.

Dr. M. M. Das: May I know, Sir, whether the Indian Ambulance units are classified as combatants or non-combatants?

Major-General Himatsinhji: I believe non-combatants, Sir.

Shri Dwivedi: May I know the number of cases treated by the unit and the nationalities to which they belong?

Mr. Speaker: Entire number of cases in Korea? Order, order, we are not concerned with what is going on in Korea.

Shri Dwivedi: I want to know...

Mr. Speaker: I know what he wants to know; but it is much beyond the scope of the present Government's activities.

FOREIGN VISITORS

*4946. **Shri Deshbandhu Gupta:** Will the Minister of Home Affairs be pleased to state the number of foreign visitors, country-wise, who visited India during the years 1949-50 and 1950-51?

The Minister of Home Affairs (Shri Rajagopalachari): A statement containing the information asked for is placed on the Table of the House

[See Appendix XXVIII, annexure No. 28.]

There were 11,884 visitors in 1949-50 and 11,381 in 1950-51.

Shri Deshbandhu Gupta: May I know, Sir, if any steps are being taken by Government to ensure that these foreign visitors get proper courtesy and attention at the customs and in the various hotels in which they generally stay?

Shri Rajagopalachari: We are trying to do our best to attend to all this, first of all to distinguish between *bona fide* visitors and others and then to give reasonable facilities to *bona fide* visitors.

Shri Deshbandhu Gupta: May I know, Sir, if any steps are being taken by Government to see that these visitors who come for the first time to India get a proper picture of India in regard to industrial, financial and political developments and are not generally carried away by prejudiced propaganda?

Shri Rajagopalachari: Sir, it is a very general question. The best way to impress foreigners is to improve our own condition and not to dress up our windows.

Dr. Deshmukh: May I know, Sir, if a complaint has reached the hon. Minister that Indian hotel-keepers charge exorbitant rates to these foreigners and want to take undue advantage of their being here?

Shri Rajagopalachari: Sir, it is true we have to improve our hotels.

Shri Kamath: Are these foreign visitors, Sir, allowed free access to our border areas, such as Kashmir, Indo-Nepal frontier or Assam, or are their antecedents scrutinised before they are allowed to go and visit those frontier regions?

Shri Rajagopalachari: That is another aspect of doubt and suspicion which is being attended to.

Pandit Munishwar Datt Upadhyay: May I know the number of *non-bona fide* visitors.

Short Notice Questions and Answers

RAILWAY COLLISION AT JHILMILLI STATION ON THE 30TH MAY, 1951.

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

(a) whether on the 30th May, 1951 there was a collision between a goods

train and a passenger train at Jhilmilli station on the Chhindwara-Nainpur section of B. N. Railway:

(b) the cause of the accident; and

(c) the number and names of persons killed and injured, and the description of property damaged?

The Minister of State for Transport and Railways (Shri Santhanam): (a) On 29th May, 1951, and not 30th May, 1951 as stated in the question, 419 Dn. goods train parted in Jhilmilli-Chhindwara section and the rear portion rolled back into Jhilmilli station, where it collided with No. 159 passenger train which was standing there.

(b) The accident was caused by the parting of the goods train, due *prima facie* to the breakage of the yoke of the 7th vehicle from the engine of the goods train while it was being hauled on a long steep rising gradient.

(c) One passenger died and 46 passengers and 2 Railway employees on duty received injuries, the injuries to one passenger and the driver of the passenger train being grievous. The names of the persons killed and injured are being ascertained and will be placed on the Table of the House in due course.

In the case of the passenger train, its engine and tender and the first coach consisting of luggage, brake and III class women compartment suffered heavy damage. The brake-van of the goods train was completely smashed and the next five wagons were damaged partially.

Shri Kamath: Is an enquiry being held and, if so, by whom?

Shri Santhanam: A statutory enquiry by the Government Inspector of Railways was held on 31st May, 1951 and 1st June, 1951.

Shri Kamath: Had it been completed?

Shri Santhanam: He has sent only provisional findings, and we are awaiting his report.

REPORT OF THE JUDICIAL ENQUIRY INTO THE CAUSE OF ACCIDENT TO TOOFAN EXPRESS ON 13TH AUGUST, 1950.

Shri Sishya: Will the Minister of Railways be pleased to refer to the report of the Judicial Inquiry into the cause of the accident to the Toofan Express on the 13th August, 1950, and state:

(a) whether it is a fact that a number of accidents and detachments of hot axle wagons from the trains on the particular section of the railway track where the accident in question occurred, took place in the recent past;

(b) whether it is a fact that the particular portion of the track is defective;

(c) when this portion of the track was last repaired;

(d) what was the report of the Permanent Way Inspector and the Executive Engineer on the repairs to this track from time to time since 1946;

(e) whether it is a fact that the engine of the goods train was an old one;

(f) if the answer to part (e) above be in the affirmative, when it was last repaired;

(g) when the driver of the goods train was appointed to that post, and whether his past record of service was without blemish;

(h) whether the driver of 7 Up Toofan Express had a red light which he was supposed to keep in his possession, and whether he made use of it at the moment;

(i) what remedial measures Government have taken or propose to take to prevent recurrence of such accidents in future; and

(j) what are Government's reactions to the technical side of the evidence tendered by independent witnesses and the Bihar State officials?

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

(a) No. There was only a derailment of one wagon on Up goods train in July, 1950, on the section between Durgauti and Karmnasa and this too was on the other track about three miles away from the place of derailment of 320 Down goods train.

(b) No.

(c) and (d). Apart from receiving normal routine attention, the track was last through-packed between 19th and 24th December, 1949 and the picking up of slacks had been done on 9th April 1950. The Superintendent of Works and the Permanent Way Inspector had inspected the track on 9th August, 1950 and 11th August, 1950 respectively and had found no defect. Reports on the repairs since 1946 are not readily available.

(e) and (f). The engine had been in service for 37 years against a

normal service of 40 years. It was in good serviceable condition and had passed its quarterly and half-yearly examinations on 19th May, 1950 and the monthly examination on 21st July 1950.

(g) On 6th March, 1948. His service record as a driver had some adverse entries.

(h) As there was no occasion for the driver of 7 Up Toofan Express to use a red light so far as the accident was concerned, the question of the possession of one by him did not arise and was not gone into.

(i) More intensive patrolling of the railway lines in collaboration with State Governments where necessary; introduction of certain mechanical devices in Permanent-way structure so as to make tampering with it difficult are some of the measures taken towards prevention of accidents caused by sabotage.

(j) The Government do not consider the technical side of the evidence tendered by witnesses produced by the Bihar Police of any value for reasons recorded by the hon. Judge in his report. The Government entirely agree with these reasons.

Shri Sidhva: The hon. Minister stated that the last inspection by the Permanent Way Inspector was made in August, 1950. What are the rules regarding the inspection of these tracks; within what period is each track to be examined to see whether it is in safe condition?

Shri Santhanam: They are in the Railway rules which I think are available in the Library. I have not looked them up. But, as I have stated, it was inspected on 11th August, 1950.

Shri Sidhva: I wanted to know what are the rules exactly.

Mr. Speaker: He says the rules are there and he may refer to them.

Shri Sidhva: I cannot refer to them unless my question is definitely put down there. May I know whether the rules have been complied with.

Mr. Speaker: He wants to know whether the rules, whatever they may be, have been complied with.

Shri Santhanam: Yes, Sir, I presume so.

Shri Sidhva: May I know whether according to the Bihar Government officials and the independent evidence that was tendered the accident occurred beyond the bridge and not

at the place where actually it was shown, if that is so whether the Ministry has taken care to enquire into the matter, and whether it is a fact?

Shri Saithavam: The Special Judge who was appointed has gone into it in detail and has given his findings. We cannot go behind his findings.

Shri Sidhva: May I know whether the Railway Inspectors have given evidence that this was not due to sabotage?

Mr. Speaker: Order, order. He is now going into the merits of the judgment.

Shri Sidhva: May I know how many witnesses on behalf of the Bihar Government were examined?

Mr. Speaker: I do not think all these questions are permissible after the judicial enquiry.

Shri Sidhva: What was the condition of the sleepers on the damaged track?

Mr. Speaker: Was it not considered in the judicial enquiry?

Shri Sidhva: I do not know. My information is.....

Mr. Speaker: Whatever may be his information, he must be satisfied with the judicial enquiry and the finding of the Judge. Had it been a departmental enquiry, matters would have been different. But when a judicial enquiry has gone into the matter at length one need not go into all these details of facts.

Shri Sidhva: But some of them are.....

Mr. Speaker: Order, order.

WRITTEN ANSWERS TO QUESTIONS

UPPER DIVISION CLERKS

*4925. **Shri Barman:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government were considering the desirability of introducing an intermediate grade of upper division clerks between the grade of assistants and routine clerks;

(b) whether the scheme has been finalised;

(c) what would be the pay and emoluments of this grade; and

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(d) what would be the distinct functions of such upper division clerks as distinct from routine clerks and assistants?

The Minister of Home Affairs (Shri Rajagopalachari): (a) Such a grade of clerks already exists in non-Secretariat offices and the question of introducing it in the Secretariat is under consideration.

(b) and (c). The Scheme has not been finalised.

(d) Such upper division clerks will be engaged on work which is not of so routine a nature as to be entrusted to lower division clerks, and which yet need not take up the time of the Assistants.

WELFARE OF SCHEDULED CASTES

*4935. **Shri Balmiki:** Will the Minister of Home Affairs be pleased to state the amount which Government of India are spending on the welfare of Scheduled Castes and other backward classes in the Centrally Administered Areas?

The Minister of Home Affairs (Shri Rajagopalachari): I place on the Table of the House a statement containing the required information in respect of Delhi, Ajmer, Coorg and Andaman and Nicobar Islands. [See Appendix XXVIII, annexure No. 29.]

QUARTERS FOR SWEEPERS

*4936. **Shri Balmiki:** Will the Minister of Health be pleased to state:

(a) the number of quarters built for the sweepers of the Municipal Board in the Centrally Administered Areas during the last six years; and

(b) the contribution of Government towards the expenditure incurred in this connection?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) 309 excluding Kutch, information regarding which is still awaited from the Chief Commissioner. It will be furnished to the House in due course.

(b) Government have not contributed anything directly towards the expenditure incurred. They, however, help the Municipal Boards by giving them grants-in-aid and loans wherever necessary.

CHANGE OF TEXT BOOKS

*4947. **Shri Deahbandhu Gupta:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that Text Books used in Primary and Secondary Schools in the Centrally Administered Areas are frequently changed which

results in unnecessary loss of money to students and parents;

(b) whether there is any proposal under the consideration of Government to appoint a Committee to go into this question and standardise school text books with a view to avoid frequent changes; and

(c) how many times text books were changed in the State of Delhi during the last five years?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) No, Sir.

(b) No, Sir.

(c) Text Books for Primary Schools were changed twice and books for Secondary Schools once.

FOREIGNERS IN INDIA

***4948. Shri Krishnanand Rai:** Will the Minister of Home Affairs be pleased to state:

(a) whether in the recent census, figures have been ascertained as to the number of foreigners residing in India at present, if so, their numbers;

(b) the name of the country, the nationals of which are residing here in largest numbers; and

(c) whether some persons of foreign countries have acquired citizenship right in India recently, if so, what is their number?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). This information will be available after tabulation is completed, which will take some months.

(c) Yes, Sir. The information is being collected from State Governments and will be laid on the Table of the House.

COAL MINE

***4949. Shri Sohan Lal:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether any coal mine has been discovered by Calcutta geologists in Silchar Area; and

(b) if so, the variety of coal discovered?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). The Geological Survey of India report that a limited company who hold a prospecting licence for coal in Borail Hills of Cachar, have had a survey carried out by private geologists from Calcutta. The area surveyed is reported

to be about two sq. miles in the Borail Hills of Cachar about 18 miles north of Silchar town and accessible by motor from Silchar.

EXPLORATORY MINING SECTION

***4950. Shri S. C. Samanta:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) what special investigations were made by the exploratory mining section in the years 1949 and 1950;

(b) how much money was spent on the investigations and what were their findings; and

(c) whether investigations are going on in the year 1951-52 if so, where?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) to (c). A statement giving the information available is laid on the Table of the House. [See Appendix XXVIII, annexure No. 30.]

SCHEME TO AID MERITORIOUS INDIAN STUDENTS

***4951. Shri S. C. Samanta:** Will the Minister of Education be pleased to state:

(a) how the scheme introduced in 1947 to aid meritorious Indian students who had gone abroad for studies at their own expense, but owing to unforeseen circumstances were not in a position to complete their course without assistance, worked in later years;

(b) the number of such students who have been given assistance so far and in which subjects and in which places; and

(c) how many applications are pending for grants or loans for 1950-51 and 1951-52?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) On the whole the scheme has worked satisfactorily and all deserving students have been helped.

(b) Looms have so far been granted to 48 students. A statement showing the subjects and places of study of the students is laid on the Table of the House. [See Appendix XXVIII, annexure No. 31.]

(c) Seven applications out of those received in 1950-51 and four other received in 1951-52 are under consideration.

REPATRIATION OF INDIAN CAPITAL FROM FOREIGN COUNTRIES

*4952. **Shri Amolakh Chand:** Will the Minister of Finance be pleased to state:

(a) whether Government propose to amend sections 42 and 43 of the Indian Income Tax Act to facilitate repatriation of Indian capital from foreign countries by exemption of taxes on remittances of capital and if so, what capital is likely to be attracted for industrial development; and

(b) what is the amount of tax recovered from such persons in the last financial year and estimated for the current financial year under this head?

The Minister of Finance (Shri C. D. Deshmukh): (a) Government propose to amend section 4 of the Indian Income-tax Act, 1922, to achieve this purpose, but it is not possible to say what capital will be attracted to industrial development by this concession.

(b) Probably the hon. Member requires the figure of tax realised during the year 1950-51 on incomes remitted to India from foreign countries. This figure is not yet available, but on the basis of the statistics for 1948-49 and 1949-50, the average annual tax on such income realised during those years was of the order of Rs. 133 lakhs.

W. H. O. FOUR-YEAR PLAN

*4953. **Shri Amolakh Chand:** Will the Minister of Health be pleased to state:

(a) the amount budgeted by the World Health Organisation for India as a part of the four-year plan to begin from 1952 and the heads of expenditure thereof; and

(b) the names of the places where new clinic centres to control T.B., Malaria and other epidemics will be opened?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) and (b). The information required is not available at present.

स्त्री सहायक सेना (वीमेन वीकबीलियरी फोर्स)

*४९५३. **श्री श्री जांगड़े:** (क) क्या रक्षा मंत्री यह बतलाने की कृपा करेंगे कि क्या "स्त्री सहायक सेना" युद्ध की समाप्ति के पश्चात् अब भी जारी है ?

(ख) यदि हाँ, तो इसके कार्य क्या हैं तथा किस आधार पर इसे पुनर्संगठित किया जा रहा है ?

(ग) भारतीय नौ सेना, वायु सेना एवं भू सेना में भर्ती की गयी स्त्रियों के क्या कार्य हैं ?

WOMEN AUXILIARY FORCE

[*4953-A. **Shri Jangde:** (a) Will the Minister of Defence be pleased to state whether the "Women Auxiliary Force" continues to exist even after the war?

(b) If so, what are its functions and on what lines is it being reorganised?

(c) What are the functions of women recruited to Indian Naval, Air or Land Forces?]

The Deputy Minister of Defence (Major-General Himatsinhji): (a) No.

(b) Does not arise.

(c) Women are not recruited to the Armed Forces, except in the Military Nursing Service and in the Army Medical Corps.

UNIVERSITY COMMISSION

*4955. **Shri S. N. Das:** Will the Minister of Education be pleased to state:

(a) whether Government have considered the recommendation of the University Commission regarding the development of higher education in rural areas; and

(b) which of the States have taken up this work on the lines suggested by the Commission?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The matter is one mainly for the State Governments to consider.

(b) This information is not available with the Central Government.

OBSCENE ADVERTISEMENTS

*4956. **Shri Raj Kanwar:** Will the Minister of Home Affairs be pleased to state:

(c) whether Government are aware that obscene advertisements, photographs and pictures are frequently published in many daily newspapers throughout the country;

(b) if so, what steps Government propose to take in the matter; and

(c) whether there are any Central or Local Acts to deal effectively with such cases and if so their names and the number of prosecutions launched under them during the past three years?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). The appraisalment of obscenity varies from individual to individual and from time to time. So much printed material has been in circulation recently that it is difficult to say to what extent it has passed the bounds of decency. I am accordingly unable to answer the question with any degree of precision. It is not also possible for Government to take steps for prohibition or prosecution for alleged obscenity without incurring adverse comment from various types of critics. The prosecutions have necessarily been very few.

(c) Section 292 of the Indian Penal Code and Section 521 of the Code of Criminal Procedure deal with obscene publications. I am consulting the State Governments regarding the legislation which they have on the subject as well as the steps that they have taken to deal with the publication of obscene advertisements etc. The information collected will be laid on the Table of the House in due course.

DEARNESS ALLOWANCE

*4957. Pandit Munishwar Datt Upadhyay: Will the Minister of Finance be pleased to state:

(a) whether Government propose to enhance the Dearness Allowance of the employees of the Central Government;

(b) the present rate of Dearness Allowance, and what it is to be now after enhancement; and

(c) what additional provision it will require to meet this expenditure?

The Minister of Finance (Shri C. D. Deshmukh): (a) No, Sir.

(b) The present rates of Dearness Allowance are as follows:—

Pay	Dearness Allowance
A—Non-Gazetted officers and married gazetted officers	
Upto Rs. 50	Rs. 35 per mensem.
Rs. 50—100	„ 45 „ „
Rs. 101—150	„ 50 „ „

Pay	Dearness Allowance
Rs. 151—200	Rs. 55 per mensem
Rs. 201—250	„ 60 „ „
Rs. 251—300	„ 60 „ „
Rs. 301—500	„ 70 „ „
Rs. 501—750	„ 85 „ „
Rs. 751—1,000	„ 100 „ „
Rs. 1,001—2,000	10 per cent. of pay subject to a maximum of Rs. 150 per mensem.
Rs. 2,001—2,150	The amount by which the pay falls short of Rs. 2,150.

B—Unmarried gazetted officers.

Upto Rs. 1,000	10 per cent. of pay subject to a minimum of Rs. 40 and a maximum of Rs. 75 per mensem.
Rs. 1,001—1,075	The amount by which the pay falls short of Rs. 1,075.

The latter part of the question does not arise.

(c) Does not arise.

LEPROSY HOSPITAL, GOURIPUR

*4958. Dr. M. M. Das: Will the Minister of Health be pleased to state whether any contribution has been made or proposed to be made towards the construction or maintenance of a Leprosy Hospital at Gouripur in West Bengal by the Government of India?

The Minister of State for Rehabilitation (Shri A. P. Jain): No.

ESTIMATES COMMITTEE

*4959. Shri Sidhva: Will the Minister of Finance be pleased to state:

(a) whether the Estimates Committee's recommendation on the Ministry of Commerce and Industry for the reduction of 70 Assistants, 11 Superintendents and 75 Clerks in the Commerce Ministry has been implemented;

(b) whether any post of Joint Secretary in the late Commerce Ministry has been abolished; and

(c) how many Joint Secretaries, Deputy Secretaries and Assistant Secretaries were there in the Ministries of Commerce and Industry and Supply before amalgamation and how many are there today?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). This recommendation has become out of date as a result of the reconstitution of the Ministries of Commerce and Industry, Works, Production and Supply and Natural Resources and Scientific Research. A statement showing the strength before and after the merger is laid on the Table of the House. [See Appendix XXVIII, annexure No. 32.]

Certain portions of the work have been transferred to Transport and Finance Ministries.

AMALGAMATION OF IMPORT AND EXPORT CONTROL ORGANISATIONS

*4960. Shri Sidhva: Will the Minister of Finance be pleased to state:

(a) whether the recommendation of the Estimates Committee on the Ministry of Commerce for the amalgamation of Import and Export Control Organizations has been implemented;

(b) if not, what are the reasons; and

(c) whether any retrenchment has been made in these organizations last year or this year?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The Offices of the Chief Controller of Imports and the Chief Controller of Exports have, with effect from the 1st March, 1951, been amalgamated under one head and, as a first step, the administrative branches of the two offices have been merged into one. The decentralisation proposals are now in the process of implementation and as soon as a decision is taken in regard to the extent of licensing which can be transferred to the Port Offices, the strength of the staff required at headquarters will be determined. Additions to the staff at the Ports in consequence of the decentralisation scheme will be worked out on the basis of approved scales. The exact saving can be known only after the revised strength both at headquarters and at the Ports is fixed.

(c) Yes, Sir. On the export side, the number of staff reduced in 1950-51 was 60, and this year 11. Compared to 1950-51 budget, there is a reduction of Rs. 3.83 lakhs in the current year's budget.

LOCAL FINANCE COMMITTEE'S REPORT

*4961. Shri Sidhva: Will the Minister of Health be pleased to state:

(a) whether Government have considered the recommendation of the Local Finance Committee; and

(b) if so, what action Government propose to take to implement the recommendations?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) and (b). The recommendations contained in the Report of the Local Finance Enquiry Committee are primarily for the consideration of the State Governments. Copies of the Report have already been furnished to these Governments. As regards the recommendations which concern the Government of India, they are still under consideration.

CASES UNDER CENTRAL EXCISE LAWS

*4961-A. Shri Kishorimohan Tripathi: (a) Will the Minister of Finance be pleased to state the total number of cases under the Central Excise laws relating to tobacco in which offenders were penalised with fines and confiscation of tobacco in each of the two years 1949 and 1950?

(b) What was the total value of fines realised and sale proceeds of confiscated goods?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The particulars are being collected and will be laid on the Table of the House as soon as possible.

TIBETAN REFUGEES

*4961-B. Shri Krishnanand Rai: Will the Minister of Home Affairs be pleased to state:

(a) whether there has been any influx of refugees into Indian territory from Tibet since the entry of Chinese forces there; and

(b) if so, the number of such refugees and the regions where they have settled?

The Minister of Home Affairs (Shri Rajagopalachari): (a) No, Sir.

(b) Does not arise.

VALUE OF EXPORTS IN FOREIGN EXCHANGE

*4961-C. Shri S. N. Das: Will the Minister of Finance be pleased to state:

(a) whether any efforts have been made by Government to make an estimate as to what proportion of our total dollar earnings are not being properly credited to the country's foreign exchange account but are being held abroad by Indian nationals;

(b) whether it is a fact that every exporter has to undertake to surrender to the Reserve Bank the declared value of his exports; and

(c) what is the machinery set up to ensure that such declared value is the correct one?

The Minister of Finance (Shri C. D. Deshmukh): (a) It has not been possible to estimate the extent of dollar earnings that are kept out of our foreign exchange account in contravention of the exchange control regulations.

(b) Yes, Sir.

(c) The declarations given are scrutinised with reference to the invoices and the shipping documents both by the Customs Authorities and by the Reserve Bank of India in order to check that the declarations cover the sale proceeds as entered in these documents.

ADVISORY BODIES

***4962. Shri Ganamukhi:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the types of advisory bodies attached to A.I.R. stations and their functions;

(b) whether Programme and Rural Advisory Committees have been formed for Hyderabad and Aurangabad A.I.R. stations; and

(c) if not the reasons therefor?

The Minister of State for Transport and Railways (Shri Santhanam): (a) There are four types of Advisory bodies attached to All India Radio stations:

- (i) Programme Advisory Committees.
- (ii) Rural Advisory Committees.
- (iii) Consultative Panels for Indian Music.
- (iv) Consultative Panels for Educational Broadcasts.

The Programme Advisory Committees are consulted on matters relating to all programmes and are expected to keep All India Radio in touch with local opinion in the matter of programme construction. The other bodies, as their names imply, are consulted on matters related to the specific programmes for which they are constituted.

(b) A Programme Advisory Committee has since been formed for the Hyderabad Station. The question of constituting a Rural Advisory Committee for that station is engaging attention. The constitution of similar Committees for Aurangabad is under consideration.

(c) Does not arise.

POINT FOUR PROGRAMME

***4963. Shri Sanjivayya:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether a few specialists have been asked for under the Point Four Programme for the Geological Survey of India; and

(b) whether some officers of the department have been sent abroad for further training?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Yes, Sir. Four experts were asked for, namely:

- (i) One Economic Geologist;
- (ii) One Ground Water Geologist;
- (iii) One Geophysicist; and
- (iv) One Engineering Geologist.

Of these, two, namely, the Ground Water Geologist and the Economic Geologist arrived in January, 1951 and March, 1951 respectively. Negotiations to obtain the other two experts, viz. a Geophysicist and an Engineering Geologist are continuing.

(b) Since 1945, seventeen officers of the Geological Survey of India have been sent abroad for further training by the Government of India on study leave and on deputation and one officer under the United Nations Fellowship Scheme. One more Officer is proceeding on study leave very shortly. In addition, two officers from the Geological Survey of India will shortly be sent abroad for training in Geophysics under the Point Four Programme and efforts are being made to send four more officers from the Geological Survey of India for training under this Scheme.

COMPENSATION TO PRE-FABRICATED STALL HOLDERS

***4964. Shri Kamath:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that pre-fabricated stall-holders on Queensway, Irwin Road and Panchkuin Road applied for compensation against the damage caused to the stalls and their contents during the rains last year and by fire subsequently;

(b) if so, whether any compensation has been paid or is proposed to be paid; and

(c) if not, why not?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) and (c). No Compensation was paid or is proposed to be paid. However, a sum of Rs. 2,500 was distributed from the Prime Minister's Relief Fund among the six stall-holders affected.

BANKS

*4965. **Shri Balmiki**: Will the Minister of Finance be pleased to state:

(a) the names of banks who were asked to stop receiving fresh deposits, by the Reserve Bank of India during 1947-48, 1948-49, 1949-50 and 1950-51;

(b) the reasons for issuing such directions by the Reserve Bank of India; and

(c) the effects of such directions on the business of the banks concerned in particular and the banking business in general?

The Minister of Finance (**Shri C. D. Deshmukh**): (a) to (c). The required information is being obtained from the Reserve Bank of India and the same will be laid on the Table of the House in due course.

GRANTS TO INSTITUTIONS

*4966. **Dr. Deshmukh**: Will the Minister of Education be pleased to state:

(a) whether Government give any grants-in-aid to the various private educational institutions in the Centrally Administered Areas and if so, what is the percentage; and

(b) whether Government propose to lay a statement on the Table giving the names of such institutions?

The Minister of State for Rehabilitation (**Shri A. P. Jain**): (a) Yes, Sir. The basis of grants-in-aid to recognized private schools and schools maintained by Local Bodies varies from area to area.

(b) No, Sir. The labour and time involved in collecting the information will not be commensurate with the results likely to be achieved.

DRAFT EDUCATION REGULATIONS

*4967. **Shri Ganamukhi**: Will the Minister of Health be pleased to state:

(a) whether the Education Regulations Sub-Committee appointed by the Pharmacy Council of India has prepared draft education regulations;

(b) if so, whether they have been forwarded to Part 'B' States for comments;

(c) whether Government have approved these regulations; and

(d) if so, when do Government propose to enforce these regulations in Part 'B' States?

The Minister of State for Rehabilitation (**Shri A. P. Jain**): (a) Yes.

(b) The Pharmacy Act, 1948, as it stands at present, does not apply to Part B States. The draft Education Regulations were not therefore forwarded to Part B States for comment when they were sent to other States.

(c) Yes. The Education Regulations will shortly be published in the *Gazette of India*.

(d) The question of amending the Pharmacy Act, 1948 for extending it to Part B States is under consideration. The question of enforcement of the Education Regulations in Part B States will arise only after the provisions of the Pharmacy Act have been extended to those States and Pharmacy Councils have been constituted in the States as required under the Act.

INTERNATIONAL MONETARY FUND

*4968. **Shri Jnani Ram**: Will the Minister of Finance be pleased to state:

(a) the amount contributed to the International Monetary Fund and Bank in the year 1950-51; and

(b) the amount withdrawn from the Fund during that period?

The Minister of Finance (**Shri C. D. Deshmukh**): (a) Apart from the interest and commission charges on the purchases of dollars already made from the International Monetary Fund and loans drawn from the International Bank for Reconstruction and Development, no other contributions have been made to these institutions during the year 1950-51.

(b) No amount has been drawn from the International Monetary Fund during 1950-51.

NATIONAL SCIENTIFIC LABORATORIES

*4969. **Pandit M. B. Bhargava**: Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the number of scientists and the subjects in which research work is being carried on in the National Scientific Laboratories of India and how many of the scientists working there are Indians and how many non-Indians; and

(b) the total expenditure incurred by the Government of India on these institutions during the years 1949-50 and 1950-51 and the amount of expenditure estimated to be incurred during the year 1951-52?

The Minister of Natural Resources and Scientific Research (**Shri Sri Prakasa**): (a) There are 62 scientists working in the National Laboratories, of whom six are non-Indians. A

statement giving the subjects in which research is being carried out and the more important problems of research undertaken in the National Laboratories is placed on the Table of the House. [See Appendix XXVIII, annexure No. 33.]

(b) A statement giving details is placed on the Table of the House. [See Appendix XXVIII, annexure No. 34.]

GRANTS-IN-AID TO STATES

*4970. **Shri P. Basi Reddi:** Will the Minister of Finance be pleased to state:

(a) the names of the States that have received grants-in-aid of their revenues under clause (1) of Article 275 of the Constitution; and

(b) the grant sanctioned by Government during 1950-51 and 1951-52 under the said provision of the Constitution?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b): A statement containing the information is laid on the Table of the House. [See Appendix XXVIII, annexure No. 35.]

FOREIGNERS IN INDIA

*4971. **Shri P. Basi Reddi:** Will the Minister of Home Affairs be pleased to state:

(a) the number of foreigners residing in India at the commencement of the Constitution;

(b) the number of applications made by foreigners up to date for recognition as Indian citizens under clause (c) of Article 5 of the Constitution; and

(c) the number of foreigners recognised up to date as Indian citizens under the said provision of the Constitution?

The Minister of Home Affairs (Shri Rajagopalachari): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

ALL-INDIA COUNCIL OF TECHNICAL EDUCATION

*4972. **Shri Shankaraya:** Will the Minister of Education be pleased to state:

(a) whether the All-India Council of Technical Education has set up any Expert Committee to assess the different types of Radio Engineers and Technicians and formulate suitable courses of study;

(b) if so, whether any report has been presented by this Committee and what action has been taken thereon; and

(c) whether grants have been given to any University or Institutes of Science for improving and developing the training facilities in Radio and Communication Engineering; if so with what result?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) The Committee has reported to the All India Board of Technical Studies in Engineering and Metallurgy, on the different types of personnel required in the field of Radio Engineering and has prepared a scheme for the training of the Senior Personnel. The Board has directed that the scheme be circulated to educational institutions and employing authorities concerned for comments. The work of the Committee is continuing and schemes of training of other categories of personnel are under the consideration of the Committee.

(c) Yes. A statement of grants given is laid on the Table of the House. As a result of these grants the institutions have been able to improve the instructional facilities resulting in better standards of training.

STATEMENT

Name of Institution	Grants		
	Buildings	Equip-ment	Recur-ring (1950-1951)
	Rs.	Rs.	Rs.
(1) Department of Radio Physics and Electronics, Calcutta University.	3,00,000	1,12,000	25,000
(2) Department of Electrical Communication Engineering, Indian Institute of Science, Bangalore.	2,20,000	2,04,512	20,000

EMPLOYMENT OF FOREIGNERS IN A. I. R.

*4973. **Shri Ansari:** Will the Minister of Information and Broadcasting be pleased to state how many foreigners are working under All India Radio and to what countries they belong?

The Minister of State for Transport and Railways (Shri Senthanam): 35. They belong to China, Burma, Indonesia, West Pakistan, Afghanistan, Iran, Iraq, Lebanon, Palestine and Egypt.

WATER SCARCITY IN ANDAMANS

*4974. **Shri Kannamwar:** Will the Minister of Home Affairs be pleased to state:

(a) whether there is water scarcity in the Andamans during the period March to May every year and if so, what steps have so far been taken to meet the shortage of water there; and

(b) whether it is a fact that in Aberdeen area in Port Blair, public have to pay water-taxes?

The Minister of Home Affairs (Shri Rajagopalachari): (a) A report has been called for from the Chief Commissioner. The required information will be laid on the Table of the House as soon as it is available.

(b) Yes, Sir.

GIRLS SCHOOLS IN ANDAMANS

*4975. **Shrimati Dixit:** Will the Minister of Education be pleased to state:

(a) whether there is any Girls School in the Andamans; and

(b) if so, whether there is any arrangement for teaching domestic science to the girl students there?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) No, Sir. Separate classes have however been sanctioned for girls in the Port Blair High School.

(b) No, Sir.

TRIAL OF MILITARY PERSONNEL OF JUBBULPUR

*4976. **Shri Kamath:** Will the Minister of Defence be pleased to state:

(a) whether the Court Martial appointed to try the military personnel who assaulted some civilians at Pariat tank, Jubbulpur, early in 1950 has concluded its proceedings; and

(b) if so, what are its findings, conclusions and verdict?

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

(b) The Officer was found not guilty by the General Court Martial on both the charges framed against him. However, the C.O.A.S. and C-in-C, Indian Army, did not confirm this finding as regards the charge of using criminal force. Administrative action is being taken on this ground.

TRAINING AIRCRAFT "HT-2"

*4977. **Shri Kamath:** Will the Minister of Defence be pleased to state:

(a) when the training aircraft "HT-2" of Hindustan Aircraft Ltd. is expected to fly;

130 PSD.

(b) the cost of the prototype;

(c) the selling price of an "HT-2" aircraft; and

(d) what engine is being used in it?

The Deputy Minister of Defence (Major-General Himatsinghji): (a) The first prototype of HT-2 is expected to fly some time in the middle of August, 1951.

(b) Two prototypes are being manufactured. Together they are expected to cost over Rs. 4 lakhs.

(c) This will be fixed after prototypes have been flown and firmer estimates of cost are available.

(d) The first prototype of HT-2 has a Gipsy Major 10 Mark I engine. The second has a Cirrus Major III engine.

COMPULSORY RETIREMENT OF OFFICERS

418. **Dr. Ram Subhag Singh:** Will the Minister of Defence be pleased to refer to a supplementary question raised on my Starred Question No. 4081 asked on the 12th May, 1951 and state the number of regular officers who have been compulsorily retired since August, 1947 after passing their age-limit?

The Deputy Minister of Defence (Major-General Himatsinghji): *Army.*—No regular officers have so far actually been compulsorily retired on account of age limit since August, 1947. Three regular officers and three Special Unattached List officers are at present on leave pending retirement on reaching, or passing, the compulsory age limit for retirement.

Navy.—Only one officer has been compulsorily retired on reaching the age of superannuation since August, 1947.

Air Force.—Nil.

PEARL SMUGGLING

419. **Dr. Ram Subhag Singh:** (a) Will the Minister of Finance be pleased to state whether any case of smuggling of pearls out of this country has been detected this year by our land or sea customs preventive staff?

(b) If so, what is the value of pearls detected?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). Information is being collected and will be placed on the Table of the House when complete.

PUBLIC RELATIONS AND LIAISON OFFICERS

420. Shri Raj Kanwar: Will the Minister of Finance be pleased to state:

(a) the number of (i) Public Relations Officers and (ii) Liaison Officers, if any, employed in or under each Ministry and its attached offices on the 1st April, 1951;

(b) the nature of work done by and the name of the Department to which each such officer is attached; and

(c) the salary and allowances drawn by each such officer?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

EXPORT OF WOOL

421. Shri Balmiki: Will the Minister of Finance be pleased to state:

(a) the amount of export duty realised on the export of wool during the year 1950-51;

(b) the amount of duty refunded on the export of wool during the above period; and

(c) the particulars of cases in which the question of granting refund on the duty levied on export of wool is pending still?

The Minister of Finance (Shri C. D. Deshmukh): (a) Rs. 1,99,12,000.

(b) and (c). Information is being collected and will be laid on the Table of the House in due course.

EXPENDITURE ON PRIMARY & SECONDARY SCHOOLS AND COLLEGES

422. Dr. Deshmukh: Will the Minister of Education be pleased to state:

(a) the annual expenditure on primary and secondary schools and colleges in each one of the Centrally Administered Areas from the Central Government Fund; and

(b) the annual contribution of the State Government, and the income in each case derived from fees, endowments etc.?

The Minister of State for Rehabilitation (Shri A. F. Jain): (a) and (b). A statement is attached. [See Appendix XXVIII, annexure No. 36.] In all the Centrally Administered Areas, excepting Coorg, the funds for the State Governments are provided by the Government of India. Government expenditure in Coorg is met from the Coorg Revenues.

Mica

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

(a) whether it is a fact that very recently while digging a pond, mica-like substances have been found in abundance at Daspur in the district of Midnapur in West Bengal; and

(b) if so, has any officer of the Geological Survey of India been deputed to investigate and report in the matter?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). A sample of a mineral obtained at the time of digging a tank in the village of Chaiput, Daspur Police Station (Midnapur District) was sent to the Geological Survey of India by a private party in August, 1950. The sample on preliminary examination was found to be 'Selenite', a variety of gypsum. An officer of the Geological Survey of India was then sent to investigate the find. He reported that the mineral is too sparsely distributed in the mud at the bottom of the tank and too small in quantity to be of any commercial value.

PUBLIC COMPANIES

424. Pandit Thakur Das Bhargava: Will the Minister of Finance be pleased to state:

(a) the number of public Companies which belong to the Investment Trust Companies category and are consequently exempted from the payment of super tax by virtue of notification No. 47 of 9th December 1933;

(b) how many of them are owned by non-Indians and how many by Indians;

(c) the period during which each of the non-Indian Companies has been enjoying such exemption;

(d) what is the amount of super tax which would have been realised by Government, had this exemption not been granted, during the period from 15th August, 1947 upto date;

(e) how many of these Companies have been exempted since 15th August, 1947 and how many were exempted before;

(f) whether the concession has been withdrawn during the last 4 years from any of these Companies, if so, from how many Companies and for what reasons;

(g) are any Indian Companies enjoying similar advantages in U.K. as America?

The Minister of Finance (Shri C. D. Deshmukh): (a) Five.

(b) As they are public limited Companies, it is difficult to say whether their shares are held exclusively by Indians or non-Indians.

(c) No non-Indian Company enjoys immunity from payment of super-tax at present, since all the five Companies enjoying exemption from super-tax are Indian Companies.

(d) This figure is not readily available, but it is being obtained and a statement will be laid on the Table of the House later.

(e) All the Five Companies were granted exemption before the 15th August, 1947.

(f) The concession was withdrawn by Notification No. 9 of 21st February, 1948 in respect of all the non-Indian Investment Trust Companies numbering 28 in all.

(g) It is extremely unlikely that an Indian Company would be enjoying any concession in the U.S.A. There is however no super-tax in the U.K. on Companies.

EXCAVATIONS OF MONASTERY OF GHOSHITARAMA

425. Dr. Ram Subhag Singh: Will the Minister of Education be pleased to state:

(a) whether excavation of the monastery of Ghoshitarama at Kaushambi (Allahabad, U.P.) was done by Government;

(b) if not, how was that monastery excavated; and

(c) what are the finds of that excavation?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) and (b). The excavation of the monastery of Ghoshitarama at Kaushambi is being done by the University of Allahabad with the permission of the Department of Archaeology.

(c) The finds consist of a large stupa and ancillary shrines, a large number of fragmentary stone sculptures, a few inscriptions and seals and pottery.

LAND RECLAMATION SCHEME

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

(a) the amount of money sanctioned by the World Bank for land reclamation scheme of the Government of India;

(b) how much of the sanctioned amount has so far been drawn by India for that purpose; and

(c) how much land has so far been reclaimed under that scheme?

The Minister of Finance (Shri C. D. Deshmukh): (a) \$10 million.

(b) \$4.1 million.

(c) 2,28,708 acres of Kaws Land and 31,000 acres of Jungle Land upto the third week of May, 1951.

THE ANDAMANS

427. Shri Kamath: Will the Minister of Home Affairs be pleased to state whether in the Andaman and Nicobar Islands, there are still restrictions imposed on the movements of general public inside Island to and from island to island and whether it is a fact that the public road leading to the officers private Gymkhana Club has been closed to the general public now; if so, why?

(b) whether it is a fact that some half a dozen cases of local personnel in Andamans service have been referred to the Government for considering them for higher posts in view of their qualifications and experiences, if so, what action has been taken on those cases; and

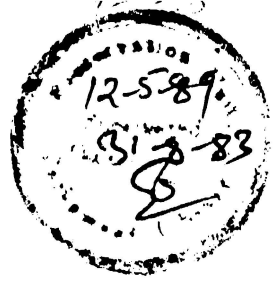
(c) whether it is a fact that the local people of Andamans are deprived of opportunity in the matters of services, recruitment and training and if so, why?

The Minister of Home Affairs (Shri Rajagopalachari): (a) No restrictions are imposed on the movements of the general public inside the Islands or from island to island. The road leading to the officers' Gymkhana Club is not closed to the general public. Only motor traffic is not allowed on this road as it passes through playgrounds where children play. An alternative road is open to such traffic.

(b) A non-official gentleman has given a list of persons who, according to him, should be promoted to higher posts. He has himself sent a copy of the suggestions to the Chief Commissioner of the Islands. No further action has, therefore, been taken.

(c) No, Sir. On the contrary, it is Government's desire that every encouragement should be given to the local people to fill the posts in the Islands. Proposals are under examination for improving the facilities for their education both in the Islands as well as on the mainland.

Wednesday, 6th June, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

Third Session
of the
PARLIAMENT OF INDIA

1950-51

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SATURDAY, 9TH JUNE, 1951—

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PARLIAMENT OF INDIA

Wednesday, 6th June, 1951

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

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part D)

9-39 A.M.

MOTION FOR ADJOURNMENT

EXCLUSION OF HINDI FROM THE SYLLABUS OF I.A.S.

Mr. Speaker: I have received notice of an adjournment motion signed by comparatively a formidable number of Members of the House—twenty-one or twenty-two, whatever it may be. But that does not affect the admissibility at all. As I understand from the hon. the Home Minister that he would like to have some time to get the true information about the allegations made in the adjournment motion, I shall take up the question of admitting this motion, on the 8th, that is day after tomorrow. He wants to have enough time. But that does not mean that it will necessarily be admitted. Before I consider the admissibility, I should naturally like to have a full statement of the facts before me, and therefore I am going to take up the question on the 8th.

Some Hon. Members: What is the subject-matter?

Mr. Speaker: If I read the subject-matter the inadmissibility will be perhaps clear. But if hon. Members want it I do not mind reading it. The subject-matter is—I am giving the English translation, it is in Hindi—that although according to the Constitution of India, Hindi has assumed the place of a State language, the

203 P.S.D.

Government of India, through an order issued recently—we do not know when it was issued—have excluded Hindi from the syllabus of administrative service examinations, e.g. I.A.S. etc. That is the subject matter.

PAPERS LAID ON THE TABLE

**SUPPLEMENTARY STATEMENT II SHOWING
ACTION TAKEN ON PROMISES, ETC.**

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table a supplementary Statement II showing the action taken by the Government on various assurances, promises and undertakings given during the First Session of Parliament, 1950. [See Appendix XXX].

**MOTION RE CONDUCT OF SHRI
MUDGAL, M. P.**

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): I beg to move:

“1. That a committee consisting of Shri T. T. Krishnamachari, Professor K. T. Shah, Syed Nausherahi, Shrimati G. Durgabai, and Shri Kashinathrao Vaidya, be appointed,

(a) to investigate the conduct and activities of Shri H. G. Mudgal, Member of Parliament, in connection with certain dealings with the Bombay Bullion Association, which include canvassing support and making propaganda in Parliament on problems like option business, stamp duty, etc. and receipt of financial or business advantages from the Bombay Bullion Association; and

(b) to consider and report whether the conduct of the hon. Member was derogatory to the

[Shri Jawaharlal Nehru]

dignity of the House and inconsistent with the standards which Parliament is entitled to expect from its Members;

2. That Shri T. T. Krishnamachari be appointed the Chairman of the Committee;

3. That the quorum of the committee shall be three;

4. (a) That the Committee may hear or take evidence connected with the matters referred to the Committee or relevant to the subject matter of the inquiry and that it shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential; and

(b) That the Committee may hear or take evidence in Bombay or any other place in India as the Speaker may decide;

5. That Shri H. G. Mudgal has leave to be heard before the Committee by himself or by Counsel, if he thinks fit and that the Committee may hear the counsel to such extent as they think fit on behalf of any other person;

6. That the hon. the Speaker may from time to time issue such directions to the Chairman of the Committee, as he thinks necessary for regulating the procedure and organisation of the work of the Committee."

This is an unusual motion and I believe it is the first time that such a motion has been placed before Parliament. I hesitated for some time before doing so and gave careful consideration to the matter. The dignity of the House and the proper behaviour of every hon. Member is dear to the House and I felt that any action taken by a Member, which might not be in consonance with propriety and good behaviour and what is expected of him should be inquired into. That would be fair both to the House and to the Member concerned.

Some time ago, in March, information reached us that at a Board meeting of the Bombay Bullion Association held on the 9th March, 1951, the President informed the Directors that in connection with some of the problems like option business, stamp duties, etc., about which the Association wanted to agitate, a Member of Parliament had agreed to canvass support and make propaganda in Parliament on payment of Rs. 20,000. The name of the Member was mentioned.

There was some opposition to this proposal, but ultimately the Directors decided that Rs. 5,000 should be utilised for this purpose. This was recorded in the minutes of the meeting, though no name was mentioned.

At a subsequent meeting of the Board of the Bullion Association held on the 30th March, the President informed the Members that Rs. 1,000 out of the Rs. 5,000 sanctioned by the Board, had been paid to Shri Mudgal, who was already moving the matter actively. It was further stated that Shri Mudgal had invited him to Delhi to meet some of the M.Ps and the Ministers concerned, with whom he was arranging interviews. Shri Mudgal had promised to put questions in Parliament and thus create the necessary atmosphere for getting support to the objectives of the Bullion Association.

Meanwhile, on March 24th, the Finance Minister received a letter from Shri Mudgal stating that the President and some Directors of the Bombay Stock Exchange were coming to Delhi and asking for an appointment for them. The Finance Minister replied that he did not understand why the Bombay Stock Exchange Members should seek to make an appointment with him through Shri Mudgal. He would prefer to deal direct with any request that might be made.

Late in March Shri Mudgal sent notice of a question to be put in Parliament. This question No. 2742 was put down for an answer on the 2nd April. In this question Shri Mudgal enquired whether Government are aware of the views of the President and the Directors of the Bombay Bullion Exchange that smuggling of Bullion resulting in the loss of foreign exchange can be stopped by permitting regulated imports of Bullion. The Finance Minister replied that Government were aware of the views expressed, but did not consider that the situation was such as to warrant any change in their present policy in the matter.

The request for an interview and the question in Parliament appeared to be in furtherance of the offer made by Mr. Mudgal to carry on an agitation, in the interests of the Bullion Association, in Parliament, for which it had been stated, he had asked for a sum of money.

On the 20th April, I had an interview with Shri H. G. Mudgal in the course of which I informed him of the information we had received. He told me in answer that he was connected with an organisation which published the "Indian Market" and did research work also. In the course of his pro-

professional work, he and his staff had helped the Bullion Association by preparing a pamphlet and a memorandum. His staff had been paid Rs. 1,000 for the pamphlet and another Rs. 1,000 for the memorandum. Further the Press of the "Indian Market" had been paid Rs. 700 for printing charges of the memorandum. He denied having asked Rs. 20,000 or any other sum from the President of the Bombay Bullion Association. Whatever he had received was, according to him, in connection with his professional work and there was nothing under-hand about it.

I met Mr. Mudgal for a second time later and further discussed this matter with him. He also gave me his reply on the lines which I just mentioned in writing. The explanation that he gave me did not appear to me to be satisfactory.

I have therefore thought it fit to place this matter before the House and to suggest the appointment of a Parliamentary Committee to inquire into it. It seemed to me that an *ad hoc* Parliamentary Committee would perhaps be more suitable for an investigation in such a matter than the Committee of Privileges of the House under Chapter XIII, Rules 181 etc. of the Rules of Procedure.

Notice of this motion was given to Mr. Mudgal on the 2nd June and I had requested him to be present in the House today so that he might give such explanation to the House as he might consider necessary.

Mr. Speaker: Motion moved:

"1. That a committee consisting of Shri T. T. Krishnamachari, Professor K. T. Shah, Syed Nausherahi, Shrimati G. Durgabai, and Shri Kashinathrao Vaidya, be appointed,

(a) to investigate the conduct and activities of Shri H. G. Mudgal, Member of Parliament, in connection with certain dealings with the Bombay Bullion Association, which include canvassing support and making propaganda in Parliament on problems like option business, stamp duty, etc. and receipt of financial or business advantages from the Bombay Bullion Association; and

(b) to consider and report whether the conduct of the hon. Member was derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect from its Members;

2. That Shri T. T. Krishnamachari be appointed the Chairman of the Committee;

3. That the quorum of the Committee shall be three;

4. (a) That the Committee may hear or take evidence connected with the matters referred to the Committee or relevant to the subject matter of the inquiry and that it shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential; and

(b) That the Committee may hear or take evidence.....".

Shall I add a word here? 'Bombay and or any other place'?

Shri Jawaharlal Nehru: Yes.

Mr. Speaker:

".....in Bombay and/or any other place in India as the Speaker may decide;

5. that Shri H. G. Mudgal has leave to be heard before the Committee by himself or by Counsel, if he thinks fit and that the Committee may hear counsel to such extent as they think fit on behalf of any other person;

6. That the hon. the Speaker may from time to time issue such directions to the Chairman of the Committee, as he thinks necessary for regulating the procedure and organisation of the work of the Committee."

Mr. Mudgal, if he wants, may make a statement.

Shri Naziruddin Ahmad (West Bengal): May I ask a question on a point of clarification, Sir? In para 4 (a) of the Resolution it is stated:

"It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential."

The clarification which I seek is whether it would be secret or confidential so far as the person in question is concerned.

Mr. Speaker: That is, the party concerned?

Shri Naziruddin Ahmad: Mr. Mudgal.

Mr. Speaker: It cannot be. The hon. Member will see, in para 5 it is stated that Mr. Mudgal has leave to be heard before the Committee. He will remain present and he will be entitled to remain present. I think that is the idea. It is not going to be an *ex-parte* enquiry behind his back.

Dr. Deshmukh (Madhya Pradesh): Before proceeding to discuss, the Resolution, may I draw your attention to the fact that, the whole resolution has appeared in this morning's edition of the Papers. I want to know whether this publication was proper and correct.

Mr. Speaker: The hon. Member will see that the publication is after the list of business was circulated to the Members of the House; it is not before it or when the notice was received from the hon. Prime Minister and before it was circulated to the Members.

Shri Kamath (Madhya Pradesh): On a point of procedure, Sir, the Prime Minister stated in the course of his speech that this is an unusual motion, the first of its kind in our legislative history. Will you be so good as to enlighten the House, under which particular rule or procedure this has been sought to be moved, or whether it is entirely in your discretion that you have allowed it to be moved. Secondly, the Prime Minister also said that an *ad hoc* committee would be more suitable for this purpose than the Committee of Privileges appointed by you. I believe I am right in saying that the Committee was appointed by you some time last year or more than a year ago and so far as my recollection goes, this Committee of Privileges of the House appointed by you is empowered under the various rules of procedure—I think under the last chapter of the rules—to go into various matters affecting the dignity and privileges of the House and of Members of the House. I would therefore request you to tell us in what way this Committee has been—it may be a harsh word—by-passed and why it has not been asked to enquire into the matter to see whether there is a *prima facie* case against Mr. Mudgal before it could be referred to another Committee, *ad hoc* or otherwise of the House?

Mr. Speaker: As regards competency to make the motion, I believe it is competent for any Member of this House to bring forward a motion which he thinks the House should take cognizance of and it will be in the discretion of the Speaker to allow that motion. That disposes of the first point.

As regards the other point, there is a Committee of Privileges constituted under the Rules. Yet, it is within the powers of the House to constitute other special committees if there are any special circumstances and enquiries

to be made. There is nothing inconsistent with that. I may also say that, it is a moot question to be considered as to whether any such conduct as alleged is really in a sense a breach of privilege of the House or something different. A Member may behave in a manner which the House would not like him to behave and yet it may be argued that it is not a breach of privilege. In all such circumstances, the practice in the House of Commons has been to constitute a special committee and the procedure in making a motion is the procedure that is usually adopted in the House of Commons, even though there is a Committee of Privileges. Then, of course, the constitution of the Committee, etc., are matters of detail and I need not go into them, now. Therefore, the motion is quite in order.

As regards the procedure to be followed, the hon. Prime Minister in moving the motion has placed his case before the House. I am now calling upon Mr. Mudgal to make such statement as he likes with reference to the motion as also the statement of the hon. Prime Minister and it will be for the House to decide whether there is a *prima facie* case for the appointment of a committee. The appointment of a committee does not mean anything; it does not mean an expression of opinion of the House that Mr. Mudgal is guilty. It is only a request for enquiry on what appears to be a *prima facie* case for enquiry. Mr. Mudgal will make a statement and then I shall put the motion immediately to the House. There will be no discussion at this stage on the motion.

Dr. Deshmukh: I would like to make a submission. It will be realised, as has been pointed out by the hon. Prime Minister, himself, that this is a very important matter and is the first of its kind. It should be possible therefore for us to understand the meaning and import of it. My question to you is whether you, before allowing this motion to be tabled in the House and allowing this discussion, took any steps to satisfy yourself if this was the only course that was open under the circumstances? Secondly whether you, as the guardian of the privileges of Members of this House and their reputation, thought that the thing had come to such a pitch or your conviction was so strong as to leave no other alternative except to place the motion before the House. My question is whether it will be possible for you to enlighten the Members of this House whether on getting notice of this motion, you had taken any steps to see whether this matter could be decided and if necessary even

Mr. Mudgal punished in any other manner except by a motion tabled in this House, discussed, enquired into and decided upon. Thirdly whether you were pleased to apply your mind to the facts of the case, and what steps were taken to see that unnecessarily a Member's reputation shall not be injured, because, as soon as such a motion comes before the House, it is presumed and a lot of people have the impression that there must be something in the matter or something wrong must have been done. From that point of view, I would like you to enlighten the House as to how far you applied your mind to the facts and whether you were under the circumstances of the case convinced that there was no other proper alternative of dealing with the matter except to place it before the House in the way it has been done.

Mr. Speaker: I shall clarify that point and then Mr. Mudgal will be called upon without any further discussion. As the hon. Member has raised the point, I may say that I have applied my mind to the fullest possible extent to all the details of the evidence, and it is my deliberate conclusion that there is undoubtedly a *prima facie* case for an enquiry committee. That is my judgment.

10 A.M.

Then again, I have seen the confidential reports to which the Prime Minister refers. They were placed at my disposal before I admitted this motion—as also copy of the proceedings of the Bombay Bullion Association. The fact that the question was tabled soon after the meeting and the report of the President, the fact further that an interview was asked for and the fact that in a subsequent meeting, the President of the Bullion Association said that in pursuance of what was decided, some payment was made, all these facts to my mind, are of a type which do require a clarification and an explanation and *prima facie* there is a strong case for an enquiry. That is my personal view. The House may take a different view.

As regards the question of safeguarding the reputation of a Member, I quite agree that, if there is no *prima facie* case and the case rested merely on suspicion without evidence, then such a motion as that should not be permitted by me. But in this case, I felt that I had no other go, looking to the evidence and I felt that there was, *prima facie*, a case for enquiry. And then, it is in the interest of the reputation of every Member of this House,

that there should be an open enquiry so that the public may not have an impression that Members of Parliament are of low calibre and they are capable of accepting some kind of gratification or some kind of satisfaction to do the work in Parliament. And also it is in the interest of Mr. Mudgal that he should be given an opportunity of clearing up the whole position by an enquiry committee of Parliament. That is my view and I do not think I need say anything further. I am practically only repeating what the Prime Minister stated, the only point of difference being whether I had seen the evidence and whether I had applied my mind to this question; and to that, my emphatic reply is—yes. I felt there was no other way of dealing with this matter. If we deal with this matter in a different way we would be sullyng, as I said, the reputation of the entire House. It is not a question as between Mr. Mudgal and the Prime Minister. It is a question of the whole House and the House has to safeguard its own reputation. That is why I have admitted the motion.

Shri Kamath: On a point of clarification. Sir, I heard you say a few minutes back that after Mr. Mudgal has made his statement, then it will be for the House to decide whether there is a *prima facie* case or not. Am I to understand then, that the motion will be put to the vote of the House without discussion?

Mr. Speaker: Yes, for the simple reason that there is nothing for discussion. The facts disclosed are there and the House will have the opportunity of hearing Mr. Mudgal. The House has heard the Prime Minister. It is just for the purpose of enquiring into all the details that a committee is proposed to be appointed and the report of the committee will come before the House before any action is taken. At that stage the House will have the opportunity of discussing the report fully, and it can discuss whether the evidence is proper or improper, whether the report should be supported or contradicted and hon. Members can agree on the evidence holding Mr. Mudgal guilty of some improper conduct or they may come to a different conclusion. It will be for the House to decide how they should deal with Mr. Mudgal.

Shri Kamath: The House has had no time to study the statement and then decide whether there is a *prima facie* case for appointing a committee of enquiry.

Mr. Speaker: We have heard the statement made by the Prime Minister and as a responsible person he must have made it on certain reliable evidence. He would not come to the House just to soil the reputation of a Member. The hon. Member Dr. Deshmukh has also raised the point whether I had applied my mind to this and I said that I had. I do not see what further things can be discussed in the House now, at this stage. The Committee will enquire into the details. And hon. Members will also see that one of the provisions in the motion says that it will be for the Committee to treat any evidence tendered before it, as secret or confidential. That aspect was also borne in mind.

Shri T. Hussain (Bihar): How can we come to any conclusion as to whether there is a *prima facie* case for enquiry or not, unless we discuss it?

Mr. Speaker: Order, order. There is nothing to discuss here now. There is the statement of facts and the hon. Member has to decide for himself and if he feels there is no *prima facie* case he can vote against the motion. There seems to be some confusion between a *prima facie* case for holding an enquiry and the actual findings. That is the unfortunate part of it. I do not think there is anything to discuss now.

Pandit Maitra (West Bengal): Did the hon. Speaker send for the hon. Member and ask him for an explanation with regard to the facts brought to his notice?

Mr. Speaker: The hon. Member came to see me and I directed him to the hon. Prime Minister, because it was principally a matter between the hon. Member and the Leader of the House. And the Leader of the House was keeping me informed as to all that was happening. He reported to me the oral conversations, which he had and I asked the hon. Prime Minister to put specific points before Mr. Mudgal and call for his written reply to them so that there may not be any scope for misunderstanding as to how the matter stands. These specific points to which the Prime Minister referred here were put to Mr. Mudgal. He was informed that on such and such date this thing happened, that on such and such date that thing happened and so on and he was asked to give his explanation. And if I mistake not, the hon. the Leader of the House gave him some time to give his written reply?

Shri Jawaharlal Nehru: Yes. I have the reply in writing. I have got it

here and I am prepared to read it out if the House so desires.

Mr. Speaker: Well, these are the circumstances and I had no other go but to admit this motion.

Pandit Malaviya (Uttar Pradesh): I do not know any more facts about this matter, nor, I take it, does any other Member of the House know more than what has been said on the floor of the House by the Prime Minister. As the Prime Minister said, this is a very serious matter, and the honour of every Member of the House is in a way involved in it. We have, therefore, to take a very careful view of it and then decide upon the proper course. But, Sir, there are two aspects to this question. On the one hand is the question of the honour and reputation and the public faith in the integrity of the Members of this House: on the other, there is the need of our ensuring that we do not set up a new procedure under which it may be feared that the Government can deal arbitrarily with any Member of this House, if he does something which may not seem to be quite correct, but about which there may be room for doubt. Luckily we have today a Government and a Prime Minister than whom nobody can be more jealous of the integrity and reputation of this House and its Members. If anybody desires to select an individual from all the world over, of the highest integrity, to deal with such a matter, it will be our Prime Minister. That no doubt is our best safety. But it seems to me, Sir, that it is not a matter which will affect us only for today. Today we happen to have a Prime Minister in whose hands we would gladly leave this and many more things. Today we have a Home Minister and we have other Ministers in whose hands these things can be left without the slightest hesitation or doubt. But maybe that some day there will be a government in this House of which, unfortunately, the same opinion may not be held by all sections in the Parliament. If we start this precedent of the Government being able to ask for the appointment of a Committee—an *ad hoc* Committee—for the consideration of the conduct of some particular Member, some people may feel that this may leave a possibility of abuse on some future occasion. These are the two conflicting aspects which are creating a doubt in my mind. I therefore wish to submit to you and through you to our Prime Minister for his consideration that probably in a case like this, the best course would have been for the Government to deal with the matter.

The Prime Minister has gone into it and we are more than satisfied—I am more than satisfied—to leave it to him to deal with the matter, to request the Member concerned to see him and then to suggest to the Member what he thinks is the action he should take. If the Member does not agree to take the action which the Prime Minister suggests, then there would be room or need for some further steps to be taken. I do not know the full facts of the case, and I am therefore submitting these remarks to you only because of an apprehension I have of the future. I wish to make it quite clear that so far as the present case is concerned, it is in hands about which I or anybody else cannot and does not have the least hesitation and therefore, I have nothing to say about it. But my anxiety is about the future. What I suggest is that if the Prime Minister is satisfied that the matter cannot be left over now, and cannot be dealt with departmentally by him, then I submit, that a motion of this nature should be considered by this House in camera—and not in an open Session so that such a Resolution may be considered without any reserve. The Member concerned should be requested to say what he has to say and after that, the fullest possible consideration of the matter should be allowed by the Members of the House, as I said, in camera.—nothing to go to the press and nothing to go necessarily on record; and, then only, if the House were convinced that it is a matter in which further investigation should take place, it should be done.

Then also, Sir, I have no doubt that the House will approve of the personnel of the Committee which the Prime Minister has suggested; but, personally I should think that the best course would be to leave it to the House to suggest the names of Members of the Committee, of course in consultation with the Prime Minister and with his consent, and not to the Government itself to name the Members of the Committee. I am sure I will not be misunderstood. This has nothing to do with and means no disapproval in any sense of the individuals whose names have been mentioned for the Committee or of the view-point or motive with which those names have been suggested. I have nothing in the least to say about that. All that on its own is perfectly sound; but, merely as a matter of safeguarding by correct procedure the danger of any abuse of such precedent in the future by people with lesser integrity,—if I may put it that way—with lesser transparency of sincerity than our Prime Minister and his colleagues, I am making this sug-

gestion of caution to you for your and the Prime Minister's consideration.

Mr. Speaker: Without going further into detailed arguments, I would request the hon. Prime Minister to say more in detail as to how many times he saw Mr. Mudgal. He has already stated the position but the point seems to have been made whether, in the opinion of the hon. Prime Minister, this was the only course open and no other course was open or whether the matter could not be settled departmentally. I do not know what he meant by departmentally.

Pandit Malaviya: I said, by the Prime Minister.

Shri Jawaharlal Nehru: Some reference was just now made to a letter I received from Mr. Mudgal. If the House is desirous, I will read it.

✓ **Shri Syamnandan Sahaya (Bihar):** And also from the President of the Bullion Association.

Shri Jawaharlal Nehru: We have received nothing from the President of the Bombay Bullion Association. We have received information as to what took place at the meeting of the Board of Directors of the Association.

Shri Syamnandan Sahaya: That was not confirmed by the President of the Bullion Association?

Mr. Speaker: He is going into details.

Shri Jawaharlal Nehru: What Mr. Malaviya suggested is not quite clear to me. There is no question of any Departmental Enquiry. Because there is no Department concerned unless it is some Department concerned with Parliament that may do so. Any further enquiries would have involved an investigation in Bombay possibly with the President and Members of the Bullion Association and I did not feel myself competent to undertake that directly or indirectly. As the Speaker said all that we had before us was certain data which seemed to us to be *prima facie* evidence of a certain kind which deserved further enquiries. **Either it is not *prima facie* adequate and therefore we allowed the matter to lapse or there was room for further enquiry, a proper enquiry. I could not think of any other way of holding that enquiry except by bringing such a motion before the House. The only alternative was again to bring it before the House for the Committee of Privileges. Those were the only two alternatives that I had before me and it seemed to me, after consultation, that this *ad hoc* Committee of Enquiry would be a somewhat more flexible procedure and also it was not quite**

[Shri Jawaharlal Nehru]

clear to me whether strictly speaking any privilege of the House was involved. For these reasons, I have brought forward this motion for this enquiry because there appeared to be a *prima facie* case which may be proved or disproved. Government have no interest whatsoever in the matter except to safeguard the honour of the House and Government will be happy indeed if after due enquiry, the Committee find that there was no grave impropriety or whatever their finding may be. This matter came to our notice sometime in the middle of March i.e., 2½ months ago. During this period I tried to get as much further information as possible. Further developments took place towards the end of March and as soon as I had got information about these developments, I saw Mr. Mudgal in April. I read out to him the information that I had received to which he replied, as I had stated, that that information was not correct i.e., the statement reported to have been made by the President of the Bombay Bullion Association. I had no basis in fact so far as he was concerned. He did not know what the President had said but he certainly never asked, he said, for that sum of money. Then he told me about his professional activities, about his staff of the "Indian Market" helping the Association by preparing Memoranda and Brochure etc. He said it was a part of his professional duties. Thereupon we had further correspondence and I wrote to him some weeks later again that it might be desirable for me to bring this matter in the shape of a motion before the House. Again, I saw him and discussed this matter and he reiterated his previous stand. Later I thought it would be better for me to put to him in writing some specific points. Previously I had told him only orally. I put it to him in writing. Having gone through all these processes and after consultation with some colleagues and others, I came to the conclusion that we could gather little further information unless, of course we carried on a definite enquiry in Bombay by some procedure. Now that procedure could either be a Departmental proceeding which seemed to be improper or some procedure to get a Parliamentary Committee appointed for the purpose. I shall read the letter that he wrote to me in answer to mine and I shall read my letter to him first.....

Pandit Malaviya: May I interrupt the hon. Prime Minister for a moment. My suggestion was that the Prime Minister might consider the feasibility of taking up this matter in a camera

session of the House and not in an open sitting.

Mr. Speaker: The hon. Member should know that it has never been the practice in the House of Commons to hold such proceedings in camera... (Pandit Malaviya: It may not be.) Order, order. What is the object of having it in camera? The object will be defeated if the proceedings are held in camera. The public will not know what we are doing and it is no use keeping back from the public what our actual colours are. If the Committee's finding is in favour of Mr. Mudgal he will certainly come out with flying colours. (Interruption). Order, order.

Shri Jawaharlal Nehru: There are a number of letters which I have exchanged with Mr. Mudgal. Perhaps it would be enough if I read the last two letters. I will first read my letter to Mr. Mudgal dated the 27th May, which is the last one.

"Dear Shri Mudgal,

I am in receipt of your letter of May 24, 1951.

2. I have carefully considered what you have written and what you told me in the course of the two interviews that you have had with me. You have not, however, thrown much light on certain specific points which are mentioned in the draft motion, which I sent you and which referred to 'canvassing support and making propaganda in Parliament on certain problems'. I am, therefore, putting before you some of the facts which have a bearing on the matters mentioned in the motion.

I might mention that I sent a copy of the motion to him long before I gave notice here, that is about a week before it was sent to the Speaker. I wanted to inform him of my intention and see what his response was. It was only after knowing his reaction and further correspondence that I have taken the action.

"3. At the meeting of the Board of Directors of the Bombay Bullion Association on 9th March, 1951, the President is reported to have stated to the Board that you had agreed to canvass support and make propaganda in Parliament on payment of Rs. 20,000 and he wanted the Directors to consider the proposal. He further stated that he would negotiate with you, if the Directors would support him. After some discussion it was agreed by the majority at the meeting that a sum not exceeding Rs. 5,000 should be paid to you for such propaganda work. A small

committee was appointed to negotiate with you about the methods of propaganda.

4. The minutes of the Board meeting dated 9th March, 1951, record the result of the discussion in the following words (which for obvious reasons do not refer to your name or to the specific purpose):

'The Committee was empowered to incur expenditure upto Rs. 5,000 for safeguarding rights of members and for removing hindrances felt in connection with trading in the Association with reference to the new Forward Contracts Control Bill.'

5. What were said in the above resolution was duly followed up both by you as also by the Association, as reported by the President to the next meeting of the Board held on the 30th March, 1951. At that meeting the President informed the members that you were paid only Rs. 1,000 out of the Rs. 5,000 and that you were already actively moving in the matter. He further stated that you had invited the President to Delhi to meet some of the M.Ps. and Ministers concerned with whom you were arranging interviews. He added that you had promised to put questions in Parliament and create the necessary atmosphere for getting support for the objectives of the Bullion Exchange. The President also informed the Board that, as he was going to Delhi for the meeting of the Federation of Indian Chambers of Commerce, he would utilise that opportunity of contacting M.Ps. and Ministers with whom interviews had been arranged by you.

6. The truth of the statements made by the President of the Bullion Exchange is borne out by the discussions at the two meetings and the minutes of the Board dated 9th March, 1951 as also by your conduct, as set out below.

7. On the 21st March, 1951, you gave notice of a question to be answered on the 2nd April, enquiring 'whether Government are aware of the views of the President and the Directors of the Bombay Bullion Exchange that smuggling of bullion and the resultant loss of foreign exchange through the back-door could be stopped by regulated imports of bullion', and further asking whether Government proposed to consider the desirability of releas-

ing a portion of the surplus gold to the Exchange in the open market etc." On the 24th March, 1951, you wrote a letter to the Finance Minister stating that the President and some Directors of the Bombay Stock Exchange coming to Delhi to attend the meeting of the Federation of Indian Chambers of Commerce would like to meet him and discuss gold smuggling and allied problems. You sought an appointment from the Finance Minister for the President and Directors. The interview did not take place as the Finance Minister wrote to you as follows:

'I do not understand why the Bombay Stock Exchange members should seek to make an appointment with me through you. I would prefer to deal direct with any request that they may have to make.'

8. It appears rather strange to me that since my first interview with you neither you nor your staff could get any information as to 'whether, what, when and why the Bullion President made the speech reported' to me. You refer to the veil of intrigues of the Bombay Bullion Association. What these intrigues are, you do not specify and, in any event, the question we are considering stands by itself. *Prima facie* I have to accept the statements that the President of the Bullion Association is reliably reported to have made as these statements are substantially borne out by the records and by your subsequent conduct.

9. I should like to have your replies to the above specific points. As the facts appear to me at present, it does not seem desirable for me to give up the idea of making a motion in Parliament. You suggest that an enquiry be made by the Congress Party. I am afraid this is neither feasible nor desirable, as the whole House is concerned with this matter. It is not a party question.

10. I do not understand your reference to 'unforeseen repercussions in the existing atmosphere in his country.'

11. I shall be grateful for an early reply.

[Shri Jawaharlal Nehru]

12, Western Court,
New Delhi.

May 28th, 1951.

My dear Mr. Prime Minister,

I thank you for your letter of May 27.

The reference in your proposed motion to 'canvassing support and making propaganda in Parliament on certain problems', is obviously based on allegations in paras. 3 and 4 of your letter under reply.

I have not met nor negotiated with the Board or any Committee of the Board of Directors or the President of the Bombay Bullion Association to do any work in the Parliament as alleged in the report you read out to me on April 20. So the question of having asked for Rs. 20,000 or negotiated for Rs. 5,000 does not arise. I told you all this during my interview on April 20.

With reference to para. 5. I have told you exactly what work (an Article, a brochure and printing of two jobs) my staff did for the bullion president and what amounts (Rs. 1,000, Rs. 1,000 and Rs. 700 respectively) were received. The work was strictly professional and done by my staff at Bombay. Bills were submitted and stamped receipts for cheques were passed. The entire transaction was *bona fide*. I and my Membership had nothing to do with it.

The rest of the assumption seems to be a mix-up with mere coincidences which I shall explain.

I asked the question (ref. your para. 7) on bullion smuggling when the article published in my weekly "Indian Market" attracted my attention. I picked up the idea for the question as other Members do from the press. On similar press reports on bullion and smuggling so many hon. Members put questions.

At about this time the member of my staff who was in touch with the bullion president for the work on the brochure wrote to me to the effect whether I could arrange for an interview with the Finance Minister for Bullion President and Directors who were coming to the Federation meeting.

They wanted to submit the brochure he was preparing and discuss their problems with him—the Finance Minister. I wrote a routine letter to the Finance Minister and transmitted his reply to my staff member. That was all. Nothing more was done than what I would do for anyone else's request.

With regard to para. 8, I did tell you on Thursday, May 24, why my staff or I could not contact the Bullion President. He has been busy with his talkie "Nand Kishore" and therefore not available for more than a month. The office of the Association refused to give any information in their president's absence to my staff member who was told that since their Association was full of intrigues they would rather leave it to their President himself to attend to it.

However we have been trying to get in touch with the Bullion President, and my seniormost staff member informs me that the President may be available early this week. He will ask him to give an explanation of the matters alleged, especially a reply to the letter my contracting staff member had written to the president after I sent the report of my interview with you to him (staff member). As soon as I hear from Bombay, I shall write to you again in the matter.

Regarding your observation in para. 10. I simply meant to say that the motion may lead to unnecessary loose talk.

I trust I have replied to all the points you have raised. I am always available for any further information.

Re. para. 9. may I suggest that you wait till my office contacts the Bullion President and reports? His explanation, if it is forthcoming, will clear up the air and help you to take the final decision."

I got this letter and later on June 2nd I sent a copy of this motion to him. In between, I might mention, he has written to me again asking for some copies of papers like the original report, and I supplied him with those copies.

✓ Shri Syamnandan Sahaya: Sir, as the whole thing seems to emanate from the records of and the speeches made in the Bullion Association, was any attempt made to verify them from the records of the Bullion

Association or from the persons who were supposed to have made these speeches?

Shri Bharati (Madras): That is all for enquiry.

Shri Jawaharlal Nehru: We received these reports from a person, a reliable person, who normally has access to these papers in his official capacity. It is not some kind of a way of getting it—we got the information from a person who was present at the Directors' meeting in his official capacity. He reported this to us.

Shri Kamath: The allegations made in the documents read out are, to my mind, many and varied. I again submit to you, Sir, for your earnest consideration, whether it will be fair to the House to put a motion, an important motion of this kind, to the vote without any discussion thereon.

Mr. Speaker: The hon. Member will see that there is no scope for discussion—that is what I am telling them. Whatever information is available in support of the *prima facie* case has been supplied by the hon. Leader of the House. What further discussion is going to take place, I really do not know. The only thing that remains now is the explanation which Mr. Mudgal may offer. The last point was put in by Mr. Sahaya about the documents, and the hon. Leader of the House has stated that the report came from an official member who was present at the meeting of the Board of Directors.

Shri J. R. Kapoor (Uttar Pradesh): May I, Sir, with your permission and with the indulgence of the House say something with regard to the manner and method.....

Some Hon. Members: No, no.

Mr. Speaker: Order, order. Now let us hear Mr. Mudgal first. It is no use prolonging these things.

Shri J. R. Kapoor: I was not going to say anything on the merits but with regard to the manner and method of enquiry. This is an important case, the first of its kind, and it is going to be a precedent for the future. The Members of this Committee will be very much in the nature of judges or jurors, and I would therefore suggest that the manner and method of the appointment of this committee should be one which should have the confidence of the person who is going to be tried. So far as the present case is concerned, it was rightly pointed out by my hon. friend, Pandit Govind Malaviya

that we could not find in the whole country a person who is considered to be more impartial than the hon. Prime Minister—and everyone of us too has the fullest confidence in him—but occasions may arise later on when we have a Party Government, when the Leader of the House may suggest appointment of persons who may not have the fullest confidence of the House. I would therefore suggest that a committee of this nature should always be appointed by the Speaker who, though he may be elected,.....

Mr. Speaker: Order, order. It is a repetition of what has been stated already. If the committee suggested by the hon. Leader of the House in his motion is such as does not command the confidence of the majority of the House, it is perfectly competent for them to throw out this motion on that ground. Let there be no further argument. Mr. Mudgal..

Shri Mudgal (Bombay): I personally welcome this motion, but before I proceed with my side of the case may I inquire, Sir, on one thing? You made a statement in reply to the question of Dr. Panjabrao Deshmukh that, "I think there is a *prima facie* case". Will this not amount to prejudicing the minds of hon. Members? I would like to have a reply to that.

Mr. Speaker: It ought not to really, because it is perfectly competent for every Member to come to his own conclusion on what the hon. Prime Minister has stated. I would not have said anything, did not like to speak anything, but Dr. Panjabrao Deshmukh put a straight question to me, asking whether I had applied my mind to it before admission of this motion, and he said that it was the responsibility of the Chair to first satisfy itself as to whether the motion has some basis and is such as should be admitted; because after all, whatever the hon. Leader of the House or any Member of the House might try to do, the honour and privileges of the House are entirely in the hands of the Speaker. That was his point, and therefore I told him, "Yes, I assured myself and because I felt there was a *prima facie* case, I could not escape the conclusion that I must admit this motion".

Shri Mudgal: It does not amount to prejudicing the minds of hon. Members".

Mr. Speaker: No, no. The hon. Member may take it for granted and proceed further.

Dr. Deshmukh: May I clarify one point, Sir? My emphasis was on the method of inquiry and not on the *prima facie* case. I wanted to know whether this was the only alternative and appropriate procedure to be adopted.

Mr. Speaker: Let the hon. Member continue.

Shri Mudgal: As I have already said, I welcome this motion although I know it is made in a light-hearted, cavalier manner. I am sorry to say this, because this motion has been moved in this House by the hon. Prime Minister. I understand from the talk that is going on in this House that a great deal of external pressure has been brought to bear on the hon. Prime Minister to bring this motion in this form.

Shri Jawaharlal Nehru: May I, Sir, intervene? I have not had the least shadow of external pressure on me—in fact, I had not discussed this with anybody here except with my colleagues. There is no question of external pressure—I just do not understand what the hon. Member means by it.

Shri Mudgal: However, this question, after my first interview with the hon. Prime Minister on April 20, I understood, was discussed by the Cabinet. Later on during my second interview with the hon. the Prime Minister I happened to inform him of this. He said: "Yes, we informally discussed that." After the first meeting of the Cabinet, it must have been so informal that several hon. Ministers came to me and asked: "Mudgal, what is this? Your name is being mentioned in the Cabinet." They had no motion as to what was discussed. What the facts were and so on.

Sir, this is a very grave matter as the hon. the Prime Minister said and I entirely agree with him that the propriety and good behaviour of a Member is a question for discussion by this House, and I am as zealous of the propriety and dignity and prestige of this House as any Member of this hon. House. This being so, let us see what has been alleged against me. In this connection I appeal to the Members of the House to keep an open mind and in spite of what they have been told, and in spite of the observations from the Chair I would like them to keep an absolutely open mind, an absolutely unprejudiced

mind, because a Government should not be treated like the Jewish priest.

Once a Jewish priest wrote a very very nice letter to one of his congregation members and that letter that lady cherished so much that she used to show it around to all her friends. One day a lady reading that letter said: "Your rabbi does not know how to spell well. He has spelt the word temptation with two p's." The devout lady said: "Why after all he is a rabbi. If he wants he can put ten p's or one hundred p's in that word!" Similarly the Government should not be permitted to put as many l's as it can in the allegation that has been brought before them.

Sir, there is another aspect to this. The Prime Minister had asked me what I meant by 'grave repercussions'. Of course, I did not want to argue with him or write an essay on that. Therefore I simply said I meant loose talk. Now I can place before this House the viewpoints which concern not only the entire Membership of this House, not only the Members of the Government but the entire country. The situation in this country today is very confused, very fluid. Is it right that anyone of us should consciously or unconsciously do a thing which would give a handle to the various forces which are alert to catch hold of anything to beat our Government with, or to bring discredit on the political party that is in power, or the entire Membership?

In this connection I would like to tell you a story which I had heard when I was twelve years old. One morning the husband went to the field and he came back and said to his wife: "My dear, nowadays the crows are getting impossible." "What happened, my dear" she asked. He said: "While I was sitting in the field a crow came and brushed right against me." So the wife got excited. She went to her neighbour and told her: "Dear, do you know what happened to my husband today when he was in the field? A crow came, went through his mouth and went out the other side." That neighbour got excited, went to another neighbour and said: "You know what happened to Mr. so and so? When he was in the field this morning four crows went through his mouth and went out the other side." And within one hour the entire town was hearing that thousands and thousands of crows were passing through the mouth of this poor husband and passing out

the other side. All traffic stopped and everyone began to rush to the field to see this grand phenomena.

Now, Sir, I submit to you when such allegations are brought in the existing conditions in this country, they will multiply into hundred-fold and there would be no knowing how far this might go or whom it might hurt. So, Sir, under such circumstances, I had suggested one or two courses to the hon. the Prime Minister to find out all the facts before he could take this grave step. But in his wisdom or in the wisdom of his advisers he decided otherwise. I told him everytime I met him: "These are all the facts as far as I am concerned and I am willing to place them before any committee formed by whatever methods and means you would like—I am entirely at your disposal. If you insist on moving this motion I personally have no objection, because the facts are so simple, so straightforward that it could not affect my reputation or dignity at any time." But, Sir, the very fact that this motion has been brought before this House and uncalled for, unnecessary, publicity has been given to it may lead to consequences that we do not foresee today. However, I trust, when full facts are known this House will decide in its discretion in the right way and I shall abide by your decision either in the House today or by the Committee's report later.

Now, in my first interview with the hon. the Prime Minister he read out a statement at the end of which he said that that statement was taken from the minutes of the Bombay Bullion Exchange. After that I gave him what I knew of this case. Then he asked me: "Why did the President make such a statement?" I told him that I had not the slightest idea and that I was not present when the President made the speech. Later on a date was given: on that date I did not even meet the President. How could I give an explanation for a talk that is going on in the board rooms of this association or that association, or some other association. This is a matter, Sir, that every Member of the House should consider carefully. Is everyone of us going to be responsible for the talk heard in the smoking room or in the ante-room of every association and every company's board room in this country and be held responsible? If that is so no Member's reputation will be safe. Everyone will be black-mailed, including the Members of the Cabinet. This is not fair. That is why I suggested that we should go into this

matter, try to get all the facts, find out from the Bullion President whether he made the statement or why he made the statement. To that the hon. Prime Minister never gave a reply. He only asked me: why I did not get in touch with him. For that I gave him my explanation which he has read out to the House. I may refer to it a little later.

Now under these conditions it becomes very difficult for honourable men to enter politics or to be of service to the nation. This is a phenomenon not only peculiar to this country, but to some extent it is prevalent everywhere. I will read to you, Sir, how similar chaotic conditions prevail in the United States.

There the Wisconsin Taxpayers Alliance went and investigated this entire matter carefully and came to this conclusion:

"Qualified men are needed more badly than ever in government today, but our unfair criticism of politicians is making capable office-seekers more and more reluctant to risk their good names in the ring."

This is about political leaders who stand for election. And then they also went and talked about the administrative officers. There they said:

"We will not get better government if we continue to smear and condemn public officials unjustly. We must realize that man works best when what he does is regarded as worth while. We can hardly expect public officials to consider their work worth while when it is sneered at by average citizens. Only if we dignify public officer, and work with good public officials rather than against them will we get better government."

Sir, at least in the interests of good government, good parliamentary traditions, a little more caution should have been exercised in bringing this motion to the floor of this House. But since it has been brought, there is no other way than to meet it and to explain it.

I may explain to you what my organisation is and what services it renders. For this I have to give you a little background information. As some members may be aware, I was in the United States for seventeen years. I was a self-supporting student; I was a self-supporting man. The only

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amount of money I spent from this country during the seventeen years was Rs. 2,000. For the rest I worked with my own hands, with my own brains. I lived well, without any wrong doing. My American friends will tell you what my talents were, what my character was. I have done speeches for politicians and businessmen in the United States. I have written articles for executives. I have edited American newspapers for American people, and I have worked as editorial writer, reporter and various other things for American papers. I may also tell the House that I am not one of those 'ivory tower' men. I have worked in the United States with my hands in the fields, in the kitchens. I have washed the floors. I have sold newspapers, and I have edited newspapers. I have served in the factories. Would a man who could take care of himself even in a foreign country with competence, do a thing that these allegations make out?

Since my return to this country I started my journal called 'Indian Market' in 1937. Those who are conversant with journalism, especially journalism which is practised by working journalists—by working journalists without capital—know how difficult it is to run a journal in this country. Then I tried to introduce market research, research in applied economics, writing speeches for those who are willing to pay and also write articles for those who are willing to pay for them. This is how my organisation was rapidly built up not only as a publishing business, but as a public relations counsel business. And this is not a new business. As I said, it was started in 1937. That business is going on. Due to the conditions in the country it has its fortunes sometimes up, sometimes down. There is no volume of business either for journalism or for many other fields in the professional world. Therefore, wherever and whenever we can get business we try to get it. There is no shame in doing an honest work, helping a busy man, writing his speeches or writing an article to press his viewpoint. This is extensive in the United States. Unfortunately the Members of our Government, and possibly many Members of the House, have got only Britain on their minds and therefore what is not done in Britain is taboo. Much of our legislation is vitiated by this mentality. Many of our actions have been misguided due to this mentality. I say we must have an open mind, get practical and workable ideas for the

conduct of the affairs of this country. And that is not being done. Instead, lots of prejudices are accumulated and are being disseminated so that we find ourselves in a mess of prejudices and we find often that we cannot get out of them.

Sir, as long as the work of this country is done by means of prejudices, by means of no information, or sometimes through fright, we cannot carry out good or fruitful legislation, nor good administration. It is in this respect that my organisation has been trying ever since 1937 to place facts—facts not only from Britain or India but from the United States, from Germany, France, Japan—whatever facts are available. I am trying, in my own small way to serve them, to feed the minds of the people of this country. They might be industrialists, they might be businessmen, they might be politicians, they might be Government administrators or Cabinet Ministers. The work that I have been doing since 1937 is appreciated far and wide throughout the country. True, the number is small. But those who appreciate that work are men of substance, men who have leadership, men who have brains, men who have means to do things for this country. And my work is known to some extent even in Great Britain and the United States. They hold my work as very valuable in their day-to-day work.

And now, Sir, what have I been trying to do with my organisation? You can read my journal, which is a weekly since 1946, and find out from every issue that it is the most constructive journal published in this country, advocating constructive work on the part of industrialists and businessmen, persuading them to co-operate with the Government, trying to advocate that the Government must be realistic and adopt such policies as would help this country rise as rapidly as possible.

We have been trying to keep this Republic of ours safe not only from marching feet and greedy hands but also from idle hands, idle minds and empty heads. In fact we hold that idle hands, idle minds and empty heads have caused greater damage to our economic fabric than all other causes combined. In this mission, Sir, we are trying to place as many realistic facts as we can get hold of before the country. In this routine work of ours, we have studied the problems of various exchanges in this country. That is known to many executives. We hold the view that if you want to study trade or industrial problems of our country, you cannot

do that by sitting in an ivory tower or a dark Secretariat room, but by going to the market places. By "market place" I do not mean a place which is full of chaos but I mean in the economic sense. Lots of people are talking about the market place, but those who are in power, those who are in the Cabinet are not in touch with the market places in India, and that is why unrealistic and impractical programmes and legislation have been brought before this House.

11 A.M.

In view of the background I have given you, my organization undertook to do some research work, some articles for the President of the Bullion Exchange.

[MR. DEPUTY-SPEAKER in the Chair]

I will read to you what work we actually did. My organization in Bombay is known as 'H. G. Mudgal Publications'. It undertook between January and March of this year one assignment of preparing an article on the bullion trade and another assignment of doing research in the problems of the bullion trade and preparing a brochure; also a printing Press associated with our organization did some printing...

Shri Kamath: When was it?

Shri Mudgal: Between January and March this year, all on account of the President of the Bullion Exchange, that is, for his account. My organization and my staff members dealt directly with the President of the Bullion Exchange and not with the Board or Directors or anybody. The assignment was given to them by the President and the work was done under his instructions. Regular bills, as usual, were submitted, Rs. 2,000 for writing and research and Rs. 1,000 and odd for printing, but while paying the printing Bill it was cut down to Rs. 700, for they refused to pay for the overtime to do the printing as a rush job. Payments were received by cheques made to the order of H. G. Mudgal Publications. Stamped receipts were duly passed. This House will see that the whole transaction was strictly professional; it was a routine business transaction entirely above board. The assignments were secured by a member of the staff and serviced by him. Now, Sir, the hon. Prime Minister while summarizing during the first part of his...

An Hon. Member: Are there stamped receipts?

Shri Mudgal: Yes, cheques were received in the name of H. G. Mudgal Publications, crossed and to order. Now, Sir, supposing for a minute the

allegations made by a responsible officer to the Prime Minister were correct, does this House believe for a moment that monies would be accepted by cheques, bills would be submitted for work done or receipts given? Hon. Members of this House as well as the entire population in our country knows that when wrong things are done, cash is accepted and no receipts are given. (Hear, hear). This is an extraordinary phenomenon that when I placed these facts, the hon. Prime Minister was pleased to say that he was not convinced. He wanted me to explain to him why the Bullion President made that speech. How do I know where he made it, why he made it and what he said? Now the matter has come before the House. I have to face it and I have to give the explanation in detail. So, it seems that some people have been trying to make a great capital out of this report which was marked 'secret'. But the name of the person sending was not mentioned in the copy I got. It seems that people are behaving in India, by and large, like that old morality hunter Comstock of Boston. There was a reverend gentleman, called Comestock. He thought that there was immorality wherever his eyes fell, and that he alone represented morality throughout his life. He had organized a society for the prevention of Immorality or something like that and one day he dragged a woman before the court and asked the judge to try her and punish her. The Judge asked: What has she done? He replied: Your Honour, this woman is very immoral and therefore she should be punished. The Judge asked: What did she do? He replied: She is so immoral, last week she gave birth to a baby which was entirely naked. Sir, if such cases are being brought against the Members of this House, we are helpless.

[MR. SPEAKER in the Chair]

Now I come to the other two points of circumstantial evidence on which the hon. Prime Minister as well as the hon. Speaker seemed to have been convinced that there is a *prima facie* case in this matter—the matter about asking a question. As I have stated in my letter in reply to that of the Prime Minister, which he has been pleased to read to this House, all of us, every Member in this House is not inventing facts. He is not conjuring facts from the heaven. He gets his facts or suggestions for questions from the daily newspapers, magazines, conversations he has with various people in the country or in his constituency and if he thinks that there is something interesting, he sends in a question. As you know, Sir, I have not been taking up the valuable time of

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the House by asking various questions, on which I have already information; I have not tried to seek publicity by making speeches; I have not tried to go round and talk to the Members of this House on this Bill or that Bill. I am studying this House very carefully, although I am sitting very silently. When I have something of importance to say, I submit written memoranda to the hon. Ministers concerned. The hon. Prime Minister himself can testify that I have submitted 2 or 3 memoranda to him on subjects in which I thought my ideas should be known to him or the ideas that I had gathered should be known to him. I have placed before the hon. Finance Minister my viewpoint on the nationalization policy pursued, how it would hurt the country and why it should be changed and on what lines it should be changed. I had had an interview with the hon. Finance Minister while he was in Bombay soon after he took charge of his portfolio. Well, I do not think that any of these activities is unjustified or out of the way. It is the function of Members of Parliament to place ideas before the Members of this House as well as before Members of the Government, so that there will be achieved the common good of the country. Otherwise, why do we come to this House? So, in this connection, I put a question on Bullion smuggling. When I was going through my various copies of *Indian Market* while at Delhi, I came across this article that my staff member had printed about bullion smuggling. The President had said in that article that too much gold is being smuggled into this country, and the prices of gold are going too high. While even in the free market in the United States, gold is available at Rs. 70 a tola, the price of gold in this country, at least at the time when I sent the question was Rs. 112. As any other trader, the President of the Bullion Exchange was upset about it. Contrary to the general view that an industrialist or trader is only interested in high prices, in order to make more and more money, this President held the view that these high prices would ruin this country, that these high prices would add to inflation and therefore, he was trying to bring down the price of gold, which might help to relieve the inflationary pressure in the country. He had argued along that line and said that in the view of his Association, every month three crores worth of gold was being smuggled into India which meant that foreign exchange which was concealed abroad

for various reasons was utilised not for the good of this country, but for ruining it. He wanted to stop that smuggling and had suggested a way out in that article.

Now, I thought that that was an idea that should be placed before this House and information secured authoritatively from the hon. Finance Minister. I sent that question. They are trying to make out that I have done something out of the way, for under-hand purposes. What is the under-hand purpose for which the question was asked, as alleged by that secret report? In that report it is said that hon. Member was to ask questions, to prepare the ground to have the Forward Contract Bill thrown out. Would any Member of this House tell me that the discussion of the question of gold smuggling and bringing down the price is going to eliminate or create the background for eliminating the Forward Contract Bill? I fail to understand.

Now, coming to the question of trying to make an appointment with the hon. Finance Minister for the President and Directors of the Bombay Bullion Exchange. As the House is already aware, my staff member was handling this account. His brochure was getting completed. At that stage, the President asked him, since he would print that brochure, take it with him to Delhi and present a copy of it to the hon. Finance Minister, and since he was going to stay in Delhi for the Federation meeting for only two days, whether he would ask Mr. Mudgal to arrange for an interview during these two days. Well, requests come from various people for taking them to the Ministers or putting in a word with the Ministers for this or that. This is the common experience of every Member of this House. We do it. Do we always stop to think that this request to this hon. Member or that hon. Minister may lead to such repercussions? The hon. Finance Minister sent a reply: I thought it was rather a curt reply and I thought it was not fitting that such a reply should be received by a Member of this House. So, I went to him and said, "Mr. Finance Minister, I got your reply; but I did not like its tone." He said, "These members are known to me and therefore, they should have come to me". I said, "All right, Sir." In the financial circles and in the business circles in the country, the hon. Finance Minister is known to be very shy, and cautious and sometimes suspicious. Therefore, I said this is one of his complexes and I shall abide by his decision. Then, I told him that

I would inform my staff member to tell these people that they should write directly to him for an interview. That is all I did.

Later on, when these people came to the Federation meeting, at one of the receptions I met them and they said laughingly, "Your Finance Minister refused to see us even when we made a request".

Granting whatever is alleged, suppose the Finance Minister had seen the President and whoever came with the President to discuss either gold smuggling or forward markets, what would have happened? Would they have persuaded him to throw out the Forward Contract Bill? Would they have persuaded him against his will to import gold? I could not see any mistake in the entire thing. So, I dropped the matter.

This is in explanation of the allegations in this behalf.

Let us take the other parts of the allegation. The first allegation is that a Member of Parliament had agreed to canvass support and make propaganda in the Parliament on payment of Rs. 20,000. Now, Sir, knowing the composition of this House and knowing the Members as I do, could I or any one for a moment imagine that he could sell this hon. House for Rs. 20,000? That is what it amounts to, that I am in a position to persuade the majority of this House to throw out the Forward Contract Bill. Is it possible for any Member, let alone a Member who knows all about Economics, to think that he could get a majority of the Members of this hon. House to throw out or defeat a particular Bill? I will leave it to you to consider.

The second point is that they negotiated with me to get a majority of the Members of this House to defeat that Bill for Rs. 5,000. Did the gentleman who sent this secret report with all these allegations, stop to consider that these hard-boiled, shrewd businessmen would entertain the idea that a single Member of this House will have so much power as to persuade a majority of them to throw this Bill out? Was any consideration given to this point? Besides, as far as I know, the Bombay Bullion Exchange is a responsible body and one of the national bodies in this country. Would they go out to bribe Members of this House? These factors were not considered either by the gentleman who rushed to report or by the hon. Prime Minister and the hon. the Speaker

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while analysing the said report. Well, I leave it to the hon. House to say whether any Member could be so foolish as to think that he could by himself, win a majority of the Members to a certain course, and your reply will answer this allegation.

Further, this secret report says, or makes the President say that no deputation or representation would be effective. And then someone who opposed what was proposed by the President suggested that a written memorandum or a deputation should be sent in this matter and not bribe a Member of Parliament.

Now, Sir, as against this famous secret report, here is a brochure prepared by my staff member in which the instructions and observations of the President of the Bullion Exchange were incorporated. This was printed with his approval and it is printed with his name. The work we do as public relations Counsels is always confidential. Our name does not come in. This brochure I believe, or rather copies of it, are with some of the hon. Ministers. Does it carry out the allegations made by this wise dissenter in his secret report?

An Hon. Member: What is the name of the President?

Shri Mudgal: Jwala Prasad Tiwari. And the brochure is entitled "Bottle-necks in Forward Trade in Bullion".

Coming to the relevant portions of the allegations, namely that the Bullion Association President was trying to get this Forward Markets Control Bill thrown out, against that allegation, the President makes a statement in print to say: "We welcome the Forward Markets Control Bill now pending before the Parliament." Now, how does this statement go with the allegation made that they wanted the Forward Markets Control Bill to be thrown out?

Pandit Maitra: Who published that brochure?

Mr. Speaker: Order, order. Let the hon. Member proceed. Questions of merits are not relevant at this stage.

Shri Mudgal: It is published by the President. He discusses "option" and he does not want options to be thrown out without any investigation. He only pleads for going through the question of options carefully. They have been dealing in Bombay where options are banned and they know what difficulties are created and they wanted to place

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all the facts before the hon. Minister. The idea was not to throw out options, according to what he has published.

And about stamp duties, all that he says is that these duties are excessive and he wants substantial relief. So it is quite different from what the secret report alleges.

Now, I come to another point. When the hon. Prime Minister read to me that secret report, at the end of it, he said, "This is taken from the minutes of the Bombay Bullion Exchange". Well, I took it at that. But during correspondence, a month or five weeks later, in the second letter that he read to the House he has written this paragraph—"Minutes of the Board meeting dated 9th March, 1951 record the results and discussions in the following words which, for obvious reasons, do not refer to your name or to the specific purpose." But on the 20th April, when he read to me this statement, he said this was from the minutes. And so there seems to be a difference between the first version and the second version. The secret report is a report from something else and not from the minutes of the association. So, in order to verify that, I wrote a letter after my return from Bombay, to the hon. Prime Minister in which I wrote:

"You remember that I had an interview with you on April 20th when you read out to me a statement and informed me that this statement was from the minutes of the Bombay Bullion Association. Would you be kind enough to send me a copy of the statement in full as you read it out to me?"

And in para. 2 I wrote:

"Would you also be kind enough to send me a copy of the report of the minutes of the Bombay Bullion Board meeting of March 30th, 1951 of which you speak in para. 5 of your letter? In that paragraph you gave only a summary.

With highest esteem etc."

In reply to that letter the Prime Minister sent me the required reports, with this covering note:

"I have your letter of June 1st. I am sending you the papers you required."

There was no contradiction that these were not from the minutes. Therefore, there has been some confusion. I have the highest respect for the Prime

Minister and I do not mean to suggest that he deliberately misrepresented anything. But what I submit to you, Sir, is that in his multifarious activities I am not sure whether the Prime Minister had anytime to go through this as carefully as he should have, especially when not only the reputation of one Member of this House is involved, but the reputation of the entire House is involved. He should have been a little more careful, and that is all the complaint that I have to make about this matter.

So the entire thing reduces itself to this. A gentleman, however highly placed he may be, has sent a secret report based on some talk. Whether it was right or wrong it is not possible for me at least, to assess at present. Only the President of the Bombay Bullion Exchange could do that. And the Prime Minister in fact, suggested that as far as this part of the allegations is concerned only the President of the Bombay Bullion Exchange can throw any light, and with that I entirely agreed. Then he asked me why he was not contacted by me? I have given the explanation in my reply which he has already read out to the House, namely, that the President of the Bombay Bullion Exchange has another business—that of production of motion pictures and he was busy finishing and releasing the picture—"Nand Kishore", and hon. Members know that when a man has motion pictures in his head, he is not easily available for regular business purposes.

So I was not able to contact him nor the member of my staff who was taking instructions from him could get in touch with him. Then after this matter took this grave turn, I asked my staff to try to get in touch with him. Immediately they sent a message to him that 'You must meet Mr. Mudgal and explain the position'. Then I got the reply saying that he would be available on Tuesday or Wednesday of last week. I am talking as of to-day. Then I flew to Bombay and I showed him the correspondence. Then the President said to me 'This has no substance'. Of course I do not expect the House to take that statement without verification but this is what he said. He said, 'There is no substance in that. If you write to us a letter saying that you are sending copies of this correspondence for our information, and that we should comment on it and give our explanation, we shall be glad to do so. That I have done and the next day when I flew back from Bombay, I immediately informed the hon. Prime Minister that I

had met the President and I had written a letter to him giving copies—a copy of which letter was enclosed for his information—and when the Prime Minister received the reply of the President of the Bombay Bullion Exchange, if he wished to see me further in the matter, I would be entirely at his disposal. That reply has not yet come. It is being awaited. Therefore I wrote a letter on Monday i.e. day before yesterday to the Prime Minister suggesting to him as follows:

"Thank you for your letter of June 2nd with enclosures—that was regarding this motion.

How about waiting for the Bullion President's official reply? It may throw light, now missing, on the allegations made by your informants. However this is only a suggestion. The decision to make is yours. I personally welcome your Motion. Yours etc."

Now, I have not hesitated to give whatever information I had at my disposal to the Prime Minister. I have not said 'I will take my time or think about or I would consult this one or that one or I shall consult my Solicitors or Counsellors'. The facts are so simple in this matter—they are so above-board, they are so honest and why did I have to dilly-dally in this matter? I have explained to him immediately after he called for my explanation. He asked me to write a letter—the same day I wrote to him because there is nothing to hide in this matter and this is the entire story as far as I am concerned in this matter.

Before I close this sorry matter, I would like to give a resume of the allegations and my explanation.

There are two main allegations. The first point is receipt of financial or business advantages from the Bombay Bullion Exchange. The second point is to make propaganda in Parliament to canvass, to create opposition to the Forward Contract Regulation Bill and to have it thrown out.

Regarding the first allegation, as I have already told you, my organization received Rs. 2,000 for writing and research. But this work took 10 to 14 weeks of one of my staff members and a few weeks of another, the reason being that these traders not used to giving facts all at once—they give bit by bit information and drafts were submitted—then they said they wanted something else—so they were taken back and other information was secured and incorporated, another draft was submitted and so on. Those who

are familiar e.g., newspapermen—with this type of work know that people who are not literary men take quite a lot of time to wade through the drafts.

The members of my staff are paid from Rs. 400 to 450 and in some cases Rs. 750 a month. They are highly paid staff, competent staff we have got and they were kept working on this job for nearly 11 weeks and their salaries and conveyances alone amounted to about 1700 or 1800 rupees. Leaving that aside, when my organization, when H. G. Mudgal Publications, for that work got Rs. 2,000, for work done over a period of 10 to 11 weeks, what does it mean? It means hardly Rs. 700 a month and my organization entails an expenditure of Rs. 12,000 a month and over and the press for which we are responsible for the time being—its running expenditure runs to Rs. 18,000 a month. In this context of Rs. 30,000 expenses, a job coming to us, giving us Rs. 700 a month for one printing job that my press got for which we did not get the right price, in which we lost Rs. 300 and odd, are they going to feed our organization? Is this what is called a financial or business advantage? I fail to see that. In fact when we checked up on the costs of this particular assignment, we found that we had lost somewhere between Rs. 100 to 200 but as businessmen we just take it with a grin. In business if there is a loss, there is none to make a fuss about it in our organization just as here. Whenever there is a loss incurred in a particular Department or Ministry, we ask questions why that money was lost. But businessmen will not worry about a temporary loss or gain. They look at it from a long-range point of view. Therefore the question of deriving business or financial advantage is entirely unfounded.

Regarding the point of carrying on propaganda in Parliament, to canvass support, create opposition and get the Forward Contract Bill thrown out, I would like the hon. Members of the House to listen to this very carefully. I put it to the House, to every hon. Member and to every hon. Minister to answer one question to himself—not to me but to himself, viz., "Did Mr. Mudgal approach me or discuss with me or ask me to vote against the Forward Contract Bill?" This is a straight forward question I request the Members of this House to ask themselves. If every member's and every hon. Minister's including the hon. Prime Minister's and the hon. Finance Minister's reply to this question is 'no', then this motion falls to the ground and should be dismissed. I leave the verdict to the House.

Shri Kamath: On a point of clarification, Mr. Mudgal has told the House that he received the sums by crossed and order cheques not in his individual capacity but in the corporate capacity as Mudgal Publications. Has the hon. Prime Minister got any evidence in his possession that these sums were passed to Mr. Mudgal and financial advantage derived by him in his individual capacity and as a Member of Parliament and not as Mudgal Publications? I do not know if the hon. Prime Minister can enlighten us on this point?

11-40 A.M.

Mr. Speaker: That will be one of the points which the committee may enquire.

Shri Frank Anthony (Madhya Pradesh): I would like a point to be clarified. We are virtually impeaching a Member of the House. If there is *prima facie* evidence I am quite prepared to let the matter go to this committee, although I would prefer to have gone to the Committee of Privileges.

The gravamen of the charge in my opinion is this. This Member of Parliament, whom I do not know, asked for Rs. 20,000 and to whom did he make this request? Did he make it to the President of the Bullion Exchange? It is not secret or hearsay or tertiary evidence. It is on evidence of what a person says, what the President of the Bullion Exchange is supposed to have said. There would be no *prima facie* case, if the President comes and says that it was not Mr. Mudgal. There is nothing to proceed upon. That is what I want to be satisfied about. There must be *prima facie* evidence from the mouth of the person to whom he made the request, that is the President of the Bullion Exchange. What somebody else says but the President did not, is hearsay evidence. The evidence must from the mouth of the person to whom he made the request for Rs. 20,000. If the President comes and says that the request was never made, there will be no case and the Committee will sit with their mouths open.

Shri Jawaharlal Nehru: There is no question of primary, secondary or tertiary evidence. What I have already said to the House is according to reliable information I received from an official member of the Board of Directors of this Bombay Bullion Exchange. A report comes to us of a meeting of the Directors, where the Chairman made a statement. That statement, if there was any truth in it, quite apart from what Mr. Mudgal said, by itself cast a grave reflection on a Member of

Parliament. This was followed up. At that time there was some discussion about it and Mr. Mudgal's name was mentioned, which was not previously mentioned by the Chairman. There was some opposition to the proposal, there was discussion and ultimately a sum is voted, that is Rs. 5,000 for this purpose, by that organisation. Subsequently in the minutes of that meeting it is mentioned that Rs. 5,000 was voted. No name is mentioned. Then on a later occasion the Chairman says that the purpose which was intended to be served by the grant of Rs. 5,000 was being served and he gives certain instances about interviews being arranged and questions being put in Parliament. It so happens—it may be a coincidence—that these particular things were happening. Questions were being put and interviews arranged, etc., so that all these are circumstantial bits of evidence which seem to fit in. Ultimately they may or may not fit in but there is a chain of events which does create a certain *prima facie* presumption for an enquiry. I can either myself make an enquiry publicly or secretly in Bombay or elsewhere or come to the House for a formal enquiry rather than any kind of a secret enquiry which we may set going and then report to the House. That would not have been fair. I thought that the best course would be to place all the facts before the House and ask the House, if it so chose, to appoint a committee to go into the matter and either accept such explanation as Mr. Mudgal might bring forward or.

Shri Kamath: Is there any evidence to show that the money was passed for putting questions in Parliament and carrying on propaganda and canvassing support in Parliament and not for the work undertaken by Mudgal Publications for the Bullion Association? There is no such evidence so far as the documents show.

Dr. Ram Subhag Singh (Bihar): Quite independently of the merits or demerits of the case under consideration, I would like to know from the Prime Minister whether it is within the competence of any Member of Parliament to approach, ask or write to any hon. Minister of the Government to listen to or grant interviews to any person coming from his constituency, district or province in respect of some important matters.

Shri Syamnandan Sahaya: Quite right.

Mr. Speaker: With reference to that point, it is more or less a question of privilege of Members and therefore I would like to clarify it. The point raised by Dr. Ram Subhag Singh is whether it is competent for an hon.

Member of this House to take any of this constituents to the Ministers. It is a question of the privilege of every Member of the House and therefore I am intervening. I am perfectly clear that every Member will be perfectly within his rights to take anything, whether of an individual or of a public nature, to the Prime Minister. But the question is not whether Mr. Mudgal went or not but that he did it for some kind of advantage. (*Shri Sidhva*: That is a different matter.) That is the question under issue and that is the nature of the motion as I understand it.

Shri Mudgal: Sir, you made another unfortunate statement saying that Mr. Mudgal did this for an advantage, whereas you should have said he did it for an alleged advantage.

Mr. Speaker: That is what I meant. When I said advantage I meant alleged advantage, of course.

Pandit Maitra: Sir, now that the hon. Member has given his explanation to the House how is the House to come to a decision. Most Members in this House could not fully appreciate the various matters that my hon. friend Mr. Mudgal has introduced in connection with his explanation. In some cases he drew parables and gave stories, which provoked considerable laughter. But the whole thing got mixed up in such a way that before the House could come to any decision with regard to giving its vote on it, I think it would be fair that we get his statement circulated. After all we have to very carefully analyse his speech. As one who has had something to do with this legislature, not for a very small period, and as you yourself admitted, Sir, I feel that this is a unique occasion and I was wondering whether we are not creating a very dangerous precedent by taking this step. It is all very well to say "Set up a committee of enquiry, you exculpate yourself before it and come out unscathed. You will have your honour and prestige protected." Why should he at once be made to face an enquiry if the facts as given out by the Prime Minister and as explained by Mr. Mudgal give a sort of plausible explanation. If the House wants to proceed further in the matter—as I hope it should not—I feel that at this stage enough publicity has been given to it and if my friend has done anything wrong, which is now very controversial after I have heard him, there has been enough punishment to him. And if in spite of this the hon. Prime Minister would like to proceed with this matter, then it would be only fair that we should be supplied with the copies of the statement made by the Prime Minister today and the one made

by Mr. Mudgal before we come to a decision whether we should vote for this motion one way or the other.

Sardar Sochet Singh (P.E.P.S.U.): We should have also a copy of the minutes

Pandit Maitra: There are some lawyer Members in this House who feel this question is not so very simple as many Members seem to think. From a lawyer's point of view there is a good deal to be thought of in this matter, and there are lawyer Members whose lawyer's instincts cannot be stifled by reason of the overpowering strength on the one side or the other.

I am therefore appealing to you, Sir, that in the interest of fairness to the gentleman who is going to be arraigned before us—as a matter of fact, he is already arraigned—I appeal that in the interest of justice and fairness to him and fairness to the House, the entire proceedings relating to this matter should be circulated before we are in a position to pass our judgment in one way or the other. It is not such an urgent matter that it should be disposed of within two days or else the administrative work cannot be carried on. It is a matter on which if time is required it will have to be given. Let the Government proceed with it in the next session if it may have to do so. Meanwhile, for this House to appoint a committee is a grave responsibility and, as I said, one fraught with dangerous potentialities for the future, and I would appeal to every single Member not to take this matter in a light-hearted manner. This is a question involving the integrity not only of this hon. Member who is arraigned before this House—it is a question which is much wider. The whole Membership of Parliament will get discredited before the country, that these are the type of people we have got in Parliament. Having heard my hon. friend, in the midst of his stories and other things, I could see in his explanation a sincerity. A cleverer man would have come out with a short statement and left it to the inquiry. But having regard to the very long explanation he has given and the way he has spoken, I at least in my mind feel that it would be unfair and unjust if I did not closely apply my mind to the entire proceedings—the statement of the Prime Minister, the interruptions made by several hon. Members including myself, for the purpose of clarification of certain points, and last but not least the statement made by the hon. Member himself. If all these things carry conviction in our minds that a strong and overwhelming *prima facie* is made out then we shall consider the motion. It

[Pandit Maitra]

is more or less a criminal matter, in the nature of a crime, though we do not say so in so many words; "impropriety" and all those things are euphemisms but, in fact, it is a case of something like a criminal offence with which we are charging him—though not in so many words.

I therefore feel that I shall not at all be justified to my conscience unless and until I scan the explanation given by him and the statement made by the Prime Minister, before I vote one way or the other on this motion. From this point of view I appeal to the House to defer the motion, if not drop it. Enough has been done; you have sent for the hon. Member and given him a reprimand, or the Prime Minister sent for him and reprimanded him saying, "What you have done is not correct. Do not do that way." Instead of that. I feel the matter has been brought to a stage where, if we have to exercise our judgment, we must do it in such a way that we justify our own conscience.

Shri M. P. Mishra (Bihar): On the basis of what Pandit Maitra says, that the matter has already received a lot of publicity, that it has spread all over the country, I feel that this committee must be constituted and should go into work, both in the interest of Mr. Mudgal and in the interest of the country.

Shri B. Das (Orissa): Sir, my esteemed friend, Pandit Lakshmi Kanta Maitra, with his usual vehemence, brought in the lawyer's aspect. Sir, I too am one of the old Members of the House, one of the oldest like him. The Prime Minister has all along consulted the hon. Speaker of the House who has the confidence of all the Members of Parliament, and between the Prime Minister and the Speaker the resolution was decided upon. The question was put as to why the Privileges Committee was not asked to go into it. The Privileges Committee comes into function when there are accumulated resolutions and motions by various Members of the House to be considered.

Mr. Speaker: I do not think we need go into that now.

Shri B. Das: This proposal of the Prime Minister to appoint a committee to go into the case, which has your approval also, is I consider the right proposal. On the merits or demerits of the affair I say nothing. If all of us sit in judgment on the papers referred to, then what is the use of referring the matter to a committee? So, it is better to send the whole thing to an *ad hoc* committee without our sitting in judgment on the letters or references that

have been made either by the Prime Minister or Mr. Mudgal.

Shri Naziruddin Ahmad: I do not wish to go into the merits of the case. I take the facts as they are clearly stated. The question arises as to whether a *prima facie* case has been made out on the facts. I consider that for the House to agree to a committee of the type suggested is a serious matter. It implies that at least a *prima facie* opinion that a case has been made out. That I consider to be a very serious thing for a Member of the House.

There are two aspects of the matter which have been placed before us: one, that the hon. Member has seen some Minister and canvassed certain things with some Members. I am free to confess that I have done this myself and many other Members have done it. Honestly, if we feel that there is a public matter which should be brought to the notice of a Minister or which should be discussed with our fellow-Members for purposes of securing support, I think there is nothing dishonourable but on the other hand it is our duty to do so if we feel that there is a public case.

The only question which affects Mr. Mudgal is his alleged receipt of certain advantages. He has plainly admitted that he has received some money but that it was in connection with the Mudgal Publications, that that money was assessed on the actual work done and the amount claimed was subjected to scrutiny and was reduced to Rs. 700.....

Shri Goenka (Madras): Are we discussing the merits of the case?

Mr. Speaker: His argument seems to be that no *prima facie* case is made out.

Shri Goenka: My point is that once this motion is made, in the interest of the gentleman himself this motion must be adopted. Otherwise, he cannot clear his name and the whispering campaign will go on against him for the rest of his life—there will be no two opinions about it.

Mr. Speaker: I was going to suggest that instead of carrying on this discussion now as to whether there should be more time taken on this motion, as to whether the proceedings should be circulated and whether there should be discussion on it and all that, I should not like to express an opinion as to what the House should do, but if the hon. Members wish to have time over it, it is competent for them to move a motion for adjournment of discussion on this motion. I shall put it

immediately to the House. If that is accepted the matter is adjourned, if it is rejected we proceed to vote. That is the only thing possible.

Shri Naziruddin Ahmad: The whole question therefore boils down to this: Whether the hon. Member, in his capacity as a Member of the House has received any advantages.....

Mr. Speaker: That is just the point for inquiry. To say that it should be proved here is trying to say that the case should be proved here before the committee is appointed. It is only a case of whether the facts appear in such a manner that there is something to inquire about. If the hon. Members are clear that there is nothing to inquire about the facts, they can reject the motion. But we are practically repeating the same point. If adjournment is desired by any person let him move a motion for adjournment of debate and then the House will decide upon it.

Shri Kamath: May I humbly move, Sir I beg to move.

"That the further consideration of the motion be adjourned till Friday, the 8th June, 1951."

Mr. Speaker: This takes precedence and I put it to the House first. If that is rejected I will put the main motion to the vote.

Shri Naziruddin Ahmad: There is no evidence that Mr. Mudgal was in any way connected with the talks at the Bullion Association meeting.

Dr. Pattabhi (Madras): A proposal like that carries us no further, or even places us in an awkward position. What is the object of the adjournment?

Mr. Speaker: The object is stated by Pandit Maitra, that he wants to have a complete statement of the case before him; so many other members also. The question is:

"That the further consideration of the motion be adjourned till Friday, the 8th June, 1951."

The motion was adopted.

MOTIONS RE DELIMITATION OF CONSTITUENCIES ORDERS. 1951—contd.

12 NOON.

Mr. Speaker: We will now proceed to the next business regarding Delimitation Orders. I propose to follow the same procedure. I shall be calling each Member's name and those who wish to move may say 'I move'.

BOMBAY ORDER

The Minister of Law (Dr. Ambedkar): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri J. N. Hazarika (Assam): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Shankarrao Deo (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Hiray (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Deogirikar (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Sonavane (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kuhbhar (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Nijalingappa (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Munavalli (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri V. B. Vaidya (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Bhatt (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kanaya Desai (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Khandubhai Desai (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri M. C. Shah (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri M. B. Vaishya (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

MADHYA PRADESH ORDER

Shri Kishorimohan Tripathi (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri P. Y. Deshpande (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Dr. Deshmukh (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Sonavane (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kumbhar (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri A. C. Shukla (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri B. L. Tiwari (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Thakur B. P. Singh (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

MADRAS ORDER

Shri Kesava Rao (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Galib (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kala Venkatarao (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Meeran (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri O. V. Alagesan (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri T. T. Krishnamachari (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Ramnath Goenka (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Rathnaswamy (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri P. Basi Reddi (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri D. Sanjivayya (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Obaidullah (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Dr. M. V. Gangadhara Siva (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Shiva Rao (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri R. Venkataraman (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shrimati Ammu Swaminadhan (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shrimati Durgabai (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri R. Subramaniam (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Dr. V. Subramaniam (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri V. Ramaiah (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Sivaprakasam (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri M. Kaliyannan (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kunhiraman (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Joseph (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri R. Velayudhan (Travancore-Cochin): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri V. K. Reddy (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Ranga Reddi (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri M. A. Ayyangar (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Ramalingam Chettiar (Madras): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

PUNJAB ORDER

Ch. Ranbir Singh (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Sondhi (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Prof. Yashwant Rai (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Pandit Thakur Das Bhargava (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Lala Achint Ram (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Sardar Hukam Singh (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Sardar B. S. Man (Punjab): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Sardar Sochet Singh (P.E.P.S.U.): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Sardar Ranjit Singh (P.E.P.S.U.): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

UTTAR PRADESH ORDER

Shri N. S. Jain (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Kazmi (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Hyder Hussein (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Pandit Krishna Chandra Sharma (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Balmiki (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Bhatt (Bombay): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Shiv Charan Lal (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri B. S. Arya (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Dr. C. D. Pande (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Sohan Lal (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri J. N. Hazarika (Assam): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri S. P. Misra (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Krishnanand Rai (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Yadav (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Satish Chandra (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Jaspal Roy Kapoor (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Babu Gopinath Singh (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri D. D. Pant (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shrimati Uma Nehru (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Dwivedi (Vindhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri K. C. Sharma (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

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

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Beni Singh (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri Amolakh Chand (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri T. N. Singh (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Prof. S. L. Saksena (Uttar Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

MYSORE ORDER

Shri Rudrappa (Mysore): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri M. Shankaraiya (Mysore): I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Shri J. R. Kapoor: May I say that yesterday I tabled a motion which has not been circulated to us? It may also be included.

Ch. Ranbir Singh: I wanted to make the same point.

Shri Sondhi: The motions which are being given today may be allowed to be moved up to one o'clock as you were pleased to do on the last occasion.

Mr. Speaker: The last date for moving motions of modification in respect of certain Orders is tomorrow. I do not know what the motions are. Some of them might be time-barred by now. It all depends upon the particular orders to which these motions relate. They may inquire in the Notice Office.

Shri Sondhi: These relate to the 18th.

Shri J. R. Kapoor: My submission is that I have already put in the motion yesterday in the Notice Office and I understand on enquiry that they could not be circulated because they were over-worked. I have got this copy from the office.

Mr. Speaker: Such motions, we will verify, and I believe at one o'clock we may put them. Without verification it is difficult to promise or say which are in time and which are not. Hon. Members will kindly verify.

Shri Kishorimohan Tripathi: I take it that the motion includes all the lists.

Mr. Speaker: Yes, all the motions which are circulated. Any new motions that have come now will have to be examined.

I will just recapitulate and give out the names of those who did not answer when their motions were called.

Madhya Pradesh Orders

Shri Potai

Shri Khaparde

Shri M. A. Hasan

Madras Orders

Shri P. Kodanda Ramiah

Shri C. Subramaniam

Rev. D'Souza

Shri Kanaka Sabai

Shri V. J. Gupta

Shri S. R. Naidu.

Shri Nadimuthu Pillai.

Moulavi Moidu.

Punjab Orders

Dr. Tek Chand

Giani G. S. Masafir

U. P. Orders

Shri Chandrika Ram

Pandit Balkrishna Sharma

Prof. K. K. Bhattacharya.

Now, as regards new motions which were not circulated I am just calling them. On enquiry from the Notice Office I find that some new motions have come.

PUNJAB ORDER

Dr. Ambedkar: I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

MADHYA PRADESH ORDER

Dr. Ambedkar: I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

MADRAS ORDER

Dr. Ambedkar: I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

UTTAR PRADESH ORDER

Dr. Ambedkar: I beg to move:

(For text of the motion see Appendix XXXIII, Annexure 3.)

Dr. Deshmukh: We gave notice this morning of some motions. I think in any case tomorrow is the last date for all orders which were laid on the 18th—tomorrow, one o'clock is the last moment, I think.

Mr. Speaker: He may not take the risk on my assurance. He may verify.

Dr. Deshmukh: Tomorrow is the twentieth day.

Shri Kishorimohan Tripathi: Yesterday at 11 o'clock I have given notice.

Mr. Speaker: Whosoever's motions are not placed, they may verify from the Notice Office. At one o'clock they will be placed before the House.

Shri Kamath: In respect of the President's Order placed on the table of the House on 16th May the limitation expired yesterday, and on the same analogy or reasoning the limitation of these orders will expire tomorrow.

Mr. Speaker: There is no doubt about it but I do not take the risk of deciding whether the limitation had expired yesterday or today. Whatever it may be, as I said hon. Members may kindly verify now from the Notice Office and at One o'clock, we shall call again the names in the list.

Shri Hiray (Bombay): Yesterday I sent in some modifications.

Mr. Speaker: His motion is already called and he is going to move those motions.

Shri Hiray: I wanted to know whether the modifications regarding Dhulia District, West Khandesh is included.

Mr. Speaker: If included, it comes in.

Now as regards the other procedure, I believe Mr. Tripathi wanted to move his motion of which he has given notice. I take it that his motion will be taken as moved.

Ch. Ranbir Singh: I tabled a motion yesterday, Sir.

Mr. Speaker: I am taking that as moved. Instead of keeping them again pending, I propose to have them taken as moved. I shall verify if

they had tabled their motions in time and if so, they will be taken as moved.

श्री जांगड़े : दो नारीख को मैंने अपना संशोधन पत्र किया था

[**Shri Jangde:** I gave notice of my amendment on the 2nd.]

अध्यक्ष महोदय : मुझे मालूम नहीं, आप देख लीजिये कि यहाँ है या नहीं ।

[**Mr. Speaker:** I do not know, you better verify whether it has come or not.]

Ch. Ranbir Singh: Will you kindly clarify the words 'within time'?

Mr. Speaker: What clarification is there? 'Within time' means 'within time'.

Sardar B. S. Man: There were certain States for which the time was till the 5th and there are other groups of States for which the limitation expires today. For example, there was a certain motion on the 4th June regarding PEPSU in the Supplementary List No. 2 standing in the name of Sardar Ranjit Singh and I want to know what has happened to that?

Mr. Speaker: About all these things, they should inquire in the Notice Office. One thing is very clear that all motions of which due notice has been given will be coming before the House, provided they are moved and that is why I am calling upon Members to move them. I cannot be expected to remember the days of the various motions and the various orders.

Sardar B. S. Man: There was one motion regarding PEPSU in supplementary List No. 2 and perhaps I thought the hon. Member has not been called to move that.

Dr. Deshmukh: I have moved an additional motion.

Mr. Speaker: We will take as moved Dr. Deshmukh's additional motion; we can take the motion referred to by Sardar Man as well as Mr. Reddy's motion as moved.

Is there any Member who has given notice but still remains to be called? There is Sardar Hukam Singh's motion.

Shri Channiah rose—

Shri Thimmappa Gowda rose—

Mr. Speaker: These motions are moved.

Sardar Sochet Singh: I want to know whether this applies to the

motions which relate to the Orders which were laid on the Table on the 16th.

Mr. Speaker: I made clear more than six times that all those orders in respect of which the limitation expired yesterday, no new motions for modifications can be tabled. When I say that if Members have given me motions, they will be allowed to move. I mean only in respect of the latest set of orders which are in time. I do not think there is any scope now for any doubt in this matter.

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

INDIAN INCOME-TAX (AMENDMENT) BILL

The Minister of Finance (Shri C. D. Deshmukh): I beg to move for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Income-tax Act, 1922."

The motion was adopted.

Shri C. D. Deshmukh: I introduce the Bill.

DELHI AND AJMER RENT CONTROL BILL

The Minister of Works, Production and Supply (Shri Gadgil): I beg to move for leave to introduce a Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the States of Delhi and Ajmer.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the States of Delhi and Ajmer."

The motion was adopted.

Shri Gadgil: I introduce the Bill.

REPRESENTATION OF THE PEOPLE (NO. 2) BILL—*contd.*

The Minister of Law (Dr. Ambedkar): We shall now take the Representation of the People Bill.

Mr. Deputy-Speaker: We shall take it then.

Dr. Ambedkar: I have already moved that the Bill be passed. Now I propose to move some formal and consequential amendments.

Shri Kamath (Madhya Pradesh): It will take a long time.

Mr. Deputy-Speaker: This is a bigger and more important matter.

Clause 2.—(Interpretations)

Amendment made:

After part (h) of sub-clause (1) of clause 2, insert the following new part:

"(hh) 'Scheduled Castes' and 'Scheduled Tribes' in relation to a Part C State, mean respectively the castes specified in the Sixth Schedule and the tribes specified in the Seventh Schedule to the Representation of the People Act, 1950 (XLIII of 1950) in relation to that State."

—[Dr. Ambedkar]

Further amendment made:

In part (i) of sub-clause (1) of clause 2, for the word "specified" substitute the words "or group of such States for the time being specified."

—[Dr. Ambedkar]

Dr. Ambedkar: It is not necessary to put the clause; it has already been passed.

Clause 7.—(Disqualification for Membership of Parliament etc.)

Amendment made:

In sub-clause (d) of clause 7, for the words "by any other person" substitute the words "by any person or body of persons".

—[Dr. Ambedkar]

Clause 7A

Dr. Ambedkar: I beg to move:

In sub-clause (d) of clause 8 (old clause 7A), for the words "but not a director holding an office of profit under the company or a managing agent", substitute the words "but is neither a director holding an office of profit under the company nor a managing agent."

This is neater language.

Mr. Deputy-Speaker: Amendment moved:

In sub-clause (d) of clause 8 (old clause 7A), for the words "but not a director holding an

[Mr. Deputy-Speaker]

office of profit under the company or a managing agent", substitute the words "but is neither a director holding an office of profit under the company nor a managing agent."

Shri Naziruddin Ahmad (West Bengal): May I rise on a point of order? The scope of amendments at the Third Reading stage is very limited. They can only be allowed at the most on the ground that they are amendments of a formal character.

Dr. Ambedkar: Or consequential or verbal.

Mr. Deputy-Speaker: They are verbal.

Shri Naziruddin Ahmad: The amendment will enlarge the scope of the clause.

Dr. Ambedkar: There is no change of substance.

Mr. Deputy-Speaker: It is merely formal. I will put it to the House.

Shri Himatsingka (West Bengal): I have suggested some amendments to that. They are found in list 3.

Mr. Deputy-Speaker: I am coming to them later.

Shri Himatsingka: To the same clause, Sir.

Mr. Deputy-Speaker: I shall take it up later unless it is an amendment to this amendment.

Shri Himatsingka: It is an amendment to this amendment.

Mr. Deputy-Speaker: The amendment is "is a shareholder or director, but is neither a director holding an office of profit. . . ." The latter portion corresponds to the original amendment. Are these words "is a shareholder or director" there?

Shri Himatsingka: I am trying to make a distinction. There may be a director without holding any office of profit.

Shri Sidhva (Madhya Pradesh): How can it be? This has already been discussed. It will re-open the whole point.

Dr. Ambedkar: It is not a verbal amendment; it will re-open the whole thing.

Mr. Deputy-Speaker: Whether these words are there or not, a shareholder is excepted. The only question is

whether every director ought to be included. Only a Director who is getting some profit from the company is excepted. That by implication means that the other directors are not disqualified. It is not such a formal amendment which the hon. Minister is prepared to accept. The meaning is the same. It is intended that only a director who holds an office of profit should be excluded.

Shri Himatsingka: Office of profit has not been defined.

Pandit Thakur Das Bhargava (Punjab): Both the hon. Members mean the same thing. Why not make it more explicit?

Dr. Ambedkar: It has been examined in the office carefully.

Mr. Deputy-Speaker: Whether the words 'shareholder or director' are there or not, shareholders and directors are not disqualified. It is only a director who holds an office of profit and a managing agent that is disqualified. That is clear. I do not think it is necessary to complicate this matter further. I will put Dr. Ambedkar's amendment to the House. The question is:

"In sub-clause (d) of clause 8 (old clause 7A), for the words "but not a director holding an office of profit under the company or a managing agent", substitute the words "but is neither a director holding an office of profit under the company nor a managing agent."

The motion was adopted.

Mr. Deputy-Speaker: Mr. Himatsingka's amendment, I think, is barred. I hope he is not pressing it. He has another amendment.

Shri Himatsingka: I was pressing only amendment No. 1.

Mr. Deputy-Speaker: Then, Mr. Ramalingam Chettiar's amendment.

Shri Ramalingam Chettiar (Madras): I think it is covered by Dr. Ambedkar's amendment.

Dr. Ambedkar: I am covering that amendment by my amendment which is much more explicit.

Mr. Deputy-Speaker: Let us take it up.

Dr. Ambedkar: I beg to move:

Renumber clause 8 (old clause 7A) as sub-clause (1) of clause 8 and to

the said clause as so renumbered add the following sub-clause:

"(2) Nothing in clause (d) of section 7 shall extend to a contract entered into between a co-operative society and the appropriate Government."

This in fulfilment of the promise which I gave that I will consider the suggestion made here.

Mr. Deputy-Speaker: Amendment moved:

Renumber clause 8 (old clause 7A) as sub-clause (1) of clause 8 and to the said clause as so renumbered add the following sub-clause:

"(2) Nothing in clause (d) of section 7 shall extend to a contract entered into between a co-operative society and the appropriate Government."

Shri Naziruddin Ahmad: Sir, this clarification is absolutely unnecessary. We have excluded certain persons connected with the Indian Companies Act, 1913, which is a central Act. But cooperative societies are formed under the Indian Cooperative Societies Act 1912 and various States Acts which are all entirely different from the Indian Companies Act. Cooperative Societies could not by any stretch of imagination be brought within the purview of the Indian Companies Act. So the question of clarification does not at all arise. As to the undertaking given by the hon. Minister, a verbal clarification of the situation was all that was necessary. The proposed sub-clause looks odd in the context.

Dr. Ambedkar: You will recall that when this matter was discussed, I was asked to explain whether this clause would affect co-operative societies and I said that it would not, because co-operative societies were organised under a separate Act. None-the-less hon. Members pressed upon me that this matter should be made clear by an amendment and hence this amendment, though we had no intention of covering co-operative societies even from the very beginning.

Mr. Deputy-Speaker: That, I think is enough. The question is:

Renumber clause 8 (old clause 7A) as sub-clause (1) of clause 8 and to the said clause as so renumbered add the following sub-clause:

"(2) Nothing in clause (d) of section 7 shall extend to a contract

entered into between a co-operative society and the appropriate Government."

The motion was adopted.

Mr. Deputy-Speaker: In view of this amendment which has been passed, the amendment of Shri Ramalingam Chettiar need not be moved. Neither that of Mr. Naziruddin Ahmad.

Clause 7B

Amendment made:

In part (a) of sub-clause (1) of clause 9 (old clause 7B), for the words "Government of India" substitute the words "Central Government" and for the words "Government of that State" substitute the words "State Government".

—[Dr. Ambedkar]

Clauses 10 to 16

Dr. Ambedkar: With your permission, Sir, I would like to move amendments Nos. 7 to 11 in List 2 together, because they all relate to the insertion of the word "made".

Mr. Deputy-Speaker: All right.

Amendment made:

In sub-clause (2) of clause 12 (old clause 10), after the words "rules and orders" in the two places where they occur, insert the word "made".

—[Dr. Ambedkar]

Amendment made:

In clause 13 (old clause 11), after the words "rules and orders" insert the word "made".

—[Dr. Ambedkar]

Amendment made:

In clause 15 (old clause 13), after the words "rules and orders", insert the word "made".

—[Dr. Ambedkar]

Amendment made:

In clause 17 (old clause 15), after the words "rules and orders", insert the word "made".

—[Dr. Ambedkar]

Amendment made:

In clause 18 (old clause 16), after the words "rules and orders", wherever they occur, insert the word "made".

—[Dr. Ambedkar]

Clause 30.—(Assistant Returning Officers)

Amendment made:

In the proviso to sub-clause (2) of clause 22 (old clause 20), for the word "functions" in line 4, substitute the word "function".

—[Dr. Ambedkar]

Clause 31.—(Presentation of nomination paper)

Amendment made:

In the last proviso to sub-clause (3) of clause 33 (old clause 31), after the words "the period of five years from the date of such dismissal has not expired" insert the words, brackets, letter and figures, "or the disqualification, if any, under that clause has not been removed by the Election Commission under clause (g) of sub-section (1) of section 8".

—[Dr. Ambedkar]

Clause 34.—(Scrutiny of nominations)

Amendment made:

In the proviso to sub-clause (5) of clause 36 (old clause 34)—

(i) for the words "allowed to rebut" substitute the words "allowed time to rebut"; and

(ii) for the words "must record" substitute the words "shall record".

—[Dr. Ambedkar]

Clause 35.—(Withdrawal of candidature)

Dr. Ambedkar: I beg to move:

In the proviso to sub-clause (1) of clause 37 (old clause 35), for the words "appropriate authority" substitute the words "State Government".

The difficulty is this. This matter deals with postponement of the last day for the withdrawal of candidatures if there was a holiday. If the appropriate Government was there, what would happen is that the State Government may have a holiday on that particular day which may not be a holiday declared by the Central Government. Accordingly there would not be any postponement of the last day for the withdrawal of candidatures for elections to Parliament if that day had not been declared a holiday by the Central Government. Therefore as the

elections are to be managed by the State Governments, it is desirable to give the entire authority to declare holidays to the State Government and to cut out the words 'appropriate authority'.

Mr. Deputy-Speaker: The question is:

In the proviso to sub-clause (1) of clause 37 (old clause 35), for the words "appropriate authority" substitute the words "State Government".

The motion was adopted.

Clause 37.—(Nomination of candidates at other elections)

Dr. Ambedkar: I beg to move:

After the first proviso to sub-clause (4) of clause 39 (old clause 37), insert the following proviso:

"Provided further that at the time of the presentation of the nomination paper, the Returning Officer may require the person presenting the same to produce either a copy of the electoral roll in which the name of the candidate is included or a certified copy of the relevant entries in such roll."

Mr. Deputy-Speaker: Amendment moved:

After the first proviso to sub-clause (4) of clause 39 (old clause 37), insert the following proviso:

"Provided further that at the time of the presentation of the nomination paper, the Returning Officer may require the person presenting the same to produce either a copy of the electoral roll in which the name of the candidate is included or a certified copy of the relevant entries in such roll."

Dr. Ambedkar: I also beg to move:

In the last proviso to sub-clause (4) of clause 39 (old clause 37):

(i) for the words "Provided further" substitute the words "Provided also";

(ii) in paragraph (a), for the words "shall be construed" in line 1 substitute the words "shall, unless the context otherwise requires, be construed".

Mr. Deputy-Speaker: Amendment moved:

In the last proviso to sub-clause (4) of clause 39 (old clause 37):

(i) for the words "Provided further" substitute the words "Provided also";

(ii) in paragraph (a), for the words "shall be construed" in line 1 substitute the words "shall, unless the context otherwise require, be construed".

Shri Kamath: There is an amendment of mine that it ought to be omitted.

Mr. Deputy-Speaker: The hon. Member can vote against it.

Shri Kamath: I will try to persuade the House that it is not needed.

Mr. Deputy-Speaker: All right.

Shri Kamath: I want to move my amendment No. 4 on List No. 3. My amendment reads.

Mr. Deputy-Speaker: It is not necessary to read the amendment. The hon. Member may oppose Dr. Ambedkar's amendment.

Shri Kamath: I will try to persuade the House, Sir. The point was also made by Dr. Deshmukh in the course of the discussion on the second reading of the Bill, with regard to scrutiny of nominations generally. It is not necessary, in my judgment the responsibility for proving or showing that the name of the candidate who has been proposed for election has been included in a particular electoral roll need not be cast upon the person whose nomination is proposed. The officer has the electoral rolls in his possession and I suggest that this matter may be examined by the officer concerned. He may scrutinise all the rolls to ascertain whether the name of a particular candidate is included in the rolls. It is likely that a poor person may be nominated as a candidate. He may not have the wherewithal to purchase a copy of the electoral rolls. In such circumstances it would be right to hold that the officer shall examine this particular matter and see whether it is in order.

Another point raised by Dr. Deshmukh, which I think Dr. Ambedkar said he might consider at a later stage (I cannot vouch for it) is that. . . .

Mr. Deputy-Speaker: This applies only to cases where the man stands in

some other constituency where his name does not appear on the electoral roll.

Dr. Ambedkar: That is the reason why this is being done.

Shri T. T. Krishnamachari (Madras): A certificate is given free of charge.

Mr. Deputy-Speaker: A person in any constituency can stand for any other constituency. The other returning officer is not expected to have the electoral rolls relating to the entire province. The candidate takes a certificate and presents it to the returning officer in another constituency.

Shri Kamath: Is it free of charge?

Mr. Deputy-Speaker: Yes.

Shri T. T. Krishnamachari: I have had the opportunity of standing for Tanjore *cum* Trichinopoly constituency and my name was in the electoral roll for Madras. I obtained a certificate from the Commissioner of the Madras Corporation free of charge and submitted it to the returning officer at Tanjore.

Shri J. R. Kapoor (Uttar Pradesh): In some places it is not freely given it has to be on a stamped paper.

Mr. Deputy-Speaker: It has to be a certified copy.

Shri Kamath: In that case I withdraw my motion.

Mr. Deputy-Speaker: There is no question of withdrawing your motion: you withdraw your opposition. The question is:

After the first proviso to sub-clause (4) of clause 39 (old clause 37), insert the following proviso:

"Provided further that at the time of the presentation of the nomination paper, the Returning Officer may require the person presenting the same to produce either a copy of the electoral roll in which the name of the candidate is included or a certified copy of the relevant entries in such roll:"

The motion was adopted.

Mr. Deputy-Speaker: The question is:

In the last proviso to sub-clause (4) of clause 39 (old clause 37)—

(i) for the words "provided further" substitute the words "provided also";

[Mr. Deputy-Speaker]

(ii) in paragraph (a), for the words "shall be construed" in line 1 substitute the words "shall, unless the context otherwise require, be construed".

The motion was adopted.

Clause 47.—(Death of a polling agent, etc.)

Amendment made:

In sub-clause (2) of clause 48 (old clause 47), for the words "the election agent" substitute the words "his election agent".

—[Dr. Ambedkar]

Clause 49.—(Attendance of a candidate at polling stations, etc.)

Amendment made:

In sub-clause (1) of clause 50 (old clause 49), for the words "each candidate at such election shall have a right" substitute the words "each candidate at such election and his election agent shall have the right".

—[Dr. Ambedkar]

Further amendment made:

In sub-clause (2) of clause 50 (old clause 49),—

(a) for the words "any polling or counting agent of his" in lines 1-2, substitute the words "any polling agent or the counting agent of such candidate";

(b) for the words "assist his polling or counting agent" in line 3, substitute the words "assist any polling agent or the counting agent of such candidate".

—[Dr. Ambedkar]

Clause 61.—(Right to vote)

Dr. Ambedkar: I beg to move:

To sub-clause (5) of clause 62 (old Clause 61), add the following proviso:

"Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force."

Mr. Naziruddin Ahmad: This is introducing something entirely new.

Shri T. T. Krishnamachari: It is consequential on an amendment of Mr. Kapoor which the House has accepted.

Mr. Deputy-Speaker: The question is:

To sub-clause (5) of clause 62 (old clause 61), add the following proviso:

"Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force."

The motion was adopted.

Clause 76.—(Maximum election expenses)

Dr. Ambedkar: I beg to move:

In clause 77 (old clause 76), in line 3, for the word "election" substitute the word "elections".

Shri Naziruddin Ahmad: This is my amendment. . . .

Mr. Deputy-Speaker: Certainly. The hon. Member must feel gratified that all his amendments are accepted at some stage or another. The question is:

In clause 77 (old clause 76), in line 3, for the word "election" substitute the word "elections".

The motion was adopted.

Clause 85.—(Appointment of Election Tribunal)

Dr. Ambedkar: I beg to move:

In part (b) of sub-clause (3) of clause 86 (old clause 85), for the words, brackets and figure "selected by the Election Commission one from each of the lists maintained by it under sub-section (2)" substitute the following:

"of whom one shall be selected by the Election Commission from the list maintained under clause (a) of sub-section (2) and the other shall be selected by it from the list maintained under clause (b) of that sub-section".

It is much more clear than the old one.

Mr. Deputy-Speaker: This was accepted by the House. The object is both the members need not be lawyers.

Shri Kamath: I would like to ask, Sir, Dr. Ambedkar to enlighten us as to why this new wording of the substance of the amendment which the House accepted on the last occasion has been deemed necessary. The amendment accepted on the last occasion was very brief, hardly two or three words, and to my mind at any rate it was very clear.

Dr. Ambedkar: This is clearer.

Shri Kamath: The last amendment was:

“two other members selected by the Election Commission one from each of the lists maintained by it under sub-section (2)”.

As far as possible we should try to have conciseness along with clarity.

Mr. Deputy-Speaker: This is clearer.

Shri Kamath: No, brevity along with clarity. I do not know why the old wording accepted by the House was deemed at all unclear and why this elaborate wording of the proposed amendment should at all be necessary to bring out the clear meaning of that amendment accepted by the House earlier. I know Dr. Ambedkar is a lawyer, constitutional and legal, and he will trot out some explanation or excuse for the amendment that he has brought.

Dr. Ambedkar: In this matter we must be guided to a large extent by the draftsman. The draftsman thinks that the language that I have proposed now carries out the intentions of the House in a much better way than the old one did.

Shri Kamath: Does he agree with the draftsman: or the draftsman told him so?

Dr. Ambedkar: I agree that the draftsman's language is a much clearer way of presenting the intentions of the House.

Mr. Deputy-Speaker: The question is:

In part (b) of sub-clause (3) of clause 86 (old clause 85), for the words, brackets and figure “selected by the Election Commission one from each of the lists maintained by it under sub-section (2)” substitute the following:

“of whom one shall be selected by the Election Commission from the list maintained under clause (a) of sub-section (2) and the

other shall be selected by it from the list maintained under clause (b) of that sub-section”.

The motion was adopted.

Clause 98.—(Other orders to be made)

Amendment made:

In paragraph (a) of the proviso to sub-clause (1) of clause 99 (old clause 98), for the words “show cause why he should not be named” substitute the words “to show cause why he should not be so named”.

—[*Dr. Ambedkar*]

Further Amendment made:

In paragraph (b) of the proviso to sub-clause (1) of clause 99 (old clause 98), for the words “cross examining the witnesses who have deposed against him before the Tribunal, by calling evidence in his defence and of being heard” substitute the words “cross examining any witness who has already been examined by the Tribunal and has given evidence against him, of calling evidence in his defence and of being heard”.

—[*Dr. Ambedkar*]

Clause 122.—(Major corrupt practices)

Dr. Ambedkar: I beg to move:

(i) In part (a) of the proviso to sub-clause (2) of clause 123 (old clause 122),—

(a) omit the words “his agent”, wherever they occur;

(b) for the words “such candidate, agent or elector” substitute the words “such candidate or elector”.

(ii) In sub-clause (6) of clause 123 (old clause 122) in the first proviso, for the words “is not propelled by mechanical power” substitute the words “is a vehicle or vessel not propelled by mechanical power”,

(iii) In sub-clause (7) of clause 123 (old clause 122) after the words “any rule” insert the word “made”,

(iv) From paragraph (b) of the Explanation to sub-clause 8 of clause 123 (old clause 122), omit the word “lambardar”.

Mr. Deputy-Speaker: Amendments moved'

- (i) In part (a) of the proviso to sub-clause (2) of clause 123 (old clause 122),—
- (a) omit the words "his agent", wherever they occur;
- (b) for the words "such candidate, agent or elector" substitute the words "such candidate or elector".
- (ii) in sub-clause (6) of clause 123 (old clause 122) in the first proviso, for the words "is not propelled by mechanical power" substitute the words "is a vehicle or vessel not propelled by mechanical power",
- (iii) sub-clause (7) of clause 123 (old clause 122) after the words "any rule" insert the word "made",
- (iv) From paragraph (b) of the Explanation to sub-clause 8 of clause 123 (old clause 122), omit the word "lambardar".

Shri Kamath: Has any consideration been bestowed by Dr. Ambedkar, his Ministry, and the Election Commission upon the point raised by my hon. friend Dr. Deshmukh as to whether "patil" also should be omitted?

Dr. Ambedkar: I can say from my own personal knowledge of the subject that there can be no doubt that "patil" is a government officer.

श्री भट्ट : उपाध्यक्ष महोदय, अभी डाक्टर अम्बेदकर साहब ने पटेल के बारे में कहा है। पाटिल और पटेल के जो इस तरह के नाम बम्बई में होते हैं वह चाहे कोई आफिस (office) को होल्ड (hold) न करें, लेकिन उनको कुछ न कुछ थोड़ा बहुत मिलता जरूर है चाहे वह अनाज के रूप में मिलता हो या किसी और रूप में मिलता हो।

श्री सिधवा : दस रुपया मिलता है।

श्री भट्ट : कहीं दस रुपया मिलता है, कहीं साल में थोड़ा सा अनाज मिलता है। तो उनकी गिनती किस में की जायगी उसकी भी स्पष्टता हो जाय तो ठीक है।

[Shri Bhatt (Bombay): Sir, just now Dr. Ambedkar mentioned patels. The patils and patels, who are the residents of Bombay, irrespective of the fact whether they hold any office or not, do receive something, whether in the form of grains or in any other form.]

Shri Sidhva: They are given ten rupees.

Shri Bhatt: At some places they are given ten rupees, at other places they are given a little quantity of grains instead. It would be better if the category, they are proposed to be included in, is specified.]

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): Headman is also included here although he is not a government officer. I think it is improper to do it.

Dr. Ambedkar: I am afraid at this stage I cannot accept any amendment.

Dr. Deshmukh (Madhya Pradesh): I want to move this very seriously.

Mr. Deputy-Speaker: I think the hon. Member has now lost his chance.

1 P.M.

Dr. Ambedkar: His amendment was lost as a matter of fact. He moved an amendment last time that 'patil' be deleted and it was lost.

Dr. Deshmukh: Sir, I would beg of you to give me a chance.

Mr. Deputy-Speaker: Any substantial amendment moved in the Second Reading which was not accepted by the House ought not to be placed once again simply because some formal amendments are being carried in the Third Reading. This matter was amply considered and rejected by the House at that stage.

Dr. Deshmukh: Part of it was accepted, even the 'lambardar'.

Mr. Deputy-Speaker: But the other portion was not accepted. Are we now to go into that discussion?

Shri Kamath: In the chronological order of the proceedings of that day Dr. Deshmukh raised the point about 'patil', Ch. Ranbir Singh made a point, then Mr. Satish Chandra raised the point about 'lambardar', and finally the Speaker said definitely, so far as I remember, that all these points about 'patil' and 'lambardar' could be considered at the Third Reading.

Dr. Deshmukh: It is on record.

Mr. Deputy-Speaker: I am coming to it. I am not trying to avoid anything. Under the Rules, in the Third Reading, only formal amendments ought to be carried. The hon. the Speaker allowed some latitude in regard to this in the case of amendments which are moved by hon. Members which are accepted by Government. That we have accepted. Dr. Ambedkar agreed to the deletion of the word 'lamberdar'. Beyond that is it possible to go in the Third Reading? If the hon. Minister accepts the hon. Member's amendment I have no objection. But if he does not I think in view of the fact that we have already extended the scope of the Third Reading it is not proper for me to allow any further extension with regard to substantial amendments which are not acceptable to Government.

Shri Kamath: Sir, I hope you will pardon me for correcting the position, but I think it must be done on this occasion. On that day I do not think Dr. Ambedkar did not accept this amendment about 'lamberdar'. What happened was that there was a hot exchange of words between Dr. Ambedkar and Pandit Kunzru and . . .

Mr. Deputy-Speaker: Now 'lamberdar' is accepted. Why go into the history?

Dr. Deshmukh: The history is very important. It is something on record and the Speaker also allowed it.

Shri Kamath: And Dr. Ambedkar said "If the House does not want lamberdar to be included I have no objection; I have no interest in the matter."

Dr. Ambedkar: I only said this. After this matter was disposed of the question of 'lamberdar' was moved by Mr. Shiv Charan Lal, and Pandit Kunzru and others spoke on it. I said that I was not responsible for introducing 'lamberdar', it was at the suggestion of Members of the Select Committee who came from the Provinces where such an institution exists that I accepted it, but that in view of the submissions made in the House I was prepared to reconsider the matter with regard to 'lamberdar'. And that I have done.

Shri Kamath: At this stage Dr. Deshmukh got up and submitted to the Speaker "My point is a similar one about patil and it may also be considered", and the Speaker said they may all be considered at the Third Reading. That is my impression, but I am open to correction.

Mr. Deputy-Speaker: I have got the summary of the proceedings of that day which says that in regard to clause 122 it was agreed by the House that the expression 'lamberdar' and the list of other minor officers referred to in this clause should be carefully gone through in consultation with Members. . .

Dr. Deshmukh: Thank God the stenographers are more correct; we may depend on the record.

Mr. Deputy-Speaker: . . . and such of them as ought to be taken out will be dropped by consequential amendment at the Third Reading stage. Evidently he has considered them and accepted only the deletion of the word 'lamberdar'. Is he prepared to accept the deletion of any other category?

Dr. Ambedkar: No.

Shri Kamath: Even then it is open to the Member to move it before the House.

Dr. Deshmukh: We must have a chance also.

Mr. Deputy-Speaker: The hon. Member will kindly hear and then make his statement to the House.

An Hon. Member: It is now past One.

Mr. Deputy-Speaker: Let it be past One. There is only one more clause. What I find from the Note here is that it was agreed that this matter will be discussed with the Members by the hon. Minister. . .

Dr. Ambedkar: With regard to 'lamberdar'.

Mr. Deputy-Speaker: And the list of other minor officers referred to in this clause should be carefully gone through. Evidently he has gone through all these. Whatever has been done, the hon. Minister accepts only the deletion of the word 'lamberdar' and he is not prepared to accept others.

Dr. Deshmukh: I do not want him to be a dictator.

Mr. Deputy-Speaker: My difficulty is this. These are not matters which once again ought to be allowed to be agitated in the House. If a matter has been referred and if the Minister has accepted, I will put it as an agreed one and as a formal amendment to the original clause. I do not think that once again a discussion should arise if outside the House hon. Members and the Minister did not come to an agreement with respect to this matter. Are we to adjourn this

[Mr. Deputy-Speaker]

clause again to persuade the hon. Minister to do so? The hon. Minister says he is not prepared for any other category to be omitted. Under those circumstances, I am not prepared to allow any further discussion.

The Minister of State for Transport and Railways (Shri Santhanam): There is no amendment in the Order Paper to amend anything.

Dr. Deshmukh: There is an amendment given by me.

Mr. Deputy-Speaker: There is an amendment, No. 5 in List No. 1 standing in the name of Dr. Deshmukh.

Dr. Ambedkar: That was disposed of.

Dr. Deshmukh: It is expressly kept open, every one of these officers. I know the fate of my amendment. But I want to insist upon my right because it was expressly with the Speaker's permission kept open and therefore I claim that I should be heard on this point because it is insisted—not subject only to the sweet will of the hon. Minister but as a Member of this House having a right to re-open a case which was deliberately and expressly kept open by the hon. Speaker.

Shri Kamath: Under the rules, the right of moving consequential or formal amendments at the Third Reading is given not only to Ministers but to all Members of the House.

Mr. Deputy-Speaker: I do not dispute that, but whether the 'lamberdar' ought to be there is a substantial affair. So far as that matter is concerned, if there is an agreement between the Government on the one side and the Members moving on the other, then it is as good as a formal amendment and it will be accepted without debate. My difficulty is that though the amendment is in the Order Paper, it was not agreed to be looked into. The question now is that the hon. Minister does not find his way to accept it and he can accept only in respect of 'lambardar' and not in respect of others. Any how I shall put it to vote. We have heard enough on this point.

Dr. Deshmukh: I beg of you to give me a few minutes.

Mr. Deputy-Speaker: Let me first of all dispose of these amendments.

Mr. Deputy-Speaker: The question is:

(i) In part (a) of the proviso to sub-clause (2) of clause 123 (old clause 122),—

(a) omit the words "his agent", wherever they occur.

(b) for the words "such candidate, agent or elector" substitute the words "such candidate or elector".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

(ii) In sub-clause (6) of clause 123 (old clause 122) in the first proviso, for the words "is not propelled by mechanical power" substitute the words "is a vehicle or vessel not propelled by mechanical power".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

(iii) In sub-clause (7) of clause 123 (old clause 122), after the words "any rule" insert the word "made".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

(iv) From paragraph (b) of the Explanation to sub-clause (8) of clause 123 (old clause 122), omit the word "lamberdar".

The motion was adopted.

Dr. Deshmukh: I have given notice of two amendments, that is Nos. 4 and 5. By one amendment, I suggest that the whole explanation that has been proposed by Dr. Ambedkar should be omitted. As for the other amendment now that the first part has been adopted and I do not want to move the third part, I only move the second part, i.e., the deletion of the word 'patil', from the explanation.

Mr. Deputy-Speaker: I see that Amendment No. 4 is not moved. In Amendment No. 5 'lamberdar' is carried. The hon. Minister has not objection to omit (iii).

Dr. Deshmukh: I beg to move:

In the Explanation to part (8) of clause 122, omit the word "patil".

The day when this matter was discussed, when my amendment came forward, I had requested the Speaker not to put it to vote till the question of 'lamberdar' was taken up. Because I knew that lamberdar's case was a little stronger than mine, but more or

less on the same basis. When the case of the lamberdar was taken up for discussion, it was quite apparent that the lamberdar ought to be omitted. The patil being more or less of the same status and position as the lamberdar, he should also be omitted. The hon. Dr. Ambedkar said, "I am not responsible for all these officers being there; I put it to the Select Committee and they did not say anything and therefore all these offices remain". In fact, if you read the proceedings, you will find that he said that he did not know anything about the various offices in the various provinces.

Dr. Ambedkar: I know much about patils. Patils exist in Bombay and Madhya Pradesh.

Dr. Deshmukh: You may know about Bombay; not about C.P.

Dr. Ambedkar: I know about C.P. also, and their Wattan Law.

Dr. Deshmukh: Then, perhaps he is harbouring a prejudice against them. The mahars and patils some times do not pull on well together and he wants to take some revenge against them. His unreasonable insistence can only be explained by the fact that he appears to be prejudiced which is evidently wrong. All that I wish to point out is that by the omission, we do not lose anything. The State Governments if they feel that he is a government servant, he could be subjected to the same disqualification as is mentioned in the sub-clause. So, I would really beg Dr. Ambedkar and the House to consider the omission of this word. If what I say is not correct so far as Bombay is concerned Bombay Government will declare him to be a Government servant. But so far as Madhya Pradesh is concerned, the Madhya Pradesh Government alone is competent to say that a patil also shall be regarded a government servant and he shall not resort to canvassing. The very purpose which Dr. Ambedkar has in view would thus be completely served. I would again urge upon both the House and Dr. Ambedkar to consider this amendment, because it is really a very important matter. In all the municipal elections and district board elections, they are never termed as government servants. It is a hereditary office. He received emoluments once a year which are not in the shape of a salary. By this amendment, by making it a major practice, you will be doing something which will injure public interests very gravely. I hope, Sir, that the hon. Minister will again consider the omission because he is not going to lose anything by the omission.

The State Government, if they feel that he is a government servant, will bring him in and he could be excluded.

Dr. Ambedkar: I do not accept the amendment.

Mr. Deputy-Speaker: Amendment moved:

In the Explanation to part (8) of clause 122, omit the word "patil".

श्री भट्ट : माननीय उपाध्यक्ष महोदय, मैं डाक्टर साहब से प्रार्थना करना चाहता हूँ, आप सुनें या न सुनें, लेकिन जो मेरी राय है वह मैं आप के सामने रख रहा हूँ। डाक्टर साहब पटेल और पाटिल के बारे में वेडेन पावेल के सत्र वालूमस (Volumes) उठा कर देख लें। पाटिल का अर्थ बम्बई में क्या होता है, सी० पी० में क्या होता है, गुजरात में क्या होता है, राजपूताने में क्या होता है। यह देख लें तब विचार करें कि नम्बरदार को भी हैडमैन (Headman) कहा जाता है। यह भी देखें कि किसको पाटिल कहा जाता है। डाक्टर साहब मुझसे ज्यादा सम्झदार हैं, उन्होंने मुझसे बहुत ज्यादा देखा सुना है, लेकिन मैं प्रार्थना करूंगा कि वह फिर से वेडेन पावेल के वालूम १, २, ३ को देख लें कि उसमें यह चीज किस प्रकार से लिखी हुई है। मैं आपको उसका एक वाक्य पढ़ कर सुनाना चाहता हूँ।

"Each sharer is called patidar (here the word 'patti' of North India becomes pati) and every sharer is given the honorary address of 'patel'."

He is not an office bearer or the holder of an office of profit as Doctor Ambedkar thinks it to be.

इस लिये मैं प्रार्थना करना चाहता हूँ कि आप इस चीज का फ़ैसला आज न कीजिये बल्कि कल कीजिये क्योंकि यह बिल (Bill) आखिर आज पास होने वाला तो है नहीं।

[English translation of the above
speech.]

Shri Bhatt: I want to submit something to Dr. Ambedkar; he may or may not listen to it, but still I am putting forth my viewpoint before him. I want Dr. Ambedkar to go through all the volumes written by Baden Powell about the Patels and Patils, and see what Patil signifies in Bombay, C. P., Gujrat and Rajputana. After consulting those volumes he would see that the Numberdar is also known as the Headman. Also he should take care to see as to who is addressed as Patil. Dr. Ambedkar is more intelligent and far more experienced than I am. Even then I would request him to see again Baden Powell's Volumes Nos. 1, 2 and 3 to ascertain how these two terms have been defined therein. I want to read out for you one sentence from it.

"Each sharer is called pattidar (here the word 'Patti' of North India becomes pati) and every sharer is given the honorary address of 'patel'."

He is not an office bearer or the holder of an office of profit as Doctor Ambedkar thinks it to be.

I would, therefore, request him not to decide it today but postpone it till tomorrow, for, after all, this Bill is not going to be passed today.

Dr. Ambedkar: I do not accept the amendment.

Mr. Deputy-Speaker: What is the position? He is the headman.

Dr. Ambedkar: That matter has been discussed in the Select Committee. I do not propose to re-open it.

Mr. Deputy-Speaker: I will put it to the House. The question is:

In the Explanation to part (8) of clause 122, omit the word "patil".

I think the 'Noes' have it.

Dr. Deshmukh: The 'Ayes' have it, Sir.

Mr. Deputy-Speaker: Division? I think it is not necessary to ask Members to walk into the lobbies. I will ascertain their views by asking them to stand in their places.

Shri Venkataraman (Madras): It is already 1.15. Several Members have gone for Lunch. Any Division now would be unfair to the House.

Several Hon. Members: Let us adjourn now.

Mr. Deputy-Speaker: Shall I push this through? What does the hon. Minister say?

Dr. Ambedkar: If you can take it up to-morrow I have no objection.

Mr. Deputy-Speaker: Very well. I think we cannot adjourn just now. Of course this matter of *lambardars* and *patels* will stand over for to-morrow and the rest of the clauses of the Representation of the People Bill will also be taken up then.

MOTIONS RE DELIMITATION OF CONSTITUENCIES ORDER, 1951—contd.

Mr. Deputy-Speaker: I have here received a note from Mr. Tripathi referring to the Delimitation of Constituencies and hon. Members will kindly bear with me for a few minutes when I read out the names here. They can sit wherever they now are.

MADHYA PRADESH ORDER

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

(For text of the motion see Appendix XXXIII Annexure 3.)

Dr. Deshmukh (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII Annexure 3.)

Shri P. Y. Deshpande (Madhya Pradesh): I beg to move:

(For text of the motion see Appendix XXXIII Annexure 3.)

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

(For text of the motion see Appendix XXXIII Annexure 3.)

MADRAS ORDER

Moulavi Moidu (Madras): I beg to move:

(For text of the motion see Appendix XXXIII Annexure 3.)

Ch. Ranbir Singh (Punjab): I had given notice of amendments, but they have not been circulated to the hon. Members.

Mr. Deputy-Speaker. There is no time for circulating them. And so unless the Member is absent, the amendments will be taken as moved.

Now, the House stands adjourned to 8-30 A.M. tomorrow.

The House then adjourned till Half Past Eight of the Clock on Thursday, the 7th June, 1951.