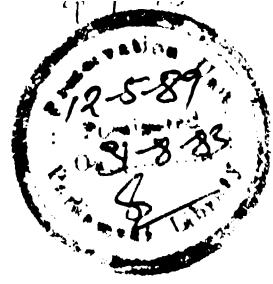


Monday, 4th June, 1951



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME VIII, 1951

(17th May to 9th June, 1951)

Third Session (Second Part)
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PARLIAMENT OF INDIA

1951

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THE
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(Part I—Questions and Answers)
OFFICIAL REPORT

4877

4878

PARLIAMENT OF INDIA

Monday, 4th June, 1951

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

**"SPECIAL" LOCALITIES IN FOREIGN
STATIONS**

*4807. **Shri Amolakh Chand:** Will the Prime Minister be pleased to state the names of 'special' localities among foreign stations where as a measure of economy the minimum period of stay prescribed for the staff to become eligible for home leave or transfer has been extended from one and a half years to two years?

The Deputy Minister of External Affairs (Dr. Keskar): Prague, Moscow, Saigon, Karachi, Lahore and Dacca are at present being treated as special localities for the purpose of home leave and transfer. Though as a measure of economy the tour of duty there has been extended from one and a half years to two years; this is not enforced rigidly; hard cases are considered on their merits.

Shri Amolakh Chand: May I know the number of persons affected by this measure of economy and the amount actually saved or likely to be saved in the last year and the years thereafter?

Dr. Keskar: It will not be possible to give the exact amounts saved until after the accounts have been made and that will take some time. I can only say that taking the whole travelling allowance budget, a considerable amount has been saved.

Shri Amolakh Chand: What is the highest cost incurred by an employee by returning from a foreign State to

India and his return from India to that foreign State?

Dr. Keskar: That depends on the particular country; there are some countries which are far away like America and some very near India.

Shri Amolakh Chand: May I know the period of home leave granted to Indian employees in foreign States?

Dr. Keskar: Generally it is three months.

Shri Shiva Rao: May I know whether in pursuance of this policy of economy, there is no intention to combine different Embassies so that the same Ambassador may be in charge of more than one country?

Dr. Keskar: There is no definite proposal at present before Government, though there have been suggestions from time to time with regard to this matter. Government would not mind doing this, that is, combining one or two missions, provided they feel that their cause does not suffer by that.

Shri Shiva Rao: May I know whether at the present moment there are twelve Embassies without proper representatives in charge?

Dr. Keskar: I think the hon. Member is not right in the number. I would not say "proper representation". It is no doubt true that about seven Missions are at present without heads.

SHIPS BUILT AT VIZAGAPATAM

*4808. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Commerce and Industry be pleased to state how are the ships built at Vizagapatam to be allotted to Indian Companies?

(b) How many ships have so far been completed and how many are still under construction?

(c) How many of these ships are proposed to be sold to the highest bidder?

(d) Is it proposed to sell any of these ships to the highest bidder even if the highest bidder be a foreign Company?

The Minister of Commerce and Industry (Shri Mahtab): (a), (c) and (d). Presumably the hon. Member is referring to the three ships built on Government account. If so, I would refer the hon. Member to the reply given by me to parts (b) and (c) of Unstarred Question No. 324 for the 24th May, 1951.

(b) I would refer the hon. Member to the reply given by me to part (a) of Unstarred Question No. 324 for the 24th May, 1951.

Pandit Munishwar Datt Upadhyay: May I know whether only the cost price is charged from the Company to which the ship is allotted or some profits also?

Shri Mahtab: It will be clear to the hon. Member if I say that the cost price of a ship in the U.K. is Rs. 42 lakhs whereas here the cost price is Rs. 64.5 lakhs. So we propose to sell the ships at Rs. 42 lakhs and the balance will be considered as a subsidy.

Pandit Munishwar Datt Upadhyay: May I know whether the three ships that were constructed, they cost almost the same price or they were different?

Shri Mahtab: They are of the same price.

REHABILITATION IN U. P.

*4812. **Dr. M. M. Das:** Will the Minister of Rehabilitation be pleased to state:

(a) the total number of East Bengal displaced persons who have been rehabilitated in U.P. up to date;

(b) the different classes or categories of displaced persons that have been rehabilitated in U.P.;

(c) the total expenditure incurred by the Government of India and the U.P. State Government (if any) for this purpose; and

(d) the number of East Bengal displaced persons rehabilitated in U.P. specially for jute cultivation and the different places where they have been rehabilitated;

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) to (d). Information is being collected and will be placed on the Table of the House in due course.

Dr. M. M. Das: May I know what detailed arrangement has been made by Government for the jute cultivator families, namely, the number of acres of land granted to them and any pecuniary aid for purchasing bullocks and agricultural implements?

Shri A. P. Jain: It is proposed to give 8 acres of land to each agriculturist family of jute growers in U.P. The usual amount for buying bullocks, agricultural implements and maintenance allowance will be paid except that houses in Terai are very costly and they cost about a thousand rupees or so.

Dr. M. M. Das: May I know whether the agricultural lands that are proposed to be given to the cultivators are virgin lands reclaimed, and whether any condition is attached for the grant of these lands?

Shri A. P. Jain: I hope the hon. Member is aware that jute is not at present grown in the Terai area. These are virgin lands which are being reclaimed. No special tenure is being fixed for the time being. These people are being settled on land and the final tenure depends on what right these persons possess in Pakistan.

Dr. M. M. Das: May I know whether Government will take some care to see that the jute seeds that have been supplied will have a fair amount of germination capacity and the bullocks Government supply are not old so that they may not prove to be a liability to the refugees?

Shri A. P. Jain: None except a malevolent or foolish Government will not take care of that.

Saikh Mohiuddin: May I know what is the total acreage of land which is suitable for jute growing and whether Government have made an experiment of it?

Shri A. P. Jain: At present it is proposed to reclaim 4,000 acres of land. How much land is there and how much will be suitable for jute growing, that is none of my concern. I am only concerned with the land which we are reclaiming for the displaced persons.

Shri Chattopadhyay: May I know whether any families have come away from there?

Shri A. P. Jain: I do not understand the question. The families are going there.

Shri Chattopadhyay: May I know whether from some other States like Bihar and Orissa, people have been coming away due to want of rehabilitation arrangements? I want to know whether people have been coming away from U. P. for want of rehabilitation?

Shri A. P. Jain: I challenge the statement that people are coming away from Bihar and Orissa in particular for want of rehabilitation arrangements. The main reason is that the displaced persons in camps have been living a life of idleness. Some are deserting the camps even though they have been living on doles for almost a year.

Shri A. C. Guha: May I know whether there were any experiments done on these lands before sending the refugees to find out whether they were suitable for the cultivation of jute?

Shri A. P. Jain: My report from the U.P. Government is that some sort of experiments were made.

Shri Amolakh Chand: May I know whether a party of jute experts was sent by the West Bengal Government there three or four months back, if so, how many families have there after actually settled in the Terai?

Shri A. P. Jain: The fact is that we have taken every possible precaution. We selected a few leading jute growers to visit the place. They found that the place was suited for jute growing. I understand that 100 families have reached the place: I am not sure about the number. Even then if the displaced persons from East Bengal choose to go back, I cannot help it.

Shri Chattopadhyay: When was the movement of refugees from West Bengal to U.P. taken up?

Shri A. P. Jain: It has been taken up very recently.

SPINDLES IN TEXTILE MILLS

*4813. **Dr. M. M. Das:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of spindles in the textile mills in India as at the end of the year 1950-51;

(b) whether the number of spindles is proposed to be increased during the current year and if so, by how many;

(c) the total number of spindles in the textile mills in West Bengal as at the end of the year 1950-51; and

(d) whether the number of spindles is proposed to be increased during the current year and if so, by how many?

The Minister of Commerce and Industry (Shri Mahtab): (a) 10,854,800 spindles as on 1st January, 1951.*

(b) Yes, Sir, by about 142,100 spindles.

(c) 424,054 spindles as on 1st January, 1951.

(d) Yes, Sir, by about 33,700 spindles.

Dr. M. M. Das: May I know whether textile spindles are manufactured in this country?

Shri Mahtab: Yes, Sir.

Dr. M. M. Das: May I know whether the Government has given any protection to this industry of manufacturing textile spindles?

Shri Mahtab: Yes; I think so.

Dr. M. M. Das: May I know what portion of the increase in the number of spindles that has been mentioned by the hon. Minister will be given to the new mills that will be constructed and what portion to the existing mills?

Shri Mahtab: If the hon. Member wants, I can place on the Table the list of mills which are extending their spindleage. I cannot say exactly which are new and which are old mills.

Dr. M. M. Das: May I know the average annual number of spindles manufactured in this country and how the price of new spindles manufactured in this country compares with imported spindles?

Shri Mahtab: The fact is that the price of indigenous spindles is lower than the price of imported spindles. But, the hon. Member knows that there is some sort of prejudice against the locally manufactured spindles and therefore some mills are insisting upon importing spindles from abroad.

Dr. M. M. Das: May I know what is the annual import of spindles? I want the figures of last year.

Shri Mahtab: I have not got the figure. If the hon. Member tables a question, I will give it.

Shri R. Velayudhan: May I know whether the Government have got any plan.....

Mr. Speaker: Order, order; let the hon. Members mind his question rather than his cap.

Shri R. Velayudhan: May I know whether the Government have got any plan for the next five years in regard to the increase in the spindles as well as textile mills in the country?

Shri Mahtab: Government have no idea at present.

Dr. Parmar: Sir, I want to raise a point of order, whether an hon. Member has the right to use a borrowed cap to divert the attention of the House.

Mr. Sepaker: Order, order; we will go to the next question.

YARN TO CEYLON

*4814. **Shri Kesava Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that yarn has been exported to Ceylon;

(b) the quantity of yarn exported; and

(c) what are the commodities that Ceylon will be able to supply to India for the yarn supplied?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). The Government of India have agreed, as a special case, to allow 3,250 bales of cotton yarn to be exported to Ceylon during the 2nd half of 1951 as follows:

July, 1951	1,250 bales.
August, 1951	1,000 bales.
September, 1951	1,000 bales.
	3,250 bales.

(c) No specific commodity has been asked from Ceylon against this supply of yarn but the question of importing coconut oil and plumbago from Ceylon is engaging the attention of the Government.

Shri Kesava Rao: May I know what are the reasons for increasing the quota of exports to Ceylon?

Shri Mahtab: As a matter of fact, the quota has not been increased. This agreement was arrived at between the Government of India and the Ceylonese Government in 1950. They could not lift the same in the last year and we are going to supply them this year.

Shri Kesava Rao: May I know whether the Government is satisfied before exporting yarn to Ceylon that the internal consumption is properly met?

Mr. Speaker: Order, order. I think the reply to the previous question is that we are bound by an agreement. It is not a question of internal consumption at all.

पेट्रोल

*४८१५. श्री जांगडे : क्या विमनि, उत्पादन तथा रसद मंत्री यह बतलाने की कृपा करेंगे कि :

(ए) उन विदेशों के नाम जिनसे भारत में पेट्रोल का आयात किया जाता है तथा भारत में प्राप्त होने वाले पेट्रोल की परिमात्रा क्या है ; तथा

(बी) वर्ष १९४९ तथा १९५० में भारत की पेट्रोल सम्बन्धी आवश्यकता कितनी थी तथा वर्ष १९५१ में इस की कितनी आवश्यकता होगी ?

PETROL

[*4815. **Shri Jangde:** Will the Minister of Works, Production and Supply be pleased to state:

(a) the names of foreign countries from which India imports petrol, and the quantity of petrol produced in India; and

(b) how much petrol was needed by India during the years 1949 and 1950 and how much of it would she require in the year 1951?]

The Minister of Works, Production and Supply (Shri Gadgil): (a) The countries from which India imports petrol are Iran, Bahrein Islands, Saudi Arabia and the Far East. About five per cent. of India's requirements of petrol is produced indigenously.

(b) The following quantities were imported during the years 1949 and 1950:

1949	... 168,007,648 galls.
1950	... 193,844,025 galls.

It is estimated that about 237,860,000 gallons will be imported during 1951.

श्री जांगड़े : क्या माननीय मंत्री महोदय बतलायेंगे कि भारत में कोयले से निकलने वाला सिन्थेटिक पेट्रोल आज जो असली पेट्रोल मिलता है उस से मंहगे मूल्य में तैयार होता है और इस तरह से इस देश में कोयले से निकलने वाला सिन्थेटिक पेट्रोल असफल सिद्ध हुआ है ?

[**Shri Jangde:** Will the hon. Minister please state whether it is a fact that the synthetic petrol which is obtained from coal in India is costlier than the ordinary petrol and for this reason experiment regarding the use of synthetic petrol obtained from coal has failed in this country?]

श्री गाडगिल : इस के बारे में अब तक जो कोशिश की गई है उस से मालूम होता है कि कोयले से निकलने वाला पेट्रोल ज्यादा खर्च का होता है ।

[**Shri Gadgil:** Whatever efforts have been made in this direction so far reveal that the synthetic petrol obtained from coal is comparatively costlier.]

श्री जांगड़े : क्या माननीय मंत्री महोदय यह बतलायेंगे कि क्या यह सही है कि ब्रह्मा ने गत तीन चार बरषों से भारत को पेट्रोल निर्यात नहीं किया और क्या भविष्य में ब्रह्मा से पेट्रोल लाने का समझौता किया जा रहा है ?

[**Shri Jangde:** Will the hon. Minister please state whether it is a fact that Burma has not exported petrol to India for the last three to four years, and whether any agreement is being entered into in order to import petrol from that country?]

श्री गाडगिल : इस के बारे में मैं इस वक्त इतना ही कह सकता हूँ कि निकट भविष्य में ब्रह्मा से पेट्रोल आने की कोई आशा नहीं है ।

[**Shri Gadgil:** At this time I can say only this much in this connection that there is no likelihood of getting petrol supplies from Burma in the near future.]

Dr. V. Subramaniam: May I know whether it is a fact that in certain parts of the country petrol is being sold at higher or exorbitant prices? What steps have Government taken to check this?

Shri Gadgil: It is possible as such things are normal in this country.

Shri Sidhva: What is the percentage of oil received from Iran to the total requirements?

Shri Gadgil: About 74 per cent. of our requirements.

Dr. Deshmukh: Has there been any increase in the price of petrol since 1949 to 1951?

Shri Gadgil: There has been an increase in consequence of devaluation.

Dr. Ram Subhag Singh: May I know whether our petrol import from Iran has in any way been affected by the disputes there over.....

Mr. Speaker: I think this very question was put last week.

Dr. Ram Subhag Singh: What is the annual output of petrol in India?

Shri Gadgil: As I have already stated, about five per cent. of our requirements.

Shri T. N. Singh: May I know the quantity of power alcohol available in this country, and whether this availability has resulted in any reduction in the average import of petrol into this country?

Shri Gadgil: I cannot give off-hand the quantity of power alcohol produced in this country. But, its mixture with petrol has not affected the imports. On the other hand, the demand has been so consistently on the increase that we have been importing more and more as a result of following a policy of de-control generally.

Shri Chaliha: May I know whether there has been an increase or decrease in the production in India from that in 1942 or 1943?

Shri Gadgil: I should require notice of that.

TEXTILE EXPORT TO MALAYA

*4816. **Shri Rathnaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity of textiles exported to Malaya in 1950-51;

(b) whether it is a fact that go-downs in Singapore have been jammed by India's textile goods;

(c) the reasons for the stagnation in the textile trade between India and Malaya; and

(d) whether it is a fact that the re-export of Indian textiles has been banned by the Singapore Government?

The Minister of Commerce and Industry (Shri Mahtab): (a) 250 million yards.

(b) Yes, Sir.

(c) and (d). The stagnation in the textile trade is due to the ban recently imposed by the Government of Singapore on re-exports to Hongkong and other countries. The Singapore Government, it is understood, are actively considering a revision of the ban, which has brought not only textile but all wholesale merchandise to a standstill for the time being.

Shri Rathnaswamy: Of the quantity exported, may I know how much was of fine quality and how much coarse and medium varieties?

Shri Mahtab: I cannot give the figures now.

Shri Rathnaswamy: Pardon?

Mr. Speaker: He says he cannot give the figures. He is not in a position to give the information.

Shri Rathnaswamy: May I repeat my question, Sir?

Mr. Speaker: No, no. He may go to his next question, if he has any.

Shri Rathnaswamy: May I know whether recently the Government of Malaya has lifted the ban?

Shri Mahtab: With regard to re-export of textiles from Singapore, textiles will go to other countries; but I do not know what we can do in that matter.

Shri Rathnaswamy: Has this stagnation therefore, eased?

Shri Mahtab: That is not our information. Our information is that they are considering the subject.

LIQUID GOLD

*4817. **Pandit Munishwar Datt Upadhyay:** Will the Minister of Commerce and Industry be pleased to state:

(a) what our yearly consumption of 'liquid gold' is, and what State consumes the largest quantity;

(b) what is the country that produces the largest quantity of 'liquid gold' and from where do we import this article;

(c) whether there is any proposal to start the manufacture of liquid gold in India and if so, where; and

(d) what is the price per tola of 'liquid gold' in India?

The Minister of Commerce and Industry (Shri Mahtab): (a) 92,000 ozs. Uttar Pradesh State is the largest consumer of liquid gold.

(b) Liquid gold is manufactured in the United Kingdom; the United States of America and Czechoslovakia. Our imports are mainly from the United Kingdom.

(c) Liquid gold is already being manufactured in India by two firms in Bombay.

(d) Rs. 17 per tola.

Pandit Munishwar Datt Upadhyay: May I know what is our produce for 1950?

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

Mr. Speaker: Neither could I. "Our dues"?

Pandit Munishwar Datt Upadhyay: Yes, our produce.

Shri Mahtab: That figure I have not got with me. I can however, give the capacity of production of these two firms, and that is 1,250 ozs. plus 1,000 ozs. per month.

Pandit Munishwar Datt Upadhyay: May I know what was our import in 1949-1950?

Shri Mahtab: I am sorry that information I cannot give now.

Pandit Munishwar Datt Upadhyay: Is the hon. Minister in a position to tell me what is the percentage of pure gold in this liquid gold?

Shri Mahtab: I am very sorry I not give that information too.

Dr. Ram Subhag Singh: What is our import of liquid gold from the United Kingdom?

Shri Mahtab: I am very sorry I cannot give that information too.

Shri Amolakh Chand: Is it a fact that this liquid gold is not real gold and that its carat gold content even is very small?

Shri Mahtab: I cannot say, but I do not think its gold percentage is very large.

EXPORT OF RUBBER TO CHINA

*4818. **Pandit Munishwar Datt Upadhyay:** Will the Prime Minister be pleased to state:

(a) whether Government have any information as to whether South East Asian countries producing rubber have stopped export of rubber to China;

(b) if so, whether it is in pursuance of the ban on the export of strategic materials to China initiated by U.S.A.; and

(c) how does it affect our rubber trade as a whole?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Governments of the Federation of Malaya and Singapore have banned the export of rubber to China. We have no information about other countries taking similar steps.

(b) The ban was imposed by these two Governments soon after the passage of the United Nations resolution banning the export of strategic materials to China.

(c) It is too early to forecast the effect of this ban on India's rubber trade.

Pandit Munishwar Datt Upadhyay: May I know what is the actual export of rubber from India to China in the year 1950?

Dr. Keskar: I would require notice for that. I may, however, inform the hon. Member that India does not export any raw rubber outside at all. Whatever is exported is manufactured rubber goods.

Shri Kamath: So far as the export of rubber goods is concerned, are there any figures available with Government to show whether rubber goods are exported to Korea, South or North?

Dr. Keskar: I have no information. And as far as export to China generally is concerned I think—and I speak subject to correction—there is hardly any export to China. In fact mostly our exports have been to Hongkong. It is possible that some goods have been re-exported from Hongkong to China. It is only very recently that our commercial relations with China have augmented.

Shri Kamath: Sir, I was asking about Korea.

Mr. Speaker: But I think that question was answered by the Minister of Commerce and Industry the other day.

Shri Kamath: It was with regard to Formosa, Sir.

Mr. Speaker: Whatever it may be. He said practically there is no export and that includes China, Formosa and the other places.

Pandit Munishwar Datt Upadhyay: What are the South-East Asian countries to which we export rubber goods?

Mr. Speaker: It is again the same question.

Dr. Keskar: The South-East Asian countries themselves export rubber. They are producers of rubber.

GERMAN TOOLS AND MACHINES

*4820. **Shri Sohan Lal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that some German tools and machines have been purchased by India in the Hanovar Industrial Exhibition;

(b) if so, what are they and for what purposes have they been purchased;

(c) the cost of those machines and the freight charges to import them;

(d) in which part of the country they will be installed; and

(e) whether they will be installed by Indian engineers or German engineers?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) to (e). The purchase is not within the knowledge of Commerce and Industry Ministry. The information required is being collected and will be placed on the table of the House as early as practicable.

Shri Sohan Lal: May I know whether these tools and machineries are purchased in parts or in whole groups and if in parts, whether there is any mechanical set-up in India where they can be fitted together and assembled?

Shri Karmarkar: I could not follow the question.

Mr. Speaker: He wants to know something about the tools being imported, whether they are only parts or the whole machinery. I understood the Minister to say that he is collecting the information.

Shri Karmarkar: I said frankly the purchase is not within our knowledge.

Shri Dwivedi: What about my question No. 4821?

Mr. Speaker: Well, it has been transferred and he has got that information.

EAST BENGAL DISPLACED PERSONS

*4822. **Shri B. K. Das:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of East Bengal displaced persons so far sent from West Bengal to States outside West Bengal for rehabilitation;

(b) the number of such displaced persons who have returned to West Bengal;

(c) the causes of their return; and

(d) the manner in which their cases have been dealt with after their return?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The following displaced persons were sent from camps in West Bengal to Bihar and Orissa:

Bihar	..	26,176
Orissa	..	24,447

(b) According to physical enumeration on Howrah station premises, the following returned to West Bengal:

From Orissa	...	2,817 displaced persons.
From Bihar		670 displaced persons.

Apart from the above, there may be others who have returned to West Bengal without Government's knowledge.

(c) The main reason appears to be the desire of the deserters to obtain resettlement in West Bengal.

(d) The policy of the Government of India is that once a person deserts a camp or a rehabilitation centre or refuses to accept rehabilitation benefits, he ceases to be the responsibility of Government as a displaced person. These persons have been treated rather leniently and were given the option of free railway facilities to return to the Province from which they had migrated. Those who wanted to go to East Pakistan, were also given free railway facilities.

Shri B. K. Das: May I know how far back these persons were sent to the Provinces of Bihar and Orissa and when did the exodus begin?

Shri A. P. Jain: In Orissa they deserted in three batches. The first batch left in September, 1950 and their number was 450. The second was in December, 1950 and the number was 692 and the third was in April, 1951 and the number was 1,675.

Shri B. K. Das: During their stay in Orissa and Bihar, were they kept in

camps or were they rehabilitated in certain places and given some occupation?

Shri A. P. Jain: The desertion took place in three manners. There were those who were in camp and who were not sent to the rehabilitation centre. Then there were those who had been sent to the centre and rehabilitated. And finally there were those who were offered rehabilitation benefits which they refused and came to West Bengal.

Shri B. K. Das: May I have separate figures of those who returned from the camps and those who returned from their places of rehabilitation?

Shri A. P. Jain: I want notice, Sir.

Shrimati Renuka Ray: Is it not a fact that many of those who have returned to West Bengal have been given rehabilitation benefits though they have not been put in camps in West Bengal, and if so, what is their number?

Shri A. P. Jain: Well, in some extreme cases when the Government of Bengal pressed us, we gave them permission to take them direct to the places of rehabilitation. Their number may be about 300 or 400 families, but I am not sure about the number.

Shri A. C. Guha: May I know if it is a fact that out of the 26,000 sent to Bihar, even now there are about 15,000 living in camps without any rehabilitation having been made for them?

Shri A. P. Jain: That is not correct. The latest figures about Orissa (I am quoting from memory) go to show that about four to five thousand of these displaced persons have been sent to rehabilitation centres and the rest about eight or nine thousand are living in camps.

Shri Ansari: What are the reasons for the exodus?

Shri A. P. Jain: The reasons are manifold. They could not acclimatise themselves to other climates and other physical environments except what they were used to in East Bengal. When I was there some of them said that there were not big rivers like the Padma. We cannot produce Padma in Orissa. Again they were afraid of hillocks. It is not a hilly country but there were a few hillocks separated from each other by fairly long distances and yet they were afraid of them. They preferred West Bengal. There may be other psychological reasons on account of

which they could not settle in Orissa. But I can say that the Orissa Government has shown any amount of sincerity and devotion to the rehabilitation of these persons.

Shri B. K. Das: What is the number of these deserters who are now living in Howrah station and have not been given any rehabilitation facilities?

Shri A. P. Jain: I understand that some have come recently but I cannot give their exact number. The Bengal Government wrote to me and I am asking them as to what should be done with them.

Shri B. K. Das: Have any of these persons who are deserters gone to East Bengal?

Shri A. P. Jain: Yes, quite a number of them.

Shri A. C. Guha: A few minutes ago the hon. Minister stated that those who were in Bihar and Orissa camps were mostly idlers and did not like to work. May I know if the Minister is personally satisfied that the conditions of rehabilitation offered to them were satisfactory to him?

Mr. Speaker: That is asking for an opinion.

Shri A. C. Guha: I want to know whether the conditions of rehabilitation offered to them were at least to him satisfactory.

Mr. Speaker: He is asking for the Minister's opinion. They may be satisfactory according to him, under the circumstances.

Shri A. C. Guha: May I know whether all the directives of the Central Government as regards rehabilitation have been implemented by these two Governments?

Shri A. P. Jain: As many of the directives of the Government of India have been implemented as are humanly possible. I can say that the conditions in the rehabilitation centres in Orissa are as good as are possible in the circumstances. It is difficult to say whether anything can be absolutely satisfactory.

Shri Sarangdhar Das: Is it a fact that in Orissa, in most of the interior places because they did not get any fish they immediately decamped?

Mr. Speaker: Let us proceed to the next question.

WHITE PRINTING PAPER

*4823. **Shri Deshbandhu Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity of white printing paper produced in India during the years 1948-49, 1949-50 and 1950-51;

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(b) whether it is a fact that some Indian mills have produced an inferior quality of white printing paper which is being used as newsprint by some English Dailies and if so, the names of such mills, and the quantity produced by them for the said purpose?

(c) whether Government have fixed any control rate for the sale of this kind of paper and whether it is available to all newspapers at that rate; and

(d) whether this paper falls in the category of newsprint and what its specifications are?

The Minister of Commerce and Industry (Shri Mahtab): (a)

Year	(in tons) Quantity
1948-49	... 33,387
1949-50	... 29,320
1950-51	... 31,017

(b) Government are aware of the fact that some newspapers are using a certain variety of white printing paper. Information regarding the quantity produced and the names of the mills producing this type of paper is being collected and will be laid on the table of the House as early as possible.

(c) There is no control on the price or the distribution of paper.

(d) This paper does not fall in the category of newsprint. Particulars regarding its specifications are being obtained and will be placed on the table of the House.

Shri Deshbandhu Gupta: Have Government considered the desirability of making this type of paper—newsprint, or whatever name you may give it, available to all papers alike, in the country?

Shri Mahtab: As I have already said we are now collecting detailed information about it and the matter is under consideration.

Shri Deshbandhu Gupta: How much quantity of this type of paper is being used by daily newspapers?

Shri Mahtab: That figure is not available. As I said we are now collecting the details.

Shri Deshbandhu Gupta: Have Government received any representation from any newspapers to the effect that this was prejudicial to their interests, as it was not available to all papers?

Shri Mahtab: Yes, a representation to that effect has been received.

Shri T. N. Singh: Is it a fact that the so-called newsprint which is being manufactured by these mills does not contain 75 per cent. mechanical wood pulp and if so, do Government not think that this is circumventing the price control over white printing?

Shri Mahtab: According to the newsprint control order white printing paper (by rolls or sheets) should have a fibre content comprising of 75 per cent. of mechanical wood pulp and it weighs as much as 45 grammes per square metre. This paper does not fall under this category. According to the information given to us by the newspapers using this white print this paper could not be regarded as newsprint, because it is not made from mechanical wood pulp. The whole thing is technical and is being examined.

Shri Shiva Rao: May I know whether the consumption of this type of white paper by newspapers for issuing supplements had any effect on the price of white paper as a whole?

Shri Mahtab: That is a question which has to be examined. I cannot off-hand say whether this particular type of white paper has affected the price of other types of white paper.

Shri Shiva Rao: Is the matter under examination?

Shri Mahtab: Yes, Sir.

Shri T. N. Singh: Is it a fact that in view of the very high price of newsprint imported here, this kind of newsprint which contains less than 75 per cent. mechanical wood pulp is fetching a very high margin of profit?

Shri Mahtab: As I said all these questions are being examined and I can inform the House later on as to what steps can possibly be taken.

Shri Mahtab: May I request you, Sir, to allow me to answer questions Nos. 4825 and 4846 together, as they relate to the same subject?

Mr. Speaker: The other one is by Dr. Ram Subhag Singh, who is here. Yes, they may be answered together.

CLOTH EXPORTERS

*4825. **Shri Amolakh Chand:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a large number of cloth exporters have been expropriated of their trade and that

the export quota has been allotted to the mills; and

(b) whether these mills had any direct contacts in foreign markets in 1949-50?

The Minister of Commerce and Industry (Shri Mahtab): (a) No. Only a small portion of the total export quota has been reserved for mills.

(b) Not all of them.

CLOTH EXPORT POLICY

*4846. **Dr. Ram Subhag Singh:** (a) Will the Minister of Commerce and Industry be pleased to state whether any policy announcement has been recently made by Government in regard to export of cloth?

(b) If so, what are the chief points of that announcement?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). Yes, Sir. A copy of the Press Note on the subject is placed on the table of the House. [See Appendix XXVIII, annexure No. 16.]

Shri Amolakh Chand: What is the number of exporters affected and what is the approximate amount of profit that would accrue to the mills by this new arrangement?

Shri Mahtab: If the hon. Member kindly goes through the Press Note he will find that out of 844 million yards only 85 million yards have been reserved for the mills. Ten per cent. of the total export has been reserved for the mills and the remaining 90 per cent. goes through the normal trade channel. I cannot give the exact figure as to how much profit will go to the mills. So far as my information goes no exporter will be completely out of the trade by this arrangement.

Shri Amolakh Chand: May I know the reason why these mills have been appointed exporters?

Shri Mahtab: I would request the hon. Member to go through the Press Note, which has been issued by Government. The question of fixing up quotas arose only on this occasion. Previously there was no control over fine and superfine cloth and licensing was free. Anybody could have obtained a licence at that time. As a matter of fact many mills had obtained licences during the second half of 1950 for fine and superfine cloth. Only on this occasion since we are restricting export to a very large extent we have devised this means of distributing the quotas equitably.

Shri Amolakh Chand: Is it a fact that formerly the exporters used to get two per cent. of profit and now it is to the tune of 15 to 20 per cent.?

Shri Mahtab: I cannot see how by reservation of certain quota for the mills the profits of the exporters will go as high as that.

Dr. Ram Subhag Singh: May I know whether the Mill Owners Association representing about 400 textile mills of India have requested the Government to modify their recently announced policy?

Shri Mahtab: I have seen only one resolution of the Bombay Mill Owners Association. There is, however, no one single Association representing all the mills of India. On the contrary there has been pressure from the mills of Madhya Pradesh and from the mills of Uttar Pradesh that they should be given special quotas as against the mills of Bombay. So, there is internal conflict there also. We have devised this means to find an equitable solution of the problem.

Dr. Ram Subhag Singh: May I know what percentage of our textile mills are going to be benefited by this policy?

Shri Mahtab: If the hon. Member goes through that Press Note he will find that we have reserved some portion—about 10 million yards—for all the mills who used to export, and also reserved some for the post-war mills and some for the uneconomic mills.

श्री द्विवेदी : क्या सरकार को इस बात की सूचना है कि निर्यातकों में से कुछ लोगों ने निर्यात के लिए मुकर्रर कोटा बन्धरगाहों से वापस ला कर के ब्लैक मार्केट में बेचा, और अगर हाँ, तो उन के खिलाफ क्या कार्रवाई की गई ?

[Shri Dwivedi: Have Government any information to the effect that some exporters brought back a portion of their exportable fixed quotas from the ports and sold it in the black market, and if so, what action has been taken against them?]

Shri Mahtab: I know one firm is being prosecuted in Madras for that offence mentioned by the hon. Member.

Shri S. N. Das: May I know whether any deputation on behalf of exporters has waited upon the hon. Minister recently?

Shri Mahtab: Yes, Sir, and we had a long discussion over the question.

Dr. V. Subramaniam: Do these exporters export cloth to fulfil any previous contracts or are they getting new contracts?

Shri Mahtab: This quota which has been reserved for the mills is for new contracts. It does not relate to the old contracts.

Shri Amolakh Chand: May I know if the hon. Minister's attention has been drawn to the statement made by the All India Exporters Association, Bombay on May 11th that the Government have given away to the mills 70 per cent. of the quota and, if so, what steps did Government take to contradict that statement?

Shri Mahtab: Our Press Note is a very effective contradiction of that statement. And although they call themselves the All India Exporters Association, they do not know how many States are pressing the Government to allot quotas to those States and not to Bombay alone.

ALCOHOL

*4826. **Shri Rudrappa:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total production of Alcohol in India during 1950-51; and

(b) the countries to which it was exported?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Apparently the hon. Member is referring to power alcohol. His attention is accordingly invited to the reply given to part (a) of Starred Question No. 4725 answered on the 31st May, 1951.

(b) Does not arise, as no quantity was exported.

Shri Dwivedi: What percentage of power alcohol is being mixed with petrol?

Mr. Speaker: This question was dealt with *in extenso* last week.

ANTI-INDIAN PROPAGANDA IN AUSTRALIA

*4827. **Shri Rudrappa:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that anti-Indian propaganda is carried on in the Australian press; and

(b) if so, what action has been taken by the Government of India and the Indian representative in Australia to counteract it?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Government have noticed anti-Indian comments in the Australian press in recent months mainly on the question of Kashmir.

(b) Our representative has been doing whatever is feasible to remove the misunderstanding regarding India and specially on Kashmir, but as the hon. Member will appreciate, opinion abroad on Kashmir is governed by a variety of causes many of which it is not within the power of the representative to influence.

Shri Rudrappa: May I know how long this propaganda has been carried on?

Dr. Keskar: I do not think there has been any organised and persistent propaganda but off and on there are spates of anti-Indian criticism probably on specific subjects.

Shri Rudrappa: May I know if this propaganda is carried on with the co-operation or at the connivance of the Government?

Mr. Speaker: Which Government he means? The Australian Government?

Shri Rudrappa: Yes.

Mr. Speaker: I think this question better be not put.

Shri Rudrappa: May I know whether this anti-Indian propaganda carried on by the Australian press is partly due to the anti-Indian propaganda carried on by the Pakistan press in Australia, and, if so, what measures have been taken to counteract it?

Dr. Keskar: I think my hon. friend has forgotten that the Australian press is completely free and it is not possible even for the Australian Government to order that the press should publish particular type of articles.

COTTAGE INDUSTRIES PRODUCTS (SALE)

*4828. **Shri S. C. Samanta:** Will the Minister of Commerce and Industry be pleased to state:

(a) which State Government has received the largest sum of money from

the sale of the cottage industries products kept for sale in the Central Cottage Industries Emporium in New Delhi;

(b) the largest number of items of products received from one single Government or one single individual or single concern for sale in the Emporium; and

(c) what are the rates of commission charged by the Central Cottage Industries Emporium for sale of goods?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Government of Uttar Pradesh.

(b) The largest number of items of products received for sale at the Emporium were from the Government of Uttar Pradesh.

(c) 12½ per cent. from *mofussil* parties where freight and incidental charges are paid by the Emporium; 6½ per cent. from local parties where stores are delivered at the Emporium; 3½ per cent. from the Government of Kashmir who deliver goods at the Emporium and who have provided a Sales Assistant at their cost.

Shri S. C. Samanta: May I know how much worth of cottage industry products have been sold by the Emporium since its inception?

Shri Karmarkar: I have ready figures for 1950—it is round about Rs. 186,000/-.

Shri S. C. Samanta: May I know the total value of these products exported to other countries and sold there by the Emporium?

Shri Karmarkar: From the information that I have, consignments to Canada in 1949 for an exhibition amounted to Rs. 1,384-14-0. For the subsequent periods I should like to have notice.

Shri S. C. Samanta: May I know which of the products are in great demand in foreign countries?

Shri Karmarkar: It is much too vague a question because there is no established trade in these products, but we find that artistic products like brocade, ivory work, etc. are exported.

Shri Shiva Rao: May I know whether after the last Conference of the Cottage Industries Board a Committee was appointed to review the working of this Emporium, whether that Committee has made its report and whether Government have taken any action on the recommendations contained in that report?

Shri Karmarkar: Yes, the Committee has given us its report and it is now under consideration.

TRADE WITH CHINA

***4829. Shri Krishnanand Rai:** Will the Minister of Commerce and Industry be pleased to state the estimates of import and export between India and China in the current year under the Agreements already entered into by the two countries?

The Minister of Commerce and Industry (Shri Mahtab): Information is being collected and will be placed on the table of the House in due course.

Shri Krishnanand Rai: May I know whether the Agreements are still under consideration or they have been concluded?

Shri Mahtab: With regard to the import of food an Agreement has been arrived at, but the question here is with regard to estimates of imports and exports—these figures are being collected from the Agriculture Ministry and will be placed on the Table in due course.

Shri Krishnanand Rai: Whatever be the commodities that are exported or imported between India and China, may I know whether they will be carried direct in Indian or Chinese ships or through foreign shipping?

Shri Mahtab: I do not think there is any Chinese shipping service between India and China, and these commodities have to be carried through other shipping channels.

Shri Rathnaswamy: In view of the fact that India is a member of the Commonwealth, may I know whether the recent decision of Britain to stop export of rubber to China has had any reaction on our trade relations with China?

Shri Mahtab: I have already said that as yet there has been no reaction.

ECONOMY IN C. P. W. D.

***4830. Shri Sidhva:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether the recommendations made by the Estimates Committee to abolish gradually the cadre of Superintending Engineers of the C. P. W. D. which would bring a saving of Rs. 2,40,000 has been adopted;

(b) if not, the reasons therefor;

(c) whether the recommendations made by the Estimates Committee for

effecting economy of Rs. 5,10,000 by regrouping the existing circles and divisions have been adopted; and

(d) if not, the reasons therefor?

The Minister of Works, Production and Supply (Shri Gadgil): (a) to (d). The recommendations are under Government's consideration.

Shri Sidhva: May I know when they are likely to take a decision in the matter, and also whether the Finance Minister has drawn the attention of the hon. Minister to this question?

Shri Gadgil: We are doing our best, but I may explain the position. The Estimates Committee has not obviously taken into consideration all aspects of the question. The charge under an Executive Engineer is determined by two things: how much new construction he has to supervise and how much maintenance. In so far as the Superintending Engineer is concerned, it is also determined by these two considerations, plus the area of supervision. Now compared with similar provisions in the States, the Central P. W. D. compares very well, but after the Kasturbhai Lalbhai's Committee's recommendations, we increased the charge of the Executive Engineer and also increased the charge of the circle under the Superintending Engineer. To go beyond this, according to expert opinion, would be resulting in inefficiency.

However, in view of the Estimates Committee's recommendations, the matter is being considered and in all these considerations I may assure the hon. Member that the views of the Finance Ministry are taken into account.

Shri Sidhva: May I know what has become of the economy of Rs. 5,10,000 in regrouping of the existing circles? Does it come also under the Kasturbhai Lalbhai Committee's scheme, or is it being examined separately?

Shri Gadgil: As I said, the third consideration is the area of supervision. Naturally, that is also taken into consideration.

STATIONERY AND PRINTING DEPARTMENT (RE-ORGANISATION)

***4831. Shri Sidhva:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether the Stationery and Printing Department has been reorganised as recommended by the Estimates Committee with a view to effect a saving of Rs. 1,20,00,000; and

(b) if not, what are the reasons therefor?

The Deputy Minister of Works, Production and Supply (Shri Buragohain): (a) and (b). Out of 33 recommendations of the Estimates Committee, 17 have been accepted and necessary action is being taken to implement them. The remaining recommendations are under examination in consultation with the Finance Ministry.

I might, however, add that the particular recommendation which anticipates a saving of Rs. 1,20 lakhs while suggesting a change in budgeting procedure, proposes a flat 33½ per cent. cut in the expenses relating to the printing work and stationery supplies of the various Departments of Government. It is felt that an arbitrary cut of this kind without an examination of the requirements of each Ministry on merits would not be desirable. In the case of supplies to the three paying indentors, i.e., Posts and Telegraphs, Railways and Defence, from which emanate 75 per cent. of the stationery and printing demands and whose genuine needs have gone up vastly due to the mergers of States, a flat cut of the size proposed by the Committee will not be a feasible proposition.

Shri Sidhva: May I know what would be the saving as a result of the acceptance of the 17 out of 33 recommendations of the Estimates Committee?

Shri Buragohain: I have not got the figures with me; I should like to have notice.

Shri Sidhva: This naturally comes within my question and if the hon. Minister has not got the figures here...

Mr. Speaker: The hon. Member should not make any comments. What information does he want?

Shri Sidhva: My point is that I have already put a question and it is for the hon. Minister to place the information on the table of the House, if he has not got it now, particularly because the session of the House is coming to an end and there is no time to put another question.

The Minister of Works, Production and Supply (Shri Gadgil): I promise I will communicate the information to the hon. Member.

Shri Buragohain: If the hon. Member has in mind the first recommendation which indicated a saving of Rs. 1 crore and 20 lakhs, I have already explained the position.

Shri Sidhva: The hon. Minister just now made a comment upon the recommendation regarding a saving of Rs. 1 crore and 20 lakhs, which he said would not be acceptable as an *ad hoc* recommendation, in view of the various Ministries' demands concerned. May I know whether the various Ministries have been consulted on the Estimates Committee's recommendation?

Shri Buragohain: If I may explain the position, the total demand that has been recently passed by this House is only Rs. 1 crore and 36 lakhs. If we are to exercise a cut of Rs. 1 crore 20 lakhs that would mean a cut of 85 per cent. of the total demand. That will not only liquidate this Department, but also the supplies of other Departments, including, Posts and Telegraphs, Defence and Railways.

श्री भट्ट: क्या माननीय मंत्री जी बतलायेंगे कि क्या एस्टीमेट्स कमेटी की सिफारिशों स्टैंडिंग एडवाइजरी कमेटी के सामने भी रखी जाती हैं और उन की राय ली जाती है ?

[**Shri Bhatt:** Will the hon. Minister please state whether the recommendations of the Estimates Committee are placed before the Standing Advisory Committee as well and their advice sought?]

Shri Buragohain: I think the procedure is that after examination of the recommendation in consultation with the Ministry of Finance, it will be placed before the Cabinet.

Shri A. C. Guha: May I know if the proposed economy of Rs. 1 crore 20 lakhs is a recommendation for actual reduction, or is it a proposal for budgetary rearrangement, so that the expenses may be shown in the Budgets of the spending Departments, instead of being shown in the Printing and Stationery Department?

Shri Buragohain: This particular recommendation of the Estimates Committee related to the supplies of the various Ministries and meant an arbitrary cut of 33½ per cent.

Mr. Speaker: The hon. Member may refer to the Estimates Committee.

Shri Sidhva: My point is whether this meant an economy in the budgets of the three Ministries or of the Department of Printing and Stationery.

Shri Buragohain: I do not think I can usefully add to what I have stated. I have already explained the position to the House and to my hon. friend the questioner. The gross demand of this Ministry is over Rs. 4 crores, but the nett demand as I have stated is Rs. 1 crore 36 lakhs.

Shri Gautam: Will the Ministry before placing the recommendations before the Cabinet take the Standing Committee of the Ministry into confidence?

Shri Buragohain: We might consider that suggestion.

SUPPLY OF YARN TO POWER-LOOMS IN DELHI

*4832. **Shri Sidhva:** Will the Minister of Commerce and Industry be pleased to refer to his answer to Starred Question No. 4221 asked on the 17th May, 1951 regarding supply of yarn to power-looms in Delhi and state:

(a) whether the proposal to allot separate quotas of yarn to power-looms, handloom and other industries has materialised; and

(b) if so, what are the new proposals?

The Minister of Commerce and Industry (**Shri Mahtab**): (a) and (b). Under the new scheme, the yarn allocations to the States will contain separate quotas for handlooms, powerlooms and other industries on the basis of figures supplied by the States of the number and capacity of handlooms, powerlooms, hosieries, fisheries and other industrial users etc. The State Governments have been requested to send immediate information to the Textile Commissioner, Bombay, who is being asked to fix the quotas.

Shri Sidhva: The hon. Minister made a promise last time that the new scheme will come into operation this month. May I know whether it will be possible to introduce it this month?

Shri Mahtab: That will be done immediately—as soon as we hear from the States.

Shri Sidhva: The hon. Minister last time said in connection with the report of the Fact Finding Committee that the quota fixed related to handloom. Does he still stick to that statement?

Shri Mahtab: The Fact Finding Committee gave figures of handloom. The quota of powerlooms has not been found out by anybody.

Shri Sidhva: On page 9 of the Fact Finding Committee's report, mention is made of the powerloom.

Shri Mahtab: I am sorry I cannot follow the question.

Shri Sidhva: In the Fact Finding Committee's report it is stated that this quota relates to powerloom. The hon. Minister last time stated it referred to handloom. Today also he reiterates that. May I know whether there is a mistake in printing or what is it that the Fact Finding Committee means?

Shri Mahtab: My own impression even now after hearing the hon. Member is that the Fact Finding Committee was appointed to find out how much could be produced out of handloom. The Committee gave some figures of handloom production, according to which the allotment was fixed. In the meanwhile it must be known that the number of powerlooms has considerably increased after the Fact Finding Committee submitted its report. Therefore a full report from the State Governments is absolutely necessary.

Shri Sidhva: I would like the hon. Minister to go through the report and find out whether it refers to handloom or powerloom.

Short Notice Question and Answer.

DEMOLITION OF HOUSES CONSTRUCTED BY DISPLACED PERSONS IN DELHI

Shri J. R. Kapoor: Will the Minister of Works, Production and Supply be pleased to state:

(a) whether a number of houses constructed by displaced persons from West Pakistan have been demolished by Government recently in Ahata Kidara, Chambelian Road, Delhi, and if so, how many;

(b) under whose authority and under what law these houses have been demolished;

(c) whether any notice of eviction was served on the occupants of the said houses, and if so, when and in what form;

(d) whether police and military aid was requisitioned to evict the occupants, and they were forcibly evicted and their belongings put out in the open;

(e) whether any compensation *ex-gratia* or otherwise has been granted for demolition, or any financial relief given for rehabilitation of occupants who have been evicted;

(f) whether the land on which these houses were constructed is required for any immediate purpose, and if so, what;

(g) whether these houses were constructed before the 1st August, 1950;

(h) whether these evictions and demolitions were made with the prior approval of the Ministry of Rehabilitation;

(i) whether it is a fact that the Select Committee on "Delhi Premises (Requisition and Eviction) Amendment Bill, 1950", and its sub-Committee are considering the question of occupation of Government land and construction of houses thereon by displaced persons in order to find out ways and means of dealing with this problem so as to cause the least possible hardship to the displaced persons, and the reports of the sub-Committee and the Select Committee are still awaited;

(j) when the last meeting of the sub-Committee was held, and why no further meeting thereof has been held and its report finalised;

(k) when the report of the Select Committee is expected to be submitted to Parliament, and whether it is proposed to consider the same in this sitting of Parliament;

(l) whether it is the intention and policy of Government to proceed further with the demolition of similar constructions even before the consideration and adoption of the report of the Select Committee; and

(m) what is the total number of houses demolished since the reference of the Bill to the Select Committee, and how many of these houses were constructed prior to 1st August, 1950?

Mr. Speaker: Before the hon. Minister replies I shall make the position clear about this question. This question is rather of an excessive length. But I have thought it proper to allow it because hon. Members wanted to have some light on this matter. They wanted to bring this matter before the House in the form of an adjournment motion which was obviously not possible. Therefore they have put in this short notice question just to have a statement of the facts from the hon. Minister. Instead of putting it shortly, "Will he make a statement?" I allowed them to place before him the several points on which they want a statement from him. In the circumstances the hon. Minister's reply will be a statement with reference to the various points raised in the question, and there will be no supplementaries on the statement, because if we go into supple-

mentaries it will mean a debate for half an hour. Let them therefore have the information and then we will proceed to the other work. Such a question obviously, being of such excessive length, could not be allowed. Therefore it becomes necessary for me to explain why I have allowed this question in spite of its excessive length, so that it will not be understood as a precedent to quote that questions of this length are being permitted in this House.

Shri J. R. Kapoor: May I submit that, not too many supplementaries, but a few supplementaries may be allowed in order to have some information which may not be contained in the statement?

Mr. Speaker: Order, order. I will request the hon. Member not to create a new precedent which will put me and the House into a difficulty. If he wants any further information, by all means he can get it from the hon. Minister by a further question to him either inside or outside the House. That will be the best procedure.

Lala Achint Ram: But certain important things are not included in the question.

Mr. Speaker: It only strikes him when another Member puts the question! He may put a question independently in that case.

The Minister of Works, Production and Supply (Shri Gadgil): Sir, 29 residential structures and 4 sheds used for manufacturing purposes, on the Mutiny Memorial Road were removed after due notice. These unauthorised structures built on Government Nazul land were removed under orders of the Local Government. Notices in the usual form in vogue were served on persons concerned on the evening of the 21st May, 1951. No military aid was requisitioned but only police help was taken in maintaining law and order, in evicting unauthorised occupants and removing their belongings. Alternative accommodation and free transport thereto was offered to all those who were evicted, but only 22 out of the 33 families availed of the offer. No cash compensation was given to them. This land was urgently needed for construction of a Fire Brigade sub-station mainly to safeguard displaced persons and their property. Only a few flimsy structures existed on the site prior to August 1st, 1950. As regards these evictions and demolitions there was no formal previous approval of the Rehabilitation Ministry. As regards (i) yes. The last meeting was held on the 23rd April,

1951. No further formal meeting of the sub-Committee is necessary. The sub-Committee's report will be finalised shortly. As regards the presentation of the report of the Select Committee to the House, it is a matter for Parliament to decide. Except for emergent needs, which have to be dealt with according to exigencies of the situation, there will be no further demolition. As regards the number of houses demolished which were constructed prior to 1st August, 1950, the information is not readily available.

I may also add that so far as these families are concerned, immediately after I received the complaint I in company with some hon. Members of this House visited the place, and we are doing our best to give them a site as near as possible. But if it is insisted that everybody must be rehabilitated as near as possible, the problem of rehabilitation will become an impossibility.

گھانگہ جی - ایس - مسافر : سپہا
پتی جی - مجھے معلوم ہے کہ ایسے
سوالوں میں سپہانگری کرنے کا آپ
آرڈر نہیں ہے - لیکن میں ٹیک
بات اسہمت کرنا چاہتا ہوں -

[Giani G. S. Musafir: Sir, I know it is not allowed to put supplementaries to such questions. But I want to get a point clarified.]

अवयव महोदय : वह तो सप्लीमेंटरी
ही हो गया। आप सवाल भेज कर इसे
कर सकते हैं।

[Mr. Speaker: That would be a supplementary. You can send a question and have the reply.]

گھانگہ جی - ایس - مسافر : میں
یہ کہنا چاہتا تھا کہ آج کوئی اور
مکان تو نہیں کرائے جا رہے ...

[Giani G. S. Musafir: I wanted to know whether any more houses are being demolished today also?]

Mr. Speaker: Order, order. Let us not discuss that.

WRITTEN ANSWERS TO QUESTIONS

TORQUAY TARIFF NEGOTIATIONS

*4869. Shri M. Naik: (a) Will the Minister of Commerce and Industry be pleased to state to what extent export trade concessions have been secured for India at the recent Agreement reached at tariff talks at Torquay, England?

(b) What are the countries which have extended such concessions to India?

(c) What are the countries to which India has, under the Agreement, extended tariff concessions?

(d) What is the resultant economy of the country as derived from the over-all concessions affecting India?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a), (b) and (d). The attention of the hon. Member is invited to the answer given to Starred Question No. 4576 by Pandit Munishwar Datt Upadhyay on the 28th May, 1951.

(c) India has not yet signed the Protocol relating to the acceptance of the Agreements reached at the Torquay Conference but when she does so, the tariff concessions agreed to by her will have to be extended to:

- (1) Australia
- (2) Belgium
- (3) Brazil
- (4) Burma
- (5) Canada
- (6) Ceylon
- (7) Chile
- (8) Cuba
- (9) Czechoslovakia
- (10) Denmark
- (11) Dominican Republic
- (12) Finland
- (13) France
- (14) Greece
- (15) Haiti
- (16) Indonesia
- (17) Italy
- (18) Liberia
- (19) Luxembourg
- (20) Netherlands
- (21) New Zealand
- (22) Norway
- (23) Nicaragua
- (24) Pakistan
- (25) Sweden

- (26) Syria
 (27) Southern Rhodesia
 (28) United Kingdom
 (29) United States of America

In addition, Austria, the Federal Republic of Germany, Peru, the Philippines, Turkey, South Korea and Uruguay will also be entitled to these tariff concessions as and when they accede to the General Agreement on Tariffs and Trade.

EMPLOYEES IN TEA CONTROLLER'S OFFICE

*4810. **Shri B. K. Pani:** Will the Minister of Commerce and Industry be pleased to state whether it is a fact that 116 employees of the office of the Tea Controller for India have either been discharged or have been served with notices of discharge from the office?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): It has been decided to close down the office of the Tea Controller for India with effect from the 1st July, 1951. The surplus staff of the organisation will be served with notices in accordance with the terms and conditions of their service.

मध्य प्रदेश में पुनर्वास

*४८१९. **श्री सावर्डे:** क्या पुनर्वास मंत्री यह बतलाने की कृपा करेंगे:

(ए) मध्य प्रदेश में पुनर्वासित किये गये शरणार्थियों की संख्या तथा उन में से कितने व्यक्तियों को अपना काम-धन्धा चलाने के लिए आर्थिक सहायता दी गयी है;

(बी) क्या शरणार्थी कृषकों की कृषि कार्यों के लिए कोई भूमि दी जाती है और यदि दी जाती है तो मध्य प्रदेश में उन में से कितने व्यक्तियों को भूमि दी गयी है;

(सी) उन को सहायता, चाहे नकदी के रूप में अथवा भोजन आदि देकर, किस प्रकार दी जाती है तथा ऐसे शरणार्थियों की संख्या जिन्हें अभी तक कोई सहायता नहीं दी गई है; तथा

(डी) उन में से कितने शरणार्थियों को नगरों में तथा कितनों को गांवों में पुनर्वासित किया गया है?

REHABILITATION IN MADHYA PRADESH

[*4819. **Shri Khaparde:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of refugees who have been rehabilitated in Madhya Pradesh and how many of them have been given monetary grant for starting their occupations;

(b) whether refugee agriculturists are allotted any lands for agricultural purposes and if so, how many of them have been allotted land in Madhya Pradesh;

(c) what is the mode of giving relief to them whether in cash or by providing them with food and the number of those refugees who have not been yet given any relief; and

(d) how many of them have been rehabilitated in the cities and how many of them in the villages?]

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Out of 1,20,000 refugees, who have gone to Madhya Pradesh, urban loans have been given to 18,800 families and rural loans to 134 families, roughly covering 95,000 persons.

(b) 141 agriculturist families have been allotted land in Madhya Pradesh.

(c) Relief in general has been stopped more than a year ago. At present relief is confined to unattached women and children and old and infirm persons and their dependents in Homes run by Government. The number of such persons in Madhya Pradesh is 300. Cash doles are paid at the rate of Rs. 15/- per adult and Rs. 7/8/- per child.

(d) The number settled in towns is 1,18,000 and in villages 2,000.

HOUSES FOR DISPLACED PERSONS

*4834. **Master Nand Lal:** Will the Minister of Rehabilitation be pleased to state:

(a) how many houses of all types have been built so far by the Government of India in Delhi for displaced persons;

(b) how many of these houses have been sold on cash payment and what is the total sum recovered by such sale;

(c) how many of these houses have been sold on hire purchase system and what is the total amount to be so recovered; and

(d) how many of these houses have been given to displaced persons on rent and what is the monthly income?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) 13,815 houses of all types have been constructed by the Government of India in Delhi for displaced persons up to 31st December, 1950.

(b) 1101 houses have been sold on cash payment up to the end of May, 1951, for Rs. 65,94,250/-.

(c) 1080 houses have been sold on hire purchase system, and the amount recovered on account of first instalment is Rs. 8,78,600/-, the balance recoverable being Rs. 38,98,400/-.

(d) 11,634 houses have been given on rent. The figures of monthly rental income are being collected.

DIESEL ENGINES

***4835. Shri A. C. Guha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of factories manufacturing diesel engines in India; and

(b) their installed capacity and their actual production during the last three years?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). A statement is laid on the Table of the House. [See Appendix XXVIII, annexure No. 17.]

CONFERENCE OF RUBBER PRODUCERS AND CONSUMERS

***4836. Shri Shankaraiya:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any Conference of the chief producers and consumers of rubber in the world was held at Rome during April, 1951;

(b) if so, whether India participated in its deliberations;

(c) what is the result of this conference and what decisions were taken therein; and

(d) whether the Conference considered the production and consumption of synthetic rubber also?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) The reply is in the affirmative.

(b) No, Sir.

(c) and (d). Government have no information on these points.

INDIAN BOATMEN FIRED ON BY PAKISTAN POLICE

***4837. Shri P. Basi Reddi:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that on the 18th May, 1951, the Pakistan Police opened fire on Indian boatmen, when the latter refused to anchor their boat near Pakistan shore opposite Sutihate in West Bengal; that, as a result of the firing, the boat capsized throwing overboard all the 3 boatmen and 11 passengers; and that only one boatman and one passenger, the former with bullet injuries, arrived in the Indian territory;

(b) if so, what steps Government have taken to secure the fullest information regarding the incident; and

(c) what is the information Government have secured, so far, relating to the incident?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Yes.

(b) and (c). In accordance with the Indo-Pakistan Agreement about enquiry into border incidents, the Government of West Bengal have already brought these incidents to the notice of the Government of East Bengal. They have strongly protested against the unprovoked firing by the Pakistan police and requested strong measures against the offending policemen. The East Bengal Government's reply is awaited.

DUNLOP RUBBER FACTORY, SAHAGANJ

***4838. Shri P. Basi Reddi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Dunlop Rubber Factory at Sahaganj has been closed for want of raw materials;

(b) if so, what are the raw materials that have run short;

(c) when they are likely to be made available to the factory;

(d) what are the reasons for the shortage of the materials;

(e) what is the period for which the factory is likely to remain closed; and

(f) what is the shortage, if any, in the annual production of the factory that is likely to result on account of the closure of the factory?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): Yes, Sir.

- (b) Carbon Black.
 (c) In about four weeks.
 (d) General shortage owing to restrictions in the exporting countries.
 (e) About four weeks.

(f) As far as can be seen now, there will not be any shortage in the annual production of the factory.

PEACE TREATY WITH JAPAN

*4839. **Shri P. Easi Reddi:** Will the Prime Minister be pleased to state whether Government have forwarded their comments to the U.S. Government on the latter's draft proposals for a Peace Treaty with Japan?

The Prime Minister (Shri Jawaharlal Nehru): Yes.

HANDLOOM TEXTILES TO BURMA, MALAYA AND CEYLON

*4840. **Shri Rathnaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantities of hand-loom textiles exported to Burma, Malaya and Ceylon in 1949-50 and 1950-51; and

(b) whether it is a fact that Burma Government have expressed to the Government of India its preference for yarn as against textiles?

The Minister of Commerce and Industry (Shri Mahtab): (a)

Period	Burma	Ceylon	Malaya
1949-50	37 million yds.	31.20 million yds.	10.74 million yds.
1950-51	18 million yds.	21.57 million yds.	14.40 million yds.

(b) Yes, Sir.

FOREIGNERS WHO VISITED INDIA'S BORDERS

*4842. **Shri Kamath:** Will the Prime Minister be pleased to refer to his answer to my Starred Question No. 4362 asked on 21st May, 1951 regarding foreigners who visited India's borders, and furnish that information with regard to such foreigners as were invited by Government and by Indian Universities as well as those sponsored or deputed by foreign Governments?

The Deputy Minister of External Affairs (Dr. Keskar): The position has been fully explained in answer to Starred Question No. 4362. The information required by the hon. Member is not readily available, and the

labour involved in collecting information from the various Indian Universities, local authorities etc., will hardly be justified by the results achieved.

TEXTILE MILLS

*4843. **Shri Kamath:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any truth in a recent Press report that he (the Minister) threatened to nationalise such textile mills as do not fall in line with Government's production policy;

(b) the circumstances in which such a statement was made; and

(c) whether the attention of Government has been drawn to the statement of the Bombay Millowners' Association in reply thereto?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). Under the Essential Supplies (Temporary Powers) Act, 1946, the management of a textile mill can be taken over, if it fails to comply with various control orders in a systematic manner. Since Government want that production in the mills should not go down, I referred to that power which has been conferred upon Government by Parliament.

(c) The Government are not aware of any statement made on behalf of the Millowners' Association, Bombay, in regard to the above.

TEXTILE MILLS WITHOUT SPINNING SECTION

*4844. **Shri Kshudiram Mahata:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of textile mills having no spinning section;

(b) the arrangement at present for the supply of yarn to such mills; and

(c) the control over the production by such mills and the prices of cloth produced by them?

The Minister of Commerce and Industry (Shri Mahtab): (a) 3466.

(b) Under the All India Yarn Distribution Scheme, the distribution of yarn to such mills which are called powerloom factories is made by the State Textile Authorities out of the quota of yarn allotted to the State by the Textile Commissioner, Bombay, for distribution to miscellaneous consumers in the State.

(c) There has been no control over prices and cloth produced by powerloom factories. It has since been decided to introduce some control and the details are being worked out.

MAINTENANCE ALLOWANCE

*4845. **Dr. Ram Subhag Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that increased maintenance allowances to old and infirm displaced persons will be paid under the Maintenance Allowances Scheme; and

(b) if so, from when that increased maintenance allowance will be paid?

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

(b) From the 1st June, 1951.

WASHING SODA (SCARCITY)

*4847. **Shri P. Kodanda Ramiah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of Government has been drawn to the news that the "villagers of Madras State had hardly any wash of their clothes by washermen during the months of February, March and April, 1951, due to the acute shortage of Washing Soda" published in the Telugu Dailies of Madras; and

(b) if so, what action has been taken in regard to this matter?

The Minister of Commerce and Industry (Shri Mahtab): (a) The attention of the Government has not been specifically drawn to the news item in question, but Government are aware of the shortage of soda ash in the country.

(b) The following steps have been taken to improve the position:

- (1) Import licences for adequate quantities have been issued to established importers and actual users.
- (2) Special efforts have been made to provide facilities for the import of soda ash and the raw materials required for its manufacture.
- (3) Soda ash has been included in the Trade Agreement with Pakistan.

EXEMPTION UNDER EVACUEE PROPERTY ACT

*4848. **Sardar Hukam Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of cases in which Government exempted Muslims from being declared as evacuees under the Evacuee Property Act;

(b) the value of the property so exempted; and

(c) special reasons for giving this exemption in each case?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) In pursuance of an undertaking given in Parliament by my predecessor at the time of the passing of the Evacuee Property Act the Government of India exempted by a notification dated 3rd July, certain classes of persons from the operation of section 2(d) (i) of the Evacuee Property Act. These categories are:

(i) any person who on or after the 1st day of March, 1947 migrated from India to Pakistan but has returned to India before the 18th day of July, 1948 and has settled therein;

provided that such person has not subsequently visited Pakistan except in the circumstances and subject to the conditions specified in clause (ii) below.

(ii) any person who has left or leaves for Pakistan on a temporary visit taking with himself a 'No objection to return certificate' and has returned, or returns, to India under a valid permit issued under the Influx from Pakistan (Control) Act, 1949, for permanent return to India;

provided that such person has not made any other journey to Pakistan except in similar circumstances and subject to the same conditions.

(iii) Any person who has come from Pakistan to India before the 18th day of October, 1949 under a valid permit issued under the Influx from Pakistan (Control) Act, 1949, for permanent resettlement in India;

provided that—

(1) no member of the family of such person wholly dependent upon his earnings for the provisions of the ordinary necessities of life has after his return remained behind in Pakistan with his approval or consent;

(2) such person has not subsequently left for Pakistan except in the circumstances and subject to the conditions specified in clause (ii); and

(3) no member of the family of such person heretofore described has subsequently left for Pakistan with his approval or consent. No individual exemption has been granted.

(b) and (c). Does not arise.

ADDITIONAL MACHINES IN NEW DELHI
GOVERNMENT PRESS

*4849. **Shri Sanjivayya:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether any new and additional machines have been installed in the Government of India Press New Delhi owing to the increase in demand for printing; and

(b) if so, at what cost?

The Deputy Minister of Works, Production and Supply (Shri Buragohain): (a) Yes.

(b) The expenditure incurred during the year 1950-51 was Rs. 51,877.

IMPORT TRADE CONTROL (DECENTRALISATION)

*4850. **Shri Balmiki:** Will the Minister of Commerce and Industry be pleased to state:

(a) the progress made for the decentralisation of the Import Trade Control machinery; and

(b) the date by which it is expected to complete the decentralisation?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) and (b). Details regarding the decentralisation are being worked out and it is expected that the arrangements would be completed by the end of August, 1951.

BANK EMPLOYEES IN PART B
STATES

*4851. **Shri D. S. Seth:** Will the Minister of Labour be pleased to state:

(a) the terms of the Bank Tribunals award in the case of bank employees in Part B States and the date on which it was made;

(b) whether the said award has been made applicable to the employees of banks in Part B States;

(c) if the answer to part (b) above be in the affirmative, the reasons for the delay in making it applicable; and

(d) the steps which Government propose to take to bring the pay, dearness allowance and working conditions of bank employees of Part B States in line with that of the bank employees in Part A States?

The Minister of Labour (Shri Jagjivan Ram): (a) to (c). In June 1949, when disputes in banking companies

were referred to the All India Industrial Tribunal (Bank Disputes), the Industrial Disputes Act, 1947 did not extend to Part B States. Hence banks in Part B States were not covered by the adjudication.

(d) In view of the invalidation of the awards of the All India Industrial Tribunal by the Supreme Court, Government have to set up machinery for the settlement of the disputes which were covered by the previous adjudication. The question of bringing banks in Part B States within the scope of that machinery will be examined.

TRAINING OF DISPLACED PERSONS

*4852. **Shri V. K. Reddy:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced persons given technical and vocational training during the last three years; and

(b) whether Government propose to start new Centres to train these persons and if so, what are the places selected and what is the number to be trained during 1951-52?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Nearly 41,000 up to the end of February, 1951.

(b) Yes. New Centres are proposed to be started at Katni (Madhya Pradesh), Chamba (Himachal Pradesh), in the displaced persons' colonies around Delhi, and in the Railway Workshops at Bikaner and Jodhpur in Rajasthan. Proposals regarding opening of new Centres in other States will be considered when received. A total training capacity of 16,000 is contemplated during 1951-52 as against 13,000 in 1950-51.

SALT CONTROLLER'S DEPARTMENT

*4853. **Shri V. K. Reddy:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether the recommendations of the Estimates Committee made on the Salt Controller's Organisation have been accepted and implemented;

(b) what are the recommendations implemented; and

(c) what is the saving to the Government due to the implementation of the recommendations?

The Minister of Works, Production and Supply (Shri Gadgil): (a) and (b). Out of the 13 recommendations made by the Estimates Committee on the Salt Controller's Organisation, Government have so far accepted 9.

The remainder are under examination. A statement showing the recommendations that have been accepted is placed on the Table of the House. [See Appendix XXVIII, annexure No. 18.] These will be implemented as soon as possible.

(c) A saving of Rs. 2,67,000 has already been effected by surrendering a large number of posts from 1st October, 1950. If any further reduction is practicable, consistent with the efficient supervision of production and control of quality, it will be effected. In addition to this, the major portion of the expenditure amounting to Rs. 10 lakhs per annum on the "watch and ward" staff will also be saved when this staff is gradually disbanded.

YARN FOR HYDERABAD

*4854. **Shri Pulj Ramaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) monthly quota of yarn allotted to Hyderabad from January, 1951;

(b) what is the amount of yarn needed for a handloom for making it work throughout the month; and

(c) whether Government propose to increase the monthly quota of yarn for Hyderabad State?

The Minister of Commerce and Industry (Shri Mahtab): (a) The monthly allocations were as follows:

January, 1951	4,216½ bales.
February, 1951	2,628 bales.
March, 1951	2,628 bales.
April, 1951	2,628 bales.
May, 1951	2,628 bales.

(b) On an average about 20 lbs. per month will be the normal requirements of a handloom.

(c) The Government do not contemplate increasing the monthly quota of any individual State but each State's equitable share will go up with the increased availability of yarn to realise which the Government are taking all steps. The yarn quotas are also being refixed on the basis of the number of handlooms, powerlooms and other industries and if any State's figures justify increase it will be done.

SALVAGE OF WASTE PAPER

*4855. **Dr. Deshmukh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any steps have been taken for the salvage of waste paper. If so, what and how far they have been effective; and

(b) whether there is any scheme for co-ordinating work in this connection between the Centre and the States and if not, whether Government are likely to consider the matter?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Yes, Sir, waste paper from various Government offices is salvaged and offered in the first instance to the paper mills, as this is a valuable raw material for the paper making industry. If, however, the paper mills refuse to accept this material, it is disposed of in a manner considered most expedient by the authorities concerned. No information is available in regard to waste paper arising from private sources.

(b) State Governments have also been requested to offer their waste paper arising in the first instance to the nearest paper mills. There is no specific scheme for co-ordinating work in this connection between the Centre and the States.

NEWSPRINT FROM U. S. A.

391. **Shri Amolakh Chand:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether U.S.A. has decided to export 10,000 tons of newsprint to some friendly countries;

(b) whether these friendly countries include India also; and

(c) whether the Government of India have received any information officially and if so, when the newsprint is expected?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) to (c). Government have no information. If the hon. Member is referring to the allocation of newsprint by the Pulp and Paper Commodity Committee of the International Materials Conference, Washington, to countries in dire need of newsprint, his attention is drawn to my reply to Starred Question No. 4734 asked by Shri R. K. Sidhva on the 31st May, 1951.

TEXTILE MILLS AND SUGAR FACTORIES

393. **Shri Amolakh Chand:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of textile mills and sugar factories installed in the years 1949, 1950 and 1951 in India;

(b) how many of these are State-owned and how many private; and

(c) whether Government contemplate to install any such mill or factory in the current financial year?

The Minister of Commerce and Industry (Shri Mahtab): (a) The information is given below:

Textiles	1949	1950	1951
Cotton	10	10	13
Silk and Artificial Silk	88	63	127
Woollen		2	..
Total	98	75	140
Sugar	3	2	1

(b) None of these is State-owned.

(c) No, Sir.

UMBRELLA RIBS

394. Shri S. C. Samanta: Will the Minister of Commerce and Industry be pleased to state:

(a) the number and amount of umbrella ribs imported since 1947 (year by year);

(b) the number of indigenous factories producing umbrella ribs in India;

(c) where those factories are situated;

(d) what their annual production is; and

(e) whether they enjoy any protection?

The Minister of Commerce and Industry (Shri Mahtab): (a) A statement is laid on the Table of the House.

(b) Three.

(c) Two in Calcutta and one in Bombay.

(d) The production in 1950 was 37,546 dozen sets.

(e) No, Sir.

STATEMENT

Import figures in respect of umbrella ribs are not separately recorded in the Sea Borne Trade and Navigation Journal. However, the total value of umbrella fittings including umbrella ribs, is given below:

Year	Total value
	Rs.
1947-48	75,60,108
1948-49	51,58,447
1949-50	52,91,651
1950-51	47,25,315.
(up to 28-2-51).	

The Industry does not enjoy any protection at present.

INDIANS OVERSEAS

395. Shri Kishorimohan Tripathi: Will the Prime Minister be pleased to state:

(a) the total number of Indians overseas, such as have not given up Indian citizenship or as have not taken up citizenship of a foreign country; and

(b) in which of the following three areas is their number the largest:

- (i) West, (ii) Middle East, and (iii) Far East?

The Deputy Minister of External Affairs (Dr. Keskar): (a) and (b). It will be exceedingly difficult to give exact information regarding the question asked by the hon. Member. In countries where large numbers of Indians have settled quasi-permanently or permanently like Burma, Ceylon, Malaya and East Africa, a very large number have not yet settled whether they will remain Indian nationals or accept the citizenship of the country where they are staying. In places like Malaya, the contents of Malayan citizenship and nationality are not yet very clear. So there is a possibility of Indians deciding to opt one way or the other. For the time being it can only be said that those who have applied for Indian passports or registered themselves with our various Missions can be considered to be Indian nationals definitely. If that information will satisfy the hon. Member, it can be collected and laid on the Table of the House in due course.

EXPORT AND IMPORT LICENCES

396. Shri Jhunjhunwala: Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount for which export and import licences (separately) for consumer goods (excluding food grains), raw materials for industrial purposes and capital goods (giving figures separately) for the years 1948-49, 1949-50 and 1950-51 were issued to (i) established dealers, (ii) new comers and (iii) consumers; and

(b) the total value of materials imported and exported on Government account during the years 1948-49, 1949-50, and 1950-51 (i) for Government use, and (ii) for other purposes?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) The information asked for by the hon. Member is not readily available as goods are not classified for export and import purposes under the headings mentioned by him. Considerable

amount of time and labour will be required for the collection of the information, which will not be commensurate with the results achieved.

It is also not possible to give the total value of the export licences issued because in some cases licences have been issued for physical quantities of goods without specifying their value. However, figures of actual exports given below will convey an idea of the total value of goods exported:

(In lakhs of Rs.)

Exports	1948-49	1949-50	1950-51
Raw materials.	12,510	15,312	17,624
Other goods.	29,092	31,749	38,176
Total	41,602	47,061	55,800

The total value of import licences, in broad categories, is given below:

(In lakhs of Rs.)

Imports	1948-49	1949-50	1950-51
Capital goods.	10,750	4,835	7,318
Raw materials.	Included	231	270
	in "Other goods."		
Other goods.	73,048	23,835	46,542
Total	83,798	28,901	54,013

(b) The following is the total value of goods (excluding foodgrains) imported on Government account:

(Value in lakh of Rs.)

	1948-49	1949-50	1950-51
(i) for Government requirements.	828	1,160	508
(ii) for Civil requirements.	886	1,86	215

The allocation given above is, however, approximate as it depends upon the ultimate end-use of the stores imported. There have been no exports on Government account.

POWERLOOM FACTORIES

397. Shri Kshudiram Mahata: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of powerloom textile factories in the country;

(b) the installed capacity of these factories;

(c) the production of these factories in the last three years; and

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(d) the cost of production of these factories as compared to textile mills?

The Minister of Commerce and Industry (Shri Mahtab): (a) 3466.

(b) 22,658 looms.

(c) and (d). No actual statistics of production of these factories are maintained. But on an average the annual production is estimated to be 85 million yards. As there is no control exercised on this cloth, its cost of production is not available.

STATUS OF WOMEN

398. Pandit Munishwar Datt Upadhyay: Will the Prime Minister be pleased to state:

(a) whether the countries which participated in the International Convention were unanimous in their decision on the status of women; if not, what the position was; and

(b) what steps are proposed to be taken towards the implementation of their recommendations?

The Deputy Minister of External Affairs (Dr. Keskar): (a) The Commission recommended the adoption of the International Convention by 11 votes to 0 with 3 abstentions (Poland, the U. S. S. R. and the U. K.).

(b) Our Constitution provides for equality of status and opportunity amongst all the citizens of India irrespective of sex. There is no discrimination between the sexes in the matter of elections and appointments to public offices and in the performance of public functions. The question of implementing the recommendations of the Commission for the removal of discrimination does not therefore arise.

ARREARS OF RENT FOR GOVERNMENT QUARTERS

399. Shri Sidhya: Will the Minister of Works, Production and Supply be pleased to refer to the answer to part (d) of Starred Question No. 4245 asked on the 17th May, 1951 and state:

(a) whether the records of the Estate Office taken away by the staff who opted for Pakistan were recalled from the Pakistan Government;

(b) whether any representation was made to Pakistan Government on this matter; and

(c) what is the effect of the new steps taken to improve the position?

The Deputy Minister of Works, Production and Supply (Shri Burao-hain): (a) and (b). No.

(c) A sum of Rs. 2,31,174/- was cleared out of the total arrears of Rs. 13,47,301/-, during March and April, 1951; recoveries are made more promptly and less arrears are accruing. But it is too early to fully gauge the effects of the revised procedure.

EXPORT QUOTA TO TEXTILE MILLS

400. **Shri Sidhva:** Will the Minister of Commerce and Industry be pleased to state:

(a) which of the textile mills have been granted increased quota for the export of cloth under the new policy;

(b) how many have taken advantage; and

(c) whether there has been any objection from any association to this new policy?

The Minister of Commerce and Industry (Shri Mahtab): (a) Out of the total quota of 844 million yards fixed for this year, mills will receive special quotas as indicated below, in addition to what they may get on the basis of their direct shipments during the prescribed basic year fixed for cloth, i.e. 1948, 1949 or January-June, 1950;

15 million yards for uneconomic mills on the basis of the balance sheets of the mills. Allocations have not yet been finalised.

20 million yards for mills which have established a reputation for their products by direct exports on the basis of quantities actually exported in 1948, 1949 and loomage.

10 million yards for post-war mills on the basis of the number of spindles and looms.

40 million yards for all mills on the basis of the deliveries for export during 1950.

(b) The quotas have been released very recently and it is too early to say how many have taken advantage of them.

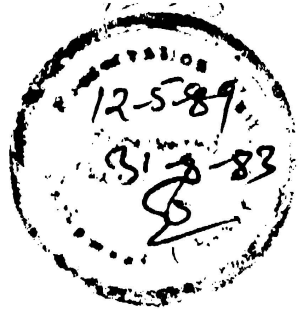
(c) Yes, Sir.

YARN SUPPLIES TO AJUDHIA TEXTILE MILLS

401. **Shri Sidhva:** Will the Minister of Commerce and Industry be pleased to refer to his reply to part (c) of my Starred Question No. 3661 asked on the 17th May, 1951 and state why the total supplies of 3880½ bales were made to Ajudhia Textile Mills from May, 1950 to March, 1951 in excess of their monthly quota of 263 bales?

The Minister of Commerce and Industry (Shri Mahtab): For most of the period mentioned by the hon. Member quotas of Delhi State were comparatively high. The Ajudhia Textile Mills requires over 500 bales per month to run two shifts and the supply to this mill from May, 1950 till the end of February, 1951 averaged 361 bales per month. Due to the general shortage of yarn when all State quotas were reduced, the quota for this mill was fixed at 263 bales, which is the minimum required to run one shift. This arrangement came into operation with effect from March, 1951.

Monday, 4th 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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**THE
PARLIAMENTARY DEBATES**

(Part II—Proceedings other than Questions and Answers.)

OFFICIAL REPORT

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PARLIAMENT OF INDIA

Monday, 4th June, 1951

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

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-39 A.M.

**MOTIONS RE. DELIMITATION OF
CONSTITUENCIES ORDERS, 1951.**

Mr. Speaker: There is one matter at the present stage which is of a procedural character. Sub-section (3) of section 13 of the Representation of the People Act, 1950 provides that amendments or modifications to the President's Order shall be made only on motions made before the House within twenty days of the laying of the Order on the Table. There are certain delimitation orders in respect of which today is the last day or tomorrow perhaps. They may be moved now and the discussions might take place later on. I will therefore call upon hon. Members who have tabled or given notices of such motions, and all that they need say is 'I move the motion'.

↖ The motions are already printed in the Order Paper and they should be legally before the House and the provisions of the Act will come later on. If this is not done today, hon. Members may perhaps find that they are barred from making their motions. So I will call upon each Member. The first set refers to motions for modifications in respect of Parliamentary and Assembly Constituencies (Assam) Order.

ASSAM ORDER

↘ **Shri Chaliha** (Assam): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

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Maulvi Faiznur Ali (Assam): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri J. N. Hazarika (Assam): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

The Minister of Law (Dr. Ambedkar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

BIHAR ORDER

Shri Ram Dhani Das (Bihar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Dr. Ram Subhag Singh (Bihar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Kshudiram Mahata (Bihar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri P. G. Sen (Bihar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Saikh Mohiuddin: I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri S. N. Das (Bihar): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri B. R. Bhagat (Bihar): I beg to move.

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Ansari (Bihar): I beg to move:
[For text of the motions see
Appendix XXXIII, annexure 1.]

ORISSA ORDER

Shri B. Das (Orissa): I beg to move:
[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Biswanath Das (Orissa): I beg
to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Dr. Ambedkar: I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

WEST BENGAL ORDER

Shri A. C. Guha (West Bengal): I
beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Himatsingka (West Bengal): I
beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri S. C. Samanta (West Bengal):
I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri B. K. Das (West Bengal): I
beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Bhatt (Bombay): I beg to
move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Dr. Ambedkar: I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Chattopadhyay (West Bengal):
I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

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

[For text of the motions see
Appendix XXXIII, annexure 1.]

HYDERABAD ORDER

Shri Mirza (Hyderabad): I beg to
move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Dr. M. C. Reddy (Hyderabad): I beg
to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri S. V. Naik (Hyderabad): I beg
to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

MADHYA BHARAT ORDER

Dr. Ambedkar: I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

PATIALA AND EAST PUNJAB STATES
UNION ORDER

Sardar Sochet Singh (P.E.P.S.U.): I
beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Sardar Ranjit Singh (P.E.P.S.U.): I
beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Sardar B. S. Man (Punjab): I beg to
move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

RAJASTHAN ORDER

Shri R. C. Upadhyaya (Rajasthan):
I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri M. L. Varma (Rajasthan): I beg
to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Asawa (Rajasthan): I beg to
move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Bhatt: I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Dr. Ambedkar: I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

TRAVANCORE-COCHIN ORDER

**Shri Lakshmanan (Travancore-
Cochin):** I beg to move:

[For text of the motions see
Appendix XXXIII, annexure 1.]

Shri Kyyunni (Travancore-Cochin): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

PART C STATES ORDER

Prof. Yashwant Rai (Punjab): I do not want to move.

Shri Kesava Rao (Madras): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Rathnaswamy (Madras): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Sonarane (Bombay): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri D. Sanjivayya: I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Puli Ramaswamy (Hyderabad): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri V. J. Gupta (Madras): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Arigay Ramaswamy (Hyderabad): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Shri Sohan Lal (Uttar Pradesh): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Ch. Ranbir Singh (Punjab): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Dr. Parmar (Himachal Pradesh): I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Dr. Ambedkar: I beg to move:

[For text of the motions see Appendix XXXIII, annexure 1.]

Mr. Speaker: I will just recapitulate the names of those hon. Members who did not respond:

Shri R. K. Chaudhuri, Shri Ramraj Jajwara, Shri Kailash Pati Sinha, Shri

J. H. Subbiah, Shri Ramachar, Kaka Bhagwant Roy, Prof. Yashwant Rai (The hon. Member though present, did not want to move), **Dr. M. V. Gangadhara Siva and Shri Channiah.**

In view of the fact that this matter comes, in a sense, all of a sudden, I would like to give each gentleman a chance to make his modification motion even at the last moment, if he comes. We might, if they are present request them to move before the House disperses today.

Shri J. N. Hazarika: Some hon. Members who have submitted their motions are not here. If they appear again, will they be allowed to move them?

Mr. Speaker: Yes. They may give the motions now and at one o'clock today, there will be again a call for these motions.

Shri Sidhva: What will become of those Motions for which Members are absent?

Mr. Speaker: The hon. Member will hear me again. I said I am keeping the whole thing open till one o'clock today. If they are present by that time, they will certainly get an opportunity and their motions will not be ruled out for the reason that they were absent when they were called.

Sardar B. S. Man: When does the last date expire? I think the last date expires tomorrow.

Mr. Speaker: I have made it clear even in the beginning that our rules require one day's notice for any motion. If a Member does not give the necessary notice, he cannot claim the benefit of limitation.

Sardar B. S. Man: In that case, only 19 days will be available.

Mr. Speaker: Order, order. It is true that 19 days are available. The law provides that a motion should be made within 20 days. But, it does not abrogate all the rules of procedure of the House and it does not mean that at the last moment some Member can make a motion. A motion has to be made according to the rules of procedure of the House. The Rules require one day's notice. One day's notice should be given. I have made that clear in the beginning.

I have not mentioned two names: **Mr. Haque and Mr. Velayudhan** among those absent. Friends may kindly communicate to them.

As regards the Orders which were placed on the Table two days later, I shall follow a similar procedure.

Dr. Deshmukh (Madhya Pradesh): Tomorrow is the 20th day, for those orders which were announced and placed on the Table on the 16th.

Mr. Speaker: I shall calculate. Whatever it may be, we will take care to see that they are not allowed beyond limitation and that those within limitation are not left out.

Now, we will proceed with the legislative business.

Shri Sidhva: Before you proceed with the business, we would like to know as to what shall be the business before the House. The other day the hon. Prime Minister...

Mr. Speaker: Order, order.

Shri Sidhva: If you will give me one minute, Sir...

Mr. Speaker: He will come to know immediately. As I proceed with the business, he will know what the business before the House is.

Shri Sidhva: Not for today. The hon. Prime Minister said that the business that he wants to put through during this session was, first the Constitution Amendment Bill, then, Part C States Bill, and then the Delimitation of Constituencies, and that the Government does not intend to proceed further. He also said that the Government would like to see that the business is over on the 7th, in any case not later than the 9th. I understand that the Part C States Bill is being postponed. If that is correct, I would like to know how we proceed.

Mr. Speaker: The whole thing is coming before the House. Hon. Members are in the know of things much more than I.

Shri Sidhva: I do not know.

Mr. Speaker: I will now call upon the hon. Shri Jagjivan Ram to make his motion.

INDUSTRIAL DISPUTES (AMENDMENT AND TEMPORARY PROVISIONS) BILL

The Minister of Labour (Shri Jagjivan Ram): I beg to move for leave to introduce a Bill further to amend the Industrial Disputes Act, 1947 and to make certain temporary provisions relating to pay and allowances of certain workmen.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Industrial Disputes Act, 1947, and

to make certain temporary provisions relating to pay and allowances of certain workmen."

The motion was adopted.

Shri Jagjivan Ram: I introduce the Bill.

GOVERNMENT OF PART C STATES BILL

Mr. Speaker: We proceed with the Part C States Bill.

The Minister of States, Transport and Railways (Shri Gopaldaswami): I regret I have to seek the indulgence of the House for making a statement in regard to the Government of Part C States Bill, 1951, put down as an item of legislative business on the order paper. The House was to have commenced today the consideration of the Bill clause by clause. Hon. Members will remember that the Motion for taking the Bill into consideration was carried on 25th May 1951. On the same day, both my hon. colleague, the Home Minister, and myself had an informal meeting with such of the hon. Members as had given notices of amendments to the Bill as well as a few others. At that meeting some progress was made in carrying out an examination of clauses 1 to 8 of the Bill and in arriving at an agreed understanding with respect thereto. At a second meeting which was held yesterday, we found, however, that there was a unanimity of opinion in favour of changes which go beyond the scope of the present Bill and which would alter it altogether in substance. The hon. Members interested in the Bill, who were present, unanimously desired that the Bill should not be further proceeded with now and that Government should reconsider the position and come to a fresh decision. They realised that it would not be possible for Government to reach any such fresh decision and to bring up the measure in a reshaped form before the end of the current session. In the circumstances, the further consideration of the Bill will have to be held over, subject to the approval of the House.

A great deal of time and thought was devoted to the framing of the Bill by Government and practically at every stage the opinion of the hon. Members concerned in Part 'C' States or of Members of the Standing Committees of the States and Home Ministries, was consulted. The House has already spent a considerable time in debating the main policy underlying the structure of this Bill, and, by carrying the Motion for consideration, must be deemed to have generally

blessed it. But, as all the hon. Members, who met us yesterday, have, without any dissent, expressed the wish for a postponement of this Bill, I have no option but to place it before Parliament. I profoundly regret this development and can only express my sincere apologies to the House.

Mr. Speaker: Practically, it is a motion for postponement, and therefore, this business will be adjourned now.

Prof. K. T. Shah (Bihar): I was not able to follow the hon. Minister. I understand it is to be postponed. It does not mean that it is dropped and I hope it will be brought up by the next session.

Mr. Speaker: That is how I understand it. It is not a proposal to drop.

Shri Gopaldaswami: It is only a postponement.

Mr. Speaker: It is only a postponement.

Shri Deshbandhu Gupta (Delhi): May I ask, Sir, whether the intervening period will be availed of by the Government for further consultations and reconsideration of the Bill with a view to make such changes as was the desire of the hon. Members who met the two hon. Ministers, so that the Bill may come in the revised form at an early date in the next session?

10 A.M.

Shri Gopaldaswami: Government have undertaken to consider what the hon. Members have stated as their views on the Bill. They cannot commit themselves to an acceptance of all that was stated by hon. Members.

Shri Biswanath Das (Orissa): May I know whether you regard this motion as a motion or as a statement? If it is a motion, I would like to have a little say on this important question.

Mr. Speaker: The question is important, I agree. But it is now a question as to whether it should be postponed or not, and on that we need not take much time, both because of the pressure on the time of the House and also because the request has been made unanimously. I understand, by all the Members who come from the Part C States.

Shri Biswanath Das: I will be sorry if the views of only the Members from the Part C States are taken into consideration in this connection, because this involves an annual expenditure of about Rs. 2 crores to cover the deficit in these States.

Mr. Speaker: Order, order. That is going into the merits and arguments on the question. The Bill is coming before the House and the House is entitled to have its say. But if the Part C States...

Shri Gopaldaswami: There were also a few who were not representatives from the Part C States.

Mr. Speaker: But if the very people for whose benefit this Bill is being brought in are unanimously agreeable to the provisions of the Bill being reconsidered, then a postponement becomes inevitable.

BUSINESS OF THE HOUSE

Mr. Speaker: And now we proceed to the next item. But there is just one point I would make clear. I do not find the hon. Law Minister or the Minister of Parliamentary Affairs here. We have postponed consideration of the Representation of the People Bill—the third reading of it—and in view of the large number of amendments that had been accepted some consequential or verbal amendments were necessary. And the postponement was with a view to examine the position and bring in a list of amendments which Government want to put. But I have not yet received any amendments. This point may be borne in mind.

The Minister of Home Affairs (Shri Rajagopalachari): Your instructions will be communicated, Sir.

Prof. K. T. Shah (Bihar): May I know whether Members can be given a copy of the final Bill with all the amendments that had been accepted incorporated in it?

Mr. Speaker: That seems to be difficult because the amendments have not yet been handed over to me. But verbal amendments which are proposed in the third reading will certainly be circulated to Members.

Shri J. R. Kapoor (Uttar Pradesh): If we could get a consolidated list of all the amendments that have already been passed, we may be able to give some help to Government in giving the final touches to the Bill.

Mr. Speaker: Now, the position is this. The scope of the third reading is strictly restricted. It is more or less a business of the draftsmen. I agree that theoretically it is always possible that someone may be able to give better forms to verbal amendments than the draftsmen. But we must also look at the quantum of work that will be thrown on the Secretariat for this purpose. We shall print it as soon as

[Mr. Speaker]

it has passed through this process. Otherwise there will be double pressure on the Press and unnecessary trouble.

Shri Sidhva (Madhya Pradesh): Sir, these will be consequential amendments. And so should we not proceed with the third reading and discussions and in the meantime the consequential changes may be placed before the House?

Mr. Speaker: It is better to have the amendments before us, even though they are verbal ones. The Law Minister or the Government may feel that they are consequential or verbal ones, but some other Member may say that they are not.

Shri Kamath (Madhya Pradesh): Will the House have a fair notice of the consequential amendments?

Mr. Speaker: Yes, and what is fair notice the hon. Member has to leave it to the Chair to decide and the Chair will always be fair and just.

Shri Kamath: I am sure of that.

Shri Satish Chandra (Uttar Pradesh): Sir, apart from consequential amendments, it was agreed that certain other amendments will be allowed to be moved in regard to clause 122. For instance it was agreed that words like "lambardar" and "Patil" etc. would be deleted in the third reading stage and...

Mr. Speaker: Order, order. Whatever was substantially agreed to will be carried out. If that is not done, the hon. Member may invite my attention to it.

GO-SAMVARDHAN BILL

The Minister of Food and Agriculture (Shri K. M. Munshi): I beg to move:

"That the Bill to promote 'Go-samvardhan' and for matters connected therewith, be referred to a Select Committee consisting of Seth Govind Das, Pandit Thakur Das Bhargava, Shri B. Shiva Rao, Sardar Sochet Singh, Dr. Panjabrao Shamrao Deshmukh, Shri Gulabshankar Amritlal Dholakia, Shrimati Uma Nehru, Dr. Ram Subhag Singh, Shri Dev Kanta Borooah, Shri T. D. Pustake, Shri T. Husain, Shri A. M. Rathnaswamy, Shri Gokulbhai Daulatram Bhatt, Pandit Shiv Charan Lal, Shri Pranlal Thakorlal Munshi, Shri Mihir Lal Chattopadhyay, Shri Chandrika Ram, Shri Deshbandhu Gupta, Thakur Lal Singh, Shri G. Ramachar, Shri

Amolakh Chand, Chaukhuri Ranbir Singh, and the Mover with instructions to report by the last day of the first week of the next session."

I may however add that in view of the fact that we have had the benefit of a lengthy debate on the motion of my hon. friend Pandit Thakur Das Bhargava, if we could cut short our discussions on this question—and most of us have a common aim here—I am quite willing to cut down the period and say that the report of the Select Committee should be before the House before the close of this session. That of course depends upon the House and not on me. If hon. Members are prepared to economise time and sit down to business, we can dispose of this Bill in this session.

Shri Sidhva (Madhya Pradesh): Does it mean that we sit beyond the 5th?

Shri K. M. Munshi: I would request Mr. Sidhva to first listen to what I say and then he can do exactly what he likes. I know a very large number of hon. Members who are anxious to get this Bill through before we disperse. But the thing is in the hands of the House. These proposals have been before the House and the country for the last few months. The provisions have been before the various committees connected with food and agriculture and in February I placed the salient features of the Bill before the House. Of course, unless hon. Members feel that a full-fledged debate is more important than the despatch of this Bill, we can economise time now. It should be possible to enact this measure before the end of the session, because there is no controversy about it. The important features of the Bill have been discussed on the previous occasion. The main feature is to set up a central council for Gosals and several States have accepted it and there is also the proposal of a certain cess on the sale of bovine cattle in order to have the whole scheme put forward. I am anxious that before the Parliament comes to an end, this should be enacted into law and also the provisions implemented so that we may feel satisfied that in this important matter we have been able to achieve some results. I am more anxious to achieve results than put a Bill on the statute book. My appeal to the House is to accept the other course, cut short the debate, go to the select committee straightaway and bring out the Bill. I am quite willing to accept one week's time for the return of the report.

There is one other matter which I would like to announce to the House. During the budget debate Members were pleased to urge upon me the necessity of earmarking a portion of the grow more food grants for the purpose of the development of bovine cattle. I promised at that time that the matter would be examined by me in consultation with the Finance Minister. I am glad to announce to the House that Rs. 20 lakhs out of the grow more food grants have been set apart for this purpose. Whether that amount will be spent or not will not depend on me but with the dispatch with which you put this Bill on the statute book. With these words, Sir, I place the motion before the House.

Mr. Speaker: Motion moved:

"That the Bill to promote 'Go-samvardhan' and for matters connected therewith, be referred to a Select Committee consisting of Seth Govind Das, Pandit Thakur Das Bhargava, Shri B. Shiva Rao, Sardar Sochet Singh, Dr. Panjabrao Shamrao Deshmukh, Shri Gulabshankar Amritlal Dholakia, Shrimati Uma Nehru, Dr. Ram Subhag Singh, Shri Dev Kanta Borooah, Shri T. D. Pustake, Shri T. Husain, Shri A. M. Rathnaswamy, Shri Gokulbhai Daulatram Bhatt, Pandit Shiv Charan Lal, Shri Pranlal Thakorlal Munshi, Shri Mihir Lal Chattopadhyay, Shri Chandrika Ram, Shri Deshbandhu Gupta, Thakur Lal Singh, Shri G. Ramachar, Shri Amolakh Chand, Chaudhuri Ranbir Singh, Shri T. N. Singh, Shri Thirumala Rao, and the Mover with instructions to report by the last day of the first week of the next session."

I find that there are alterations in the names as between the original motion and the one now moved. It would be better to give a complete and final list at the beginning instead of making changes thereafter, that creates some confusion.

Dr. Deshmukh (Madhya Pradesh): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon."

Mr. Speaker: By what date?

Dr. Deshmukh: By the last day of the next session.

Mr. Speaker: Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the last day of the next session."

I may make the position clear with regard to this. Naturally a number of hon. Members will desire to speak. I will remind them of the convention which we have been following. Unless the measure is of a very important nature, which of course will be decided by the Chair, people on the select committee should not try to participate in the debate, so that those who are not in it may be able to give their views fully for the consideration of the Select Committee. This convention has been consistently followed in this House and will be followed in this case also.

Pandit Thakur Das Bhargava (Punjab): When there is another motion to the effect that the Bill be circulated for the purpose of eliciting public opinion thereon, certainly those persons who are interested in the Bill, though they might be on the select committee, should be given an opportunity to speak.

Mr. Speaker: That is a very intelligent argument to sidetrack the issue. Once a Member gets an opportunity to speak he will naturally speak on the entire Bill. He will try to impress upon the House the necessity of the various provisions, etc. and that means that I will have to allow the Members of the select committee also to take part. If Government were to accept the motion for circulation, then the matter would stand differently.....

Shri K. M. Munshi: Sir. I oppose the motion for circulation...

Dr. Deshmukh: The time has not yet come for the hon. Minister to reply.

Mr. Speaker: So in view of this those who desire that this Bill should be put through quickly need not speak on the question of the circulation motion.

सेठ गोविन्द दास : अध्यक्ष महोदय, मुझे आप से एक बात पूछनी है। आप ने अभी कहा था कि जो लोग सिलेक्ट कमेटी (Select Committee) में जायेंगे उन्हें नहीं बोलना चाहिए। यह बात सत्वारणतया ठीक हो सकती है परन्तु कई बार इस में अपवाद भी करने पड़ते हैं। मेरे सद्दश व्यक्ति का जो कि काँशसली (consciously) . .

अध्यक्ष महोदय : मैं आप की बहस समझ गया। सिर्फ़ बात यह है कि यह प्रश्न

[अध्यक्ष महोदय]

महत्त्व का है या नहीं। आप और दूसरे सदस्य इस पर बरसों में काम कर रहे हैं। मैं इस पर अपवाद नहीं करना चाहता क्योंकि मुझे स्पष्ट है कि यह अरजेंट मेज़र (urgent measure) है। इसलिए हमें चाहिये कि इस पर कम समय में बहस को खत्म कर दें और हाउस (House) का दूसरा काम करें। आनरेबिल मेम्बर (hon. Member) यह भी जानते हैं कि यह कनवेंशन (convention) बहुत अच्छा है। सवाल इतना ही है कि क्या यह ऐसी चीज़ है जिस के लिए एक्सेप्शन (exception) करना चाहिए। मैं समझता हूँ कि यह एक्सेप्शन करने वाली चीज़ नहीं है।

सेठ गोविन्द दास : आप मेरी बात तो सुन लीजिये। मेरे जैसे व्यक्ति जो कि इस बिल (Bill) से बहुत दूर तक सहमत नहीं हैं यह स्पष्ट करना चाहते हैं कि वह सिलेक्ट कमेटी में क्यों जाना चाहते हैं। तो मैं आप से कहता हूँ कि ऐसे लोगों की बात आप को सुनना चाहिए क्योंकि मेरे जैसे व्यक्ति जो इस बिल से पूर्ण रीति से सहमत नहीं हैं और जो सिलेक्ट कमेटी में जाना चाहते हैं, वह इस को स्पष्ट करना चाहते हैं।

अध्यक्ष महोदय : मैं आनरेबिल मेम्बर की बात समझता हूँ।

If the hon. Member is so keen he can get out of the Select Committee. I think that this practice which we have been following during the last two and a half years has been in the general interest. If the hon. Member feels that he is not in agreement with what is proposed in the Bill.....

सेठ गोविन्द दास : मैं कई बातों से सहमत नहीं हूँ।

(English translation of the above speech)

Seth Govind Das (Madhya Pradesh): Mr. Speaker, Sir, I have to ask you one thing. You have just now stated that those persons who would be on

the Select Committee, should not speak. Generally speaking, this may be a good convention, but sometimes we have to make exceptions to a general rule. For a person like me who is consciously.....

Mr. Speaker: I understand your argument. The only point is whether this question is of importance or not. You and the other hon. Members have been working on it for the last so many years. I do not want to make an exception in this case because it is clear to me that this is an urgent measure, so we should finish our debate on this subject within the shortest possible time and take up the next item of the business before the House. The hon. Members also agree that this is a very good convention. The only question is whether this subject is really of such importance as to call for an exception being made to this convention. I do not think it is so essential a thing as to call for an exception to the general rule.

Seth Govind Das: Sir, you may at least listen to what I have to say. Persons like me, who do not agree with this Bill to a great extent, want to make it clear why they want to serve on the Select Committee. And so I request you that such persons should be listened to who, like me, do not agree with this Bill in full, but would at the same time like to continue on the Select Committee, so that they might make their position clear.

Mr. Speaker: I understand what the hon. Member says. If the hon. Member is so keen he can get out of the Select Committee. I think that this practice which we have been following during the last two and a half years has been in the general interest. If the hon. Member feels that he is not in agreement with what is proposed in the Bill.....

Seth Govind Das: I do not agree with several provisions of the Bill.

Mr. Speaker: If he thinks that he cannot put the Bill into the shape he desires in the Select Committee and that his speech would be more effective, it is open to him to get out of the Select Committee. That is a matter for him to decide. The only proposition is that he must abide by a certain convention which we have tried to set up in the interests of a short, quick and more effective debate. The debate on this motion is more for the purpose of getting the reactions of the other Members of the House, so that they may be taken into consideration by the Members of

the Select Committee. The hon. Member can get an opportunity afterwards. Let us now start the debate with this background.

Pandit M. B. Bhargava.

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

Dr. Deshmukh: I have moved a motion for circulation and that I believe should have precedence over any other business.

Dr. M. M. Das (West Bengal): On a point of information, Sir, the Minister said that Rs. 20 lakhs have been set apart from the grow more food funds for the uplift of the cows.....

Mr. Deputy-Speaker: When the Minister is again on his legs that question may be put to him.

Pandit M. B. Bhargava (Ajmer): We have been hearing about this Go-samvardhan Bill for a pretty long time and now we have it before us, but simultaneously with its introduction the hon. Minister has requested the House that debate on this Bill should be very, very short so that it would enable him to go through with the Bill during the present session. He also told the House that he has given considerable thought to its provisions and that as they are of a non-controversial nature there need not be a very long debate on it.

The House remembers that it had to deliberate on several occasions in the past on this very subject. There was the non-official Bill moved by my friend, Pandit Thakur Das during the discussion upon which we were assured that as the Government intended to pilot a comprehensive Bill on the subject that non-official Bill need not be pressed. Well, I have gone through the provisions of this Bill but I find that the most important thing which was the subject-matter of Pandit Thakur Das's Bill is disappointingly missing from this Bill. One of the main objects of this Bill appears to be the organisation of Central and State Councils of Go-samvardhan in Part C States. The setting up of a Go-samvardhan Fund contemplated under clause 10 is another object of the Bill. The third object is that every *gowshala*, established or maintained on the day the Bill comes into force in any Part C State should be registered under the provisions of the Bill; it is also provided that such registration shall be compulsory for newly started *gowshalas* or pinrapoles. These, in a nut-shell, appear to be the objects of this Bill.

Now what were the objects of the non-official Bill moved by Pandit Thakur Das? As far as I remember it was a very small, two-clause Bill, and its only object was that the slaughter of useful and productive cattle may be absolutely banned in Part C States. And on that occasion the hon. Minister as also the Deputy Minister assured the House that the Bill which they were drafting, which is now before the House, will cover the important provisions of Pandit Thakur Das's Bill. But I am very sorry to say that there is no provision here which absolutely bans the slaughter of useful cattle in Part C States, and therefore with this important object missing from this Bill I submit the House, on that occasion, when it was assured that that non-official Bill need not be pressed, was misled by the assurance of the Government. As I submitted then and as I reiterate today, it was nothing but an assurance by Government in order to sabotage the main principle of that Bill, namely the banning of slaughter of useful cattle in Part C States. Is there any provision here towards that end? My hon. friend may lay his fingers on clause 4 which lays down that it will be within the powers of the Central Go-samvardhan council to make regulations for the banning of the slaughter of useful and productive cattle. But that regulation may or may not be enacted by the council. In fact, if I may be permitted to remark, this is only an attempt to defer the main question of whether this Government is or is not prepared to ban cow slaughter in Part C States. We were told that this Bill which was intended for application to Part C States would in fact serve as a model for all the States to follow. I submit, Sir, the provisions of this Bill are wholly disappointing and should not be accepted by the Select Committee as they are. One particular fact to which the Select Committee must attend is the absolute prohibition of slaughter of useful cattle anywhere in Part C States and to provide for sufficiently high penalty for contravening those provisions. Now this was the one objective with which that non-official Bill was moved and this is the one objective that is missing here. I am very doubtful whether it will be open to the Select Committee to go to that extent because the prohibition of slaughter of cattle as such, it may be argued, is absolutely beyond the scope and ambit of this particular Bill whose main object is to establish Go-samvardhan councils. If that is so, I respectfully submit it is no use going ahead with this Bill. Already there are pinrapoles and *gowshalas* in various Part C as also other States

[Pandit M. B. Bhargava]

which have been running without any state aid even when the foreign Government was in existence; even from earlier days private charity has been doing its best for the preservation and protection of cattle. I know in Ajmer there are a number of *gowshalas*. If the Government has the intention of giving protection to these *gowshalas* or of assisting them, they can do so otherwise than through this Bill. Sir, no one can say that the objective of Government to preserve and protect the cattle and improve the breed is not a good objective, but before the breed or quality can be improved the life of the cattle must be saved. Therefore if this *sine qua non* of prohibition of slaughter is not the object of the Bill and if the Government is not prepared to go to that extent, I say it is useless to claim that any real protection or preservation is sought to be achieved through the provisions of this Bill.

My submission, therefore, is that the Government must make it clear that it will be within the scope of the Select Committee to absolutely ban the slaughter of useful cattle in Part C States. This must be the first condition. After fulfilling that condition alone need Government look into the question of establishing Go-samvardhan councils as contemplated in the Bill and whether the scope and sphere of activity of those councils should be as restricted as is laid down in clause 4.

Then, Sir, it is said that this Council may enact certain regulations whereby it may ban the slaughter or prohibit the slaughter of useful and productive cattle and any contravention of such regulation will be punishable with a fine of Rs. 100 or simple imprisonment of one month. I submit, Sir, that looking to the conditions in the country, looking also at the fact that a very large number of useful cattle are being slaughtered, this quantum of punishment is ludicrously low. If it is your object to ban and prohibit the slaughter of useful cattle, then those who infringe this law must be adequately and sufficiently punished.

Then, Sir, the motion for circulation of this Bill is more or less of a dilatory character inasmuch as there cannot be any difference of opinion in the House or in the country upon the necessity of giving protection to the cattle and improving their breed. On this matter there is complete unanimity of opinion in the country. As such I submit that the motion for circulation may not be accepted, or in the alternative the hon.

Minister should make it clear that it will be open to the Select Committee to go into the question of prohibiting the slaughter of cattle. If I understood him correctly, it will not be within the scope of the Select Committee to enter into this proposition as to whether cattle slaughter could be prohibited absolutely. It can only deal with the question as to how the State Samvardhan Council, or the Central Samvardhan Council should be organised and what will be their functions, duties, etc.

Another object of this Bill is to establish what is called Samvardhan Fund under section 10 and it is contemplated in section 13 that it will be open to the Central Samvardhan Council or its branches to levy a cess on the sale of cattle on occasions of fairs, or markets. Now it has not been specified what is going to be the quantum of such a cess and what will be the purpose for which this fund will be utilised. It is also not quite clear from the provisions of this Bill what Government shall contribute to this fund. My submission is that the Select Committee should make it incumbent upon the Government to make a contribution of at least 50 per cent. of what is realised by the imposition of the cess or by private donations. Until and unless this is done, the institutions will starve and the Central and the State Councils in the absence of sufficient funds at their disposal will not be in a position to do much. The Select Committee should therefore make it incumbent upon the Government to make a certain percentage of contribution annually and that should not be less than 50 per cent. of what will be realised by the Central Council or the State Council through the imposition of cess or through any private donation.

Then, Sir, the Bill should be more specific about the functions of these State Councils, in what manner the staff are to be maintained by the State Councils so that they may render effective service to those institutions which exist in various parts of the country. It is possible, as has been the practice with funds collected by such institutions, that a good portion of it may be utilised only for the purpose of maintenance of staff and a very small portion of it may go for the benefit of the institutions which are sought to be benefited.

Then, Sir, I leave it to the Select Committee to see whether it should make it compulsory that every institution either existing today or which will come into existence hereafter will

necessarily be registered. My submission is that our experience of governmental institutions and the working of their machinery has so far not been very satisfactory and if registration is made compulsory it may amount to undue interference with the activities of such charitable institutions which have been prospering in this country for a very long time. If we can depend upon the philanthropic spirit of the citizens of this country many such institutions will come into existence, whether Government extends its helping hand or not. My submission, therefore, would be that this compulsory registration may be done away with. You may make it a condition that those institutions only which are registered under the provisions of this Act may be entitled to governmental assistance, financial or otherwise. That is understandable, but to make every institution compulsorily registrable does not appeal to me.

There is one other point to which I would like to draw the attention of the House and it has not at all been considered. The main thing upon which the preservation, protection and improvement of the breed of cattle depends is the quality of grass and other fodder that is made available to it. Is there anything in the provisions of the Bill as to how the State Councils or the Council at the Centre will be competent to see that proper portion of land in every village or in every town is set apart for grazing purposes? We have seen from day to day and from year to year that grassy areas of land are decreasing. Therefore, if this Council is to effectively function and also to attain the object which it has in view the first and foremost condition should be that the Council at the Centre as also the State Councils should be competent to secure from the Local Governments sufficient open grassy lands reserved for the purpose of the cattle. Until and unless this is done it is idle to talk about protection and preservation of cattle.

These are some of the few suggestions that I want to make; but I want to repeat once more that the first and foremost object of the Select Committee should be to enact certain provisions by which the slaughter of cattle may be absolutely prohibited in Part C States and any person violating such provision should be liable to be punished very heavily. Until this is done, to talk of cattle preservation, its protection and improvement is idle. I do not want to stand in the way of the progress of this enactment. I wish that it should be placed on the statute book, with the qualification and the

suggestions I have made, as early as possible. With these remarks I support the provisions of the Bill.

Shri Kamath (Madhya Pradesh): Before you call upon the next speaker, will you kindly permit me to interrupt in the debate for a while and invite your attention to a rather important matter which in my humble judgment touches the dignity and the privilege of the House? You will recall and the House will recollect, that during the Second Reading of the Constitution Amendment Bill...

Mr. Deputy-Speaker: Instead of interrupting in the course of a Bill the hon. member will kindly give notice and intimate to the Chair, and we will fix a time to consider the question. That is the better course.

Shri Kamath: But it is about the publication in certain newspapers of certain matter relating to the proceedings of the House which had been expunged.

Mr. Deputy-Speaker: The hon. Member will kindly wait till the Bill is over. We have started the proceedings of the House. Whenever the Chair's attention is drawn to something and a decision is invited, the Chair would certainly like to have notice so that the Chairman can come prepared and give a decision on the spot. However, if this matter is of such urgent importance, let it stand over till this Bill is finished.

Shri Kamath: I want only to invite your attention to it and leave it to you for decision later.

Mr. Deputy-Speaker: The hon. Member may kindly pass it on to me.

Shri Kamath: But the House must know.

Mr. Deputy-Speaker: Then let him raise it after the Bill is over.

Dr. Deshmukh: I have moved the amendment that the Bill be circulated for eliciting opinion thereon and I have mentioned that the last date of the next session should be the date before which the opinion should be collected. My reasons for moving this motion are two-fold. As has been pointed out by my friend who has just sat down, the Bill is entirely unsatisfactory from the point of view of many hon. Members of this House. This House had debated the question of cow-slaughter over and over again and there are many hon. Members of this House who are very keen that the slaughter of useful cattle should be prohibited and prevented not only in Part C States but, as they would like,

[Dr. Deshmukh]

all over India. That was the purpose with which certain private Members' Resolutions were moved and debated in this House as well as certain Bills over which long periods of time of this Parliament have been spent. The Government was trying to show its sympathies from time to time, and the hon. Members who were keen on getting an enactment to prohibit cow-slaughter were happy that the Government would come forward with a Bill which will at least meet part of their demands.

Now, what is the Bill that is before us? There is no provision, as has been pointed out by my hon. friend, under which cow-slaughter would be prevented even in the Part C States. So by having a Bill of this nature which does not meet the wishes of some of the Members of the House who have agitated this question over and over again and over which very lengthy speeches were made and a lot of time of this House was taken, what is the purpose which it is going to serve? So far as the principles of the Bill are concerned I am in agreement with them, and I think, if for no other reason except to regulate the *gowshalas* which are running amuck with the funds in their hands, it would be a very desirable sort of reform. But when I look at the other provisions of the Bill in relation to the demands of the House and various Members like Seth Govind Das who has spent a life-time on cow-slaughter, how could he be satisfied with those provisions? It is impossible. And he has expressed...

Mr. Deputy-Speaker: On prevention of cow-slaughter.

Dr. Deshmukh: That is what I meant, Sir.

Shri Himatsingka (West Bengal): He has used the word deliberately.

Dr. Deshmukh: No, Sir. How could I? On the one hand there is certainly something in the Bill which is desirable. But the question is whether the Bill goes sufficiently far to meet the wishes of the people whom the various hon. and venerable Members think they represent. According to me they represent a very microscopic minority and the view-point they represent is a retrograde or reactionary one. It is an orthodox one. By appealing only to the religious sentiments of the people they think that this will serve them in the elections as a good placard or slogan for being returned to the House. In spite of twenty-eight years of work my friend has doubts about enlisting public support and he wishes to show that he has done some service for the prevention of cow-slaughter.

Seth Govind Das: It will be known as to who comes and who does not come.

Mr. Deputy-Speaker: They reached this point long in advance of the elections, even in the Constituent Assembly.

Dr. Deshmukh: But he wants to get something passed in the House in this session or the next so that it will be a feather in his cap which my friend will adorn and exhibit all over his constituency. From that point of view it was not very charitable of my friend to threaten me that he will take copies of my speech against cow slaughter and tell the voters in my constituency not to return me!

Pandit Thakur Das Bhargava: But my hon. friend has never been against cow slaughter..

Dr. Deshmukh: That is perfectly correct. And yet my hon. friend Seth Govind Das does not believe me that I have not spoken against cow slaughter. But this is a controversy between me and my friend who comes from the same Province. So I do not want to take up the time of the House so far as that is concerned.

My main point why I do not like the Bill in its present form is that it should have really provided for the purpose for which it was urged that it should and that purpose should not have been given a complete go-bye. Secondly, as regards control over *gowshalas*, even those provisions are halting and not adequate. Because, what my hon. friend has provided is that they shall be compelled to register. What does it mean? It does not mean that the authority who will force them to register will be able to enter into the accounts, give them a scheme according to which the money should be utilised, or bring to book any people who have misappropriated the funds, in a summary manner. Even my friend the last speaker has admitted that the funds of the *gowshalas* are proverbially misused. From that point of view, also, be even so far as the control of the *gowshalas* is concerned the Bill does not go far enough. And, of course, it does not touch the other point of prevention of cow slaughter at all.

So far as my proposal to circulate the Bill is concerned I have very many purposes in view. One of the purposes is that my hon. friends who represent the particular point of view should be convinced that their point of view is really a popular point of view and if the popular point of view is opposed to them it should be possible for the people to express that also. Because

this is not a simple matter of some people's sentiments or the religious notions of certain individuals however placed. It is a very important question from the economic point of view.

Seth Govind Das: On a point of order. The hon. the Speaker had said that those persons who are on the Select Committee will not speak on this motion. Dr. Panjabrao Deshmukh's name has been proposed for the Select Committee, and he has moved another motion that the Bill should be circulated for eliciting public opinion. Either he should press his motion on which he is speaking or he should withdraw from the Select Committee. May I know whether he can deliver his speech when his name has already been mentioned amongst the Members of the Select Committee?

Shri J. R. Kapoor (Uttar Pradesh): It might have been without his consent.

Mr. Deputy-Speaker: The hon. Member will state only such points as are necessary for supporting his motion. In respect of an hon. Member who wants to have a motion for circulation, evidently to avoid the motion for circulation, his name has also been put on the Select Committee so that his views may be ascertained. This is an exceptional case. However, I would request him to confine himself to the points which are necessary to persuade this House to accept his motion for circulation instead of a motion for Select Committee.

Dr. Deshmukh: As I was saying, if this Bill is circulated, we will know once and for all the view of the people of this country on this important issue.

Mr. Deputy-Speaker: Has the hon. Member a genuine desire to obtain the views of the public when he says that it should be obtained before the last day of the next session? It may not be obtained at all.

Dr. Deshmukh: I am prepared to amend it if it is necessary.

Mr. Deputy-Speaker: *Prima facie* it is a dilatory motion. It is indefinite and out of order. I can immediately say that it is not a *bona fide* application. If I were to exercise the power, I would say it is out of order. I am not going so far certainly. However, he has been allowed to move the motion and he can go on. I would only say that he should not attribute motives to hon. Members.

If the hon. Member is only interested, he would not have pitched it to the last day of the next session. Hon. Members while speaking here ought to be

chary in not making aspersions against other hon. Members when they are not allowed to speak.

Dr. Deshmukh: I only praised the services rendered by my hon. friend Seth Govind Das. So far as my friend's point is concerned, you have already answered that and I do not think I need take the time of the House. But I beg to submit that a dilatory motion is not unparliamentary nor is it a motion which can be ruled out for that reason. It is perfectly within the rights and privileges of the Members to make a dilatory motion as such. But that is not my intention. I am prepared to modify the *da.e.*, if it is necessary and if you would permit me to do so.

My point is that the Bill even so far as the regulation of the *goushalas* is concerned, does not go far enough. And secondly if we are trying to protect the cow from the humanitarian point of view, why should we discriminate between one animal and another? If we are going to take so much trouble over cows, why should we stigmatize the goats, the lambs, the chickens, the pigs, the buffaloes etc., as if they were very inferior. They also possess animation; they are also useful and they can also be put to various purposes. So this is really creating disaffection and discord in the bovine world and making them fight against each other, although they have no means of doing so except through us. I personally thought that if we were really moved by humanitarian motives...

Mr. Deputy-Speaker: The hon. Member finds other communities excluded.

Dr. Deshmukh: Yes, in a way. Backward communities are not fully provided for. After all we are only dealing in this matter of the regulation of *goushalas* with Part C States and to this extent this Parliament is converted into a sort of a provincial assembly. I thought that most of these matters are such that they can really be regulated by municipal laws. In most of the Municipalities, there are regulations for the prevention of slaughter of useful cows and there are matter rests; but my hon. friends from the Part C States have got the privilege of bringing even the most trifling of matters which could be dealt with by a local board or a *gram panchayat* to this august House. But we can't prevent this. So from that point of view I submit that this Bill, so far as its provisions are concerned, is unsatisfactory and there is also another objectional feature over which people's opinion ought to be taken and that is the matter of taxation. Of course my hon.

[Dr. Deshmukh]

friend is very charitable with the funds of the Government of India. He has got huge sums—crores of rupees—at his disposal and a small amount of 2 lakhs could be spared by him easily. As a matter of fact it was decided by a resolution of the Standing Advisory Committee that this Bill after scrutiny by the Government should come back to the Standing Committee but nothing of the sort was done. The hon. Minister can flout the wishes of the House and the Standing Committee as he likes. I feel that we should not waste the time of the House in this manner. I would have liked that this Bill before coming to the House should have been scrutinized by the Standing Committee and in all probability the Standing Committee would not have given its consent to this Bill in its present shape. This Bill does not make any adequate provision whatsoever so far as the question of cow-slaughter is concerned. That is one transgression which my hon. friend is guilty of and therefore, I urge that the *bona fides* of the Government are not quite clear and convincing and then there is the question of taxation. I do not know if hon. Members of the House want to create a precedent for imposing taxation for any purpose which the Government think proper without consulting the people. I personally have no objection but then here you are providing a cess on the sale of cattle and it is upon that that you want to preserve the cattle and keep certain staff which would be required to be engaged. Instead of doing this, I would have much liked if this sum of Rs. 10 lakhs were available for the feeding of the children. That would have served more than one purpose. Rs. 10 lakhs are going to be spent on the *gowshalas* and other things. I solemnly promise that with Rs. 10 lakhs, I will feed 5,000 children throughout a year and these 5,000 children will be able to look after the cows and the milk they will get provide excellent nourishment to them. Their being fed free would also serve as an encouragement for them to protect the cows far better than any staff would do it. I can therefore give an assurance to look after the cows in a much better way and instead of spending those funds like this and imposing taxation for such a purpose, I wish the Government would state clearly what they are trying to do. The ignorant people ought not to be exploited. We are told that the cow is sacred and it is our duty to pass some legislation. Those people who have never spent any money on cow protection by themselves are trying to be charitable at the cost of other people. So I submit that this

Bill is first of all insufficient and therefore it is unnecessary. It does not provide for the purposes which we have in view and lastly there is the proposal of taxation without consulting the people which is objectionable. The hon. Minister need not care what the people from Part C States might say because he can come from Bombay to take his seat in the next Parliament. I think it should not be the practice that taxation measures also should be ushered in in this indirect and back-hand manner and the peoples' money should be spent on any purposes without consulting them. If the people of Part C States require it and are prepared to submit to taxation, I can understand it. My main purpose is that in a taxation measure like this the people of the province who are going to be affected ought to be consulted. It should also be seen whether the Government can spend these Rs. 2 lakhs out of its own funds. If there is proper regulation of *gowshalas*, there will be crores of rupees available. I may assure the House that the *gowshala* funds have not come from big merchants or traders; they come from the ordinary cultivators; in every market, there are certain funds which are taken from the ordinary consumers, sellers and purchasers of various articles. There are crores of rupees lying with big *sethias* and traders and whose accounts are not properly kept. The Central Government by bringing the *gowshalas* under stricter and greater control could have got all the money they need. But instead the hon. Minister has chosen to provide rupees two lakhs without consulting the Standing Committee and I do not think the Standing Finance Committee has as it should have raised any objection to it. I only want to know, what is the purpose in spending Rs. 2 lakhs only on Part C States and what about the rest of India? I feel that this Bill should go before the people and they should be in a position to say whether this is a proper and adequate measure and give their opinion about the funds also. My hon. friend is wrong when he thinks that the Select Committee can incorporate prevention of cow-slaughter in it. It is impossible. The principle underlying this Bill is only the control of *gowshalas* and you cannot with the best will in the world incorporate...

Mr. Deputy-Speaker: Sub-clauses 2 and 3 of clause 4 refer to the prevention of slaughter and protection of bovine cattle.

Dr. Deshmukh: Even so it might remain there like the directive principles so long as there is no penal clause.

There is no penalty laid down, even so far as non-registration is concerned.

11 A.M.

Shri Himatsingka: There is a penal clause.

Shri K. M. Munshi: My hon. friend has not read the Bill properly.

Dr. Deshmukh: I am sorry that it escaped my attention. But, I submit that it would not be possible to extend the scope of the Bill to such an extent as to incorporate what my hon. friends have to suggest. From that point of view, I would have liked that public opinion should be ascertained and if it is in favour of the Bill, then alone, it should be undertaken.

I move.

Mr. Deputy-Speaker: Pandit Munishwar Datt Upadhyay. I thought Members from Part C States may speak.

Shri Khandubhai Desai (Bombay): It will affect subsequently all others also.

Mr. Deputy-Speaker: I am not preventing; I am trying to give preference to them. But, they are not availing of it.

This Bill is going to the Select Committee. Therefore, the hon. Members will make their points.

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): I have to make certain suggestions and I shall be as brief as possible.

Mr. Deputy-Speaker: What I propose to do, subject to the approval of the House, is this. This Bill may not take more than one hour, that is up to 11.30 or 12 o'clock. Then, we will have one hour more. Delimitation is the next important subject.

I am told that the Government wants to move the Delhi Laws (Amendment) Bill.

पंडित मुनीश्वर दत्त उपाध्याय :

उपाध्यक्ष महोदय, इस प्रश्न पर जो कि आज गवर्नमेंट की तरफ से इस भवन में उपस्थित किया गया है बहुत दिनों से इस संसद् में सदस्यों के दरम्यान और देश में तरह तरह के विचार चलते रहे हैं। और जो प्रबल विचार था वह यह था कि इस देश में जो जानवर उपयोगी हैं उनका बंध बन्द हो जाना चाहिये,

विशेष रूप से गो बंध और उस परिवार के जो और उपयोगी जानवर हैं उनका बंध कतई रोक दिया जाना चाहिये। इस तरह की भावना चली आ रही थी और इस भावना को सामने रखते हुए इस के पहले इस भवन के सामने भार्गव जी द्वारा एक विधेयक भी उपस्थित किया गया था। जब वह विधेयक इस भवन के सामने था उस वक्त माननीय मंत्री जी ने यह फरमाया था कि इस संबंध में वह स्वयं एक विधेयक ला रहे हैं जिसमें जितनी आवश्यक बातें हैं और जितने आवश्यक प्रश्न उठने हैं और जो जो प्रबन्ध इस सम्बन्ध में किये जाने हैं उनका समावेश होगा और उन सब पर विचार करते हुए पूरे विवरण के साथ यह विधेयक इस भवन में उपस्थित किया जायेगा और गौत्र ही उपस्थित किया जायेगा। हम लोग यह आशा करते थे कि जब इस तरह का विधेयक आयेगा तो वह संसद् के सदस्यों ने जो राय जाहिर की है और जो देश की भावना है उसको ध्यान में रखते हुए लाया जायेगा जिससे देश की सब मांगों की पूर्ति होगी और यह विधेयक हमारे देश की उन्नति में बड़ा सहायक होगा। लेकिन जब यह विधेयक इस भवन के सामने आया और हमने उसको पढ़ा तो हमने देखा कि वह आशायें तो कोई पूरी नहीं होती हैं। इस में बहुत सी आवश्यक बातें नहीं रखी गई हैं। यह तो सेंट्रल गवर्नमेंट की एक कमेटी बना देगा और प्रदेशों की कमेटियां बना देगा जो कि अपनी जांच पड़ताल कर के गवर्नमेंट का एक मुहकमा कयास कर देंगी और उस मुहकमे के मातहत जैसे और सब मुहकमे चला करते हैं यह काम भी चला करेगा। कुछ ऐसी शकल मुझे लगती है। मैं नहीं समझता कि ऐसे विषय पर भी कुछ बहुत विस्तार में जाने की या बहुत जोर देने की जरूरत हमारे मंत्री जी के सामने होगी कि वह

[पंडित मुनीश्वर दत्त उपाध्याय]

देश की लहरों से और संसद् के सदस्यों की राय से परिचित होते रहते हैं और मेरा विश्वास है कि उनका बड़ा घनिष्ठ सम्बन्ध जनता से भी रहा है और ऐसी संस्थाओं को भी वह भली भांति जानते हैं जिनकी तरफ से यह कहा गया है कि हमारे देश में यह बहुत ही उपयोगी है और बहुत ही लाभदायक है कि हमारे जानवरों की रक्षा इस प्रकार की जाय कि जैसे वह अब कटते चले जा रहे हैं और उनकी उपयोगिता पर कोई ध्यान नहीं दिया जा रहा है ऐसा करने का अवसर कानूनन बन्द कर दिया जाय। जो लोग इस विषय में कोई कानून न होने की वजह से नाजायज फायदा उठाते हैं वह ऐसा करने से रोक दिये जायें। पर मालूम नहीं कि मंत्री जी की क्या अड़चनें हैं कि वह जो विधान लायें हैं वह बहुत अपूर्ण है और उससे उन भावनाओं की जो कि देश में चल रही हैं पूर्ति नहीं होती है। इन भावनाओं के सम्बन्ध में जब हम लोगों में से कोई बोलने खड़ा होता है और खास तौर से अगर वह कांग्रेस से सम्बन्ध रखता है, तो उसके दिमाग में यह भावना रहती है और यह अन्देशा रहता है कि इसके कहीं और प्रर्थ न लगाये जायें और उसको साम्प्रदायिक न समझा जाये। मैं बहुत साफ़ तौर पर निवेदन करना चाहता हूँ कि कोई ऐसी भावना हम लोगों के दिमाग में कभी एक मिनट के लिये भी नहीं आती है। यह भावना नहीं है जिस से प्रेरित हो कर हम इस प्रश्न पर विचार करने को तैयार होते हैं। हम तो केवल देश के लाभ को और देश की उन्नति को सामने रखते हुए यह समझते हैं कि हमारे यहाँ गो-वध का याके गौ के परिवार के जितने और जो बच्चे या बैल हैं उन सबका वध पूरे तौर पर रोक देना चाहिये हम देखते हैं कि यह कोई नई बात हमारे देश के सामने नहीं है।

जब विधान परिषद् में इस प्रश्न पर विचार हो रहा था और हमारा विधान बन्द रहा था उस समय भी हमारे जो सदस्य मौजूद हैं उन में से बहुतों ने उस पर जोर दिया था और इसी कारण आगे चल कर यह कानून बना था। वह कानून इतना साफ़ है कि उसको देखने से साफ़ जाहिर हो जाता है कि उसके बाद जो हम यह इधर उधर के छोटे मोटे प्रबन्ध कर रहे हैं यह पर्याप्त नहीं हैं। विधान में इस के सम्बन्ध में जो दफा ४८ में कहा गया है वह यह है :

"The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle."

अगर इसके मानी वकालत के जरिये से तोड़ फोड़ कर कुछ और लगाये जायें तो दूसरी बात है, वरना मैं नहीं समझता कि इसका और क्या मतलब हो सकता है सिवा इसके कि गाय और बछड़ों का वध पूरे तौर पर बन्द हो जाना चाहिये। जहाँ तक दूसरे जानवरों का ताल्लुक है उनके सम्बन्ध में और कुछ बात हो सकती है लेकिन जहाँ तक गाय और काफ़स का सम्बन्ध है उसमें तो यह बिल्कुल साफ़ है। मैं तो इस दफ़ा के यह ही मानी समझता हूँ और जैसा कि मैं ने निवेदन किया वकालत की बहस तो और चीज़ है, पर जो हमारे विधान बनाने वालों की मशा थी और उस वक्त जो कानून बनाया गया वह यही था कि काउन्सिल एण्ड काफ़स के सम्बन्ध में तो यह साफ़ कानून बन जाना चाहिये कि उनका वध हरगिज़ न किया जाय। इस के अलावा इस सम्बन्ध में बार बार हमारे मिनिस्टर साहबान की और जो इस भवन के सदस्य हैं या विधान बनाने के सम्बन्ध में

हिस्सा ले रहे थे उनकी सब की रायें मिलती आई हैं। मैं एक चीज और माननीय मंत्री जी के सामने निवेदन करूंगा। आप के प्रैडी-सैसर साहब जो श्री जयरामदास जी मिनिस्टर साहब थे उन्होंने भी एक दफा इस सम्बन्ध में जवाब देते हुए अपनी राय का प्रदर्शन किया था। मैं उसका थोड़ा सा हिस्सा दो तीन चार लाइन जो उनकी राय की हैं और जिनका इस में सम्बन्ध है उसको आप के सामने पढ़ देना चाहता हूँ। उन्होंने यह फरमाया था :

"As the House is aware, the Cattle Protection and Preservation Committee appointed by Government made some recommendations which were communicated to the Provincial Governments for eliciting their opinion before the Government of India formulated their own conclusions. As replies from most of the Governments have by now been received, Government have come to certain conclusions which I may re-~~ann~~ounce to the House. The Committee recommended that the slaughter of cattle was not desirable in India under any circumstances whatsoever and that its prohibition should be enforced by law. The prosperity of India to a very large extent depended on cattle and the soul of the country could feel satisfied only if cattle slaughter was banned completely and simultaneous steps were taken to improve cattle which were in a deplorable condition at present."

And about the recommendations, he aid:

"As most of the opinions received from the provinces are generally in favour of action suggested in the first two recommendations of the Committee, apart from the question of cognizability of the offence which will be examined, Government have decided to accept those recommendations and will take early suitable action to have them implemented."

What were the recommendations? they are:

(i) The first stage which has to be given effect to immediately should cover the total prohibition

of slaughter of all useful cattle other than as indicated below:

(a) Animals over 14 years of age and unfit for work and breeding.

(b) Animals of any age permanently unable to work or breed owing to age, injury or deformity.

(ii) Unlicensed and unauthorised slaughter of cattle should be prohibited immediately and it should be made a cognizable offence under law."

यही दो सिफारिशें थीं जिन के सम्बन्ध में उन्होंने बताया कि इनको सरकार ने स्वीकार कर लिया है। मैं नहीं समझता कि इनके स्वीकार कर लिये जाने के बाद भी अब जो बिल आता है उस में आगे जाने के बजाय कदम पीछे क्यों हटाया जाये। फिर, इस के अलावा जो कमेटी बैठी थी जिसका कि हवाला दिया गया है उसकी रिपोर्ट को देखते हुए भी साफ़ जाहिर होता है कि उनकी क्या मंशा थी। मैं आपका ज्यादा समय नहीं लेना चाहता इसलिये हवाला दे दूंगा। कमेटी ने कहा है कि :

"This Committee is of opinion that slaughter of cattle is not desirable in India under any circumstances whatsoever, and that its prohibition shall be enforced by law. The prosperity of India to a very large extent depends on her cattle and the soul of the country can feel satisfied only if cattle slaughter is banned completely and simultaneous steps are taken to improve the cattle which are in a deplorable condition at present."

यही चीज है जो कि मिनिस्टर (Minister) साहब ने भी दोहराई थी। तो यह कमेटी की रिपोर्ट है जिस के आधार पर बयान देते हुए उन्होंने बताया था कि उसको सरकार ने स्वीकार कर लिया है। केवल इतना ही नहीं है, जनाब मिनिस्टर साहब जो इस वक्त मौजूद हैं, इन्होंने भी एक दफा जब भार्गव साहब का बिल इस भवन के सामने पेश था तो आप ने जो फरमाया था उस से भी यही जाहिर होता था कि अब जो विधान में कामून है और उसके बाद जो और मिनिस्टर साहब

[पंडित मुनीश्वर दत्त उपाध्याय]

कहते आये हैं और गवर्नमेंट ने स्वीकार कर लिया है उस के अनुसार जो कोई बिल आवेगा उसमें इसका अवश्य प्रबन्ध करेंगे। आपने जनाब ने भी तारीख १२-४-५१ को फ़रमाया है :

"It was mentioned on the last occasion that Government would like to prohibit the slaughter of useful cattle, as laid down in the directive of the Constitution."

तो जनाब ने भी फ़रमाया और आप के प्रेडेससर (Predecessor) साहब ने भी फ़रमाया। जब एक कमेटी बँठी थी उसकी भी यही राय थी। इन सब के हो जाने के बाद अब जो विधेयक हमारे सामने आया है उसमें तरह तरह की शर्तें हैं। उसकी जमी शकल है उसके अनुसार, जैसा मैं ने निवेदन किया, एक महकमा गवर्नमेंट का कायम हो जाने वाला है। उसमें काम क्या होगा यह तो सभी जानते हैं, उसके कुछ श्भ लक्षण दिखाई पड़ते हैं। केवल यही दिखाई देता है कि २१ लाख रुपये का प्रबन्ध गवर्नमेंट के ग्रो मोर फूड (Grow More Food) की ओर से कर दिया गया है। यह विभाग सरदार दातार सिंह के मातहत रहेगा। उन्होंने इस सम्बन्ध में बहुत काम किया है और उनके जिम्मे होने से जो कुछ वह काम कर सकेंगे वह तो हो जायेगा क्योंकि वह इस में खास तौर से दिलचस्पी लेते हैं। बाकी जो काम होगा उसको तो भवन अच्छी तरह समझता है, एक महकमा कायम हो जायगा और कुछ अफ़सर इधर से उधर मुआयना करने के लिये घूमने वाले दिखाई देंगे। इस के अलावा और कोई काम होने वाला नहीं है।

और काम हों भी क्यों ? अब आप देखते हैं कि एक तरफ़ तो यह रिपोर्ट गवर्नमेन्ट की है और दूसरी तरफ़ आप देखिये कि उनका दिमाग़ किस तरफ़ जा रहा है। एक तरफ़

तो आपने देखा कि सरकार इस पर रोक लगाने जा रही है, स्लाउटर (Slaughter) को, और दूसरी तरफ़ आप इस रिपोर्ट का देखेंगे तो आप को साफ़ माज़ूम हो जायेगा कि किस तरफ़ गवर्नमेंट का दिमाग़ जा रहा है। यह रिपोर्ट है मिनिस्ट्री आफ़ क़ामर्स (Ministry of Commerce) की मन् १९५०-५१ की। इसके सफ़ा ३ पर यह लिखा है :

Extending Raw Materials Production—that is the heading—

इसके बाद कहते हैं :

"As regards hides, one of the methods suggested to improve production is the removal of the ban on cow-slaughter with a view to enabling more materials to flow into the market, and the question is under examination in consultation with the State Governments."

यह इनकी मेंटैलिटी (Mentality) है, इनका दिमाग़ इस लाइन पर चल रहा है और फिर यह कहा जाता है कि भार्गव साहब एक विधेयक लाये थे, भार्गव साहब जो क़ानून बनवाना चाहते थे, उसके आकार पर और उनकी भावनाओं को देखते हुए और देश की भावनाओं को देखते हुए, सदस्य-गण जो इस के पक्ष में थे उनकी राय को क़दर करते हुए यह क़ानून बनाया जा रहा है और यह क़ानून ऐसा बनाया जा रहा है कि जो जो बातें आप चाहते हैं वइ सब इस में आजावेंगी और आप के भार्गव साहब के विधेयक की कोई ज़रूरत नहीं रहे जायेगी। लेकिन जो विधेयक आया है उसकी ज़रूरत कैसी है, यह मैं ने निवेदन किया। मैं बहुत साफ़ कह देना चाहता हूँ गो वध को, मैं कोई भावना के विचार से नहीं कह रहा हूँ, जब तक आप देश में पूरे तौर पर बन्द नहीं कर देते हैं तब तक तरह तरह के झगड़े और दिक्कतें पेश आवेंगी और कोई क़ानून ठीक तरह से चलने बाज़ा नहीं है। क्योंकि आप यह

कह देते हैं कि बेकार जानवरों को मारा जाय और उपयोगी को पाला जाय। मैं नहीं समझता कि उपयोगी और अनउपयोगी को तय करना कोई आसान बात है, इस को तय करने में काफ़ी दिक्कतें पड़ेंगी, काफ़ी परेशानी होगी। इस में काफ़ी भ्रष्टाचार हो सकता है और सब जानते क्या क्या फ़ितरत हो सकती है। फिर आप कहते हैं १४ वर्ष से ऊपर जो हो जाय। अब आठ, नौ, दस वर्ष के बाद यह पता लगाना कि यह बारह का हो गया है या आठ का है या चौदह का हो गया बहुत ही मुश्किल है। मैं नहीं समझता कि इस को तय करना कोई आसान बात होगी। इन सब बातों को देखते हुए मैं समझता हूँ कि जहाँ तक ऐसे उपयोगी जानवरों का सम्बन्ध है उनका वध तो जब तक आप पूरे तौर पर बन्द नहीं कर देते हैं तब तक जो आपको मंशा है कि उपयोगी जानवर न मारे जायें वह पूरी न हो सकेगी। आप क़ानून को भी ठीक तरह से नहीं बरत सकेंगे। इस वास्ते मैं निवेदन करूँगा कि सिलेक्ट कमेटी (Select Committee) के सामने जो यह विधेयक जा रहा है तो सिलेक्ट कमेटी के सदस्यगण इस पर विचार करें और—दर-असल उनकी कोई प्रबन्ध करने की मंशा है—अगर वह यह चाहते हैं कि यह क़ानून जो आया है ठीक तरह से बरता जाय जिससे देश को फ़ायदा हो जो कि हमारा उद्देश्य है तो इस क़ानून की शकल उनको ऐसी बनानी चाहिये जिस से यह पुर असर हो, कारगर हो, इस तरह के क़ानून बनाने की ज़रूरत है, और अगर यही मंशा है कि भागव साहब का एक बिल आया था, उस को किसी तरह दफ़न कर दिया जाये और एक दूसरा बिल उस की जगह खड़ा कर दिया जाये तब तो आपका बिल आ ही गया है, गवर्नमेंट का बिल आ गया है। लेकिन दर असल जिस से देश की उन्नति हो सकती है, देश को जिस से फ़ायदा

पहुँच सकता है, वह चीज़ करनी है तो आप को इस विधेयक को पूरे तौर पर ठीक कर के इस सिलेक्टर का बन्द करने का प्रयास करना है। तभी कुछ हो सकता है, जैसी कि विधान को भी मंशा मान्य होनी है।

इसलिये मैं नाननीय मंत्री जी से निवेदन करूँगा कि वह इस विषय पर पूरे तौर पर गौर करें और महज़ एक दिवावे के लिये बिल न रखें। मैं और भी जो मैम्बरान सिलेक्ट कमेटी के हैं उन से भी उर्ज़ करूँगा कि वह इस बिल को अच्छी तरह देखें और विचार कर के एक ऐसा विधेयक तैयार जिसका देश में स्वभाव हो और जिससे देश की उन्नति हो सके और जो कि हमारा सबका उद्देश्य है।

(English translation of the above speech)

Pandit Munishwar Datt Upadhyay:
Sir, various views have been expressed by Members of Parliament as well as persons outside on the subject matter of this Bill which has been introduced today in the House on behalf of the Government. And the most dominant view was that the slaughter of all useful cattle, especially of cows and other useful cattle belonging to the bovine family must be totally banned. This was the view which most people had and it was with this very viewpoint that Pandit Bhargava had introduced a Bill in this House sometime ago. When that Bill was being considered by the House, the hon. Minister informed us that he himself was bringing forth a Bill to that effect which would include all important aspects of the problem and provide for all that was required in that matter. He told us that a comprehensive Bill would soon be introduced after a careful study of all pros and cons. We hoped that the proposed Bill would be in accordance with the opinions and views expressed by the Members of Parliament here and would be brought forward after giving due regard to the feelings of the countrymen so that it would satisfy the demands of the people and conduce to the well-being of the country. But when that Bill came before the House and when we studied it, we found that it met none of our hopes. Many important things have been left out. It only provides for a Committee of the Central Govern-

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mept and other Committees of the various States which, after investigating into the matter, would lead to the establishment of a department under the Government and this department, as all other departments are doing, would look after and conduct this work. This is what, in my opinion, is going to be. I do not think that a subject like this needs much emphasis or going into too much details on the part of our hon. Minister because he is very well kept conversant with the feelings of the countrymen and the views of the Members of Parliament in this respect. Moreover, I am confident that he has always been in close contact with the people of our country and he is also mindful of all such associations and institutions which hold that it is very essential and at the same time very useful that our cattle be protected and carefully looked after and that their slaughter be prohibited by law. They also say that all such persons and bodies as are taking advantage of the position in the absence of any such law should be forbidden to do so. But I am at a loss to understand the difficulties and obstacles in the way of the hon. Minister which caused him to bring out a measure which is so incomplete and which does not satisfy at all the feelings of the people. When any one of us rises to speak about these feelings, and particularly if he belongs to the Congress he has a lurking fear in his mind that he may not be misunderstood and labelled as a communalist. I wish to make it amply clear that we are not guided even for a moment by any such feeling and we do not consider the problem inspired by any such notion. We only feel, taking in view the well-being and betterment of the country, that the slaughter of cows, bullocks and calves should be totally banned. We find that the question before us is not a new one. When at the time of the framing of our Constitution, this question was being discussed in the Constituent Assembly, many of the hon. Members present here emphasized this point and that was why this law was made later on. This law is so clear that it makes it obvious that other smaller measures which we are trying to take in this regard are insufficient and incomplete. In this connection Article 48 of the Constitution lays down:

"The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and

calves and other milch and draught cattle."

Unless it is interpreted in a different way with the help of a lawyer's trickeries, I do not think it can mean anything else than that the slaughter of cows and calves should be totally prohibited. There can be a different view so far as other cattle are concerned but it is absolutely clear with regard to cows and calves. At least I understand it that way and, as I have submitted, leaving apart the lawyers' interpretation and their way of arguing things, the intention of our Constitution-makers was that a definite law should be enacted totally prohibiting the slaughter of cows and calves at least. In addition to this, our hon. Minister and Members of this House, at any rate those who participated in the framing of our Constitution had no differing opinions on this matter. I would submit one thing more to the hon. Minister. His predecessor, Shri Jairamdas Doulatram also once expressed his opinion while answering a question on this subject. I would like to read out a small relevant portion, say a few lines, of what he said in this connection. He said:

"As the House is aware, the Cattle Protection and Preservation Committee appointed by Government made some recommendations which were communicated to the Provincial Governments for eliciting their opinion before the Government of India formulated their own conclusions. As replies from most of the Governments have by now been received, Government have come to certain conclusions which I may re-announce to the House. The Committee recommended that the slaughter of cattle was not desirable in India under any circumstances whatsoever and that its prohibition should be enforced by law. The prosperity of India to a very large extent depended on cattle and the soul of the country could feel satisfied only if cattle slaughter was banned completely and simultaneous steps were taken to improve cattle which were in a deplorable condition at present."

And about the recommendations, he said:

"As most of the opinions received from the provinces are generally in favour of action suggested in the first two recommendations of the Committee, apart from the question of cognizability of the offence which will be examined, Government have decided to accept those recommendations and

will take early suitable action to have them implemented."

What were the recommendations? They are:

"(i) The first stage which has to be given effect to immediately, should cover the total prohibition of slaughter of all useful cattle other than as indicated below:

(a) Animals over 14 years of age and unfit for work and breeding.

(b) Animals of any age permanently unable to work or breed owing to age, injury or deformity.

(ii) Unlicensed and unauthorised slaughter of cattle should be prohibited immediately and it should be made a cognizable offence under law."

These are the two recommendations about which he said that the Government had accepted them. I do not know why some things have not been included in this Bill even after the acceptance of those recommendations. Moreover, the intention of the Committee is quite clear from the Report it has submitted of which mention has been made here. I do not want to take much of your time and therefore, I am quoting from it. The Committee has stated:

"This Committee is of opinion that slaughter of cattle is not desirable in India under any circumstances whatsoever, and that its prohibition shall be enforced by law. The prosperity of India to a very large extent depends on her cattle and the soul of the country can feel satisfied only if cattle slaughter is banned completely and simultaneous steps are taken to improve the cattle which are in a deplorable condition at present."

This is the same thing which the Minister also repeated. While making a statement on the report of the Committee he stated that the Government had accepted it. Not only this much, but it was clear from the statement which the hon. Minister, who is present here, made while Pandit Bhargava's Bill was before the House that according to the directive of the Constitution and what other Ministers had said and as accepted by the Government, all this would be incorporated in the new Bill. You also stated on 12th April 1951:

"It was mentioned on the last occasion that Government would like to prohibit the slaughter of

useful cattle, as laid down in the directive of the Constitution."

So, you have said that and you predecessor has also said the same thing. This was the recommendation of the Committee as well. Now the Bill that has been introduced contains many provisions. As I have said before, it seems that the Bill aims at the setting up of another Government department. Everybody knows how this department will function. There is only one good indication that a provision of Rs. 29 lakhs has been made out of the 'Grow More Food' grant of the Government. This department will work under Sardar Datar Singh. He has done lot of work in this connection and when made responsible for it he will try to do whatever he can because he is specially interested in this kind of work. As regards the other officers of that department, they will simply go on inspecting here and there and I think the House is well aware of their activities. They are not going to do anything else.

And how can they work? Consider the report of the Government and the way they are going to implement it. On the one hand the Government are going to ban the slaughter of cattle and on the other they are going to act exactly against it. This is a report from the Ministry of Commerce for the year 1950-51. It is stated on page 3:

Extending Raw Materials Production—that is the heading—

After this it says:

"As regards hides, one of the methods suggested to improve production is the removal of the ban on cow-slaughter with a view to enabling more materials to flow into the market, and the question is under examination in consultation with the State Governments."

This is their mentality. They are working on these lines and it is said that the Bill has been framed after taking into consideration the main features of Pandit Bhargava's Bill and the opinion of the country and the viewpoints of those Members who were in favour of his Bill. Practically, it contains all that you want and there is no need of Pandit Bhargava's Bill. But you have seen the provisions contained in the new Bill. I want to make it perfectly clear that I have not been simply inspired by the sentiment about cow-slaughter. You cannot put a stop to the riots etc. until and unless you completely ban the slaughter of cows, otherwise no law is going to help you. You say that useless animals should be slaughtered and useful ani-

[Pandit Munishwar Datt Upadhyay] mals should be preserved. I do not think that it is easy to differentiate between useful and useless animals. It is bound to create many difficulties. Corruption and other evils are likely to crop up. Then you lay down the condition that it should be more than 14 years of age. It is difficult to say whether the animal is of 8, 12 or 14 years when it has attained the age of 8, 9 or 10 years. I do not think it will be an easy job to do this. Keeping all these facts in view, you cannot achieve your object until and unless you completely ban the slaughter of useful cattle. You will not be able to fully enforce the law as well. Therefore, I submit that if the Members of the Select Committee really want to see the correct application of this Bill for the benefit of the country, which is our object, then they should make such modifications in the Bill as would prove to be effective. There is need of such a law. But if your intention is simply to bury the Bill introduced by Pandit Bhargava by introducing a new Bill, then Government's Bill has already been introduced. But if you really want to do something which may prove really beneficial to your country so that it may make progress, then you should try to completely ban the slaughter of cattle by introducing appropriate modifications in the Bill. Then only you can do something which seems to be the intention of the Constitution as well.

I would, therefore, appeal to the hon. Minister to carefully consider this Bill. He should not introduce it simply for the sake of doing so. I would also appeal to the other Members of the Select Committee that they should carefully examine it and try to shape it in such a way that it should be welcomed by the country and lead to its progress, which is the object of us all.

श्री घले : यह जो बिल (Bill) हाउस (House) के सामने विचारार्थ उपस्थित किया गया है वह केवल पार्ट सी स्टेट्स (Part C States) के लिये महद्द है। मैं यह समझता हूँ कि इस बिल को पेश करने में गवर्नमेंट (Government) का मंशा यह है कि इस तरह का बिल जो उन्होंने उपस्थित किया है आदर्श रूप में हर प्रान्त में पास हो और उस प्रकार से गोसंवर्द्धन के सवाल को हल किया जाये। लेकिन इस बिल को देखने के बाद यह कहना जरा भी

गलत नहीं होगा कि इस बिल में कोई ऐसी इन्सपयारिंग (inspiring) बात नहीं है जिस के कारण यह कहा जाये कि यह बिल पार्ट सी स्टेट्स के लिये तो रहा, और प्रान्तों में भी नमने की तरह से समझा जाये।

जैसा कि इस बिल में बताया गया है चौथी धारा में उपयोगी और प्रोडक्टिव कैटल (productive cattle) के स्लाटर (slaughter) की रोक के लिये प्राविजन (provision) किया गया है। इस लिए यह नहीं कहा जा सकता कि इस बिल में अपने देश में उपयोगी जानवरों का जो कत्ल हुआ करता है उस को रोक के लिए कोई प्राविजन नहीं है। लेकिन जो दृष्टिकोण ठाकुर दास जी ने अपना बिल पेश करते वक़्त उपस्थित किया था या उन के विचारों के जो समर्थक हैं उन का जो दृष्टिकोण है उस में और गवर्नमेंट के दृष्टिकोण में मेरी राय में एक बुनियादी फ़र्क है। गवर्नमेंट ने जैसा कि अपने उद्देश्यों में बताया है, इस बिल को पेश करने में गवर्नमेंट यह समझती है कि जानवर के बूढ़े हो जाने के बाद अगर वह दूध नहीं देता है तो बेकार हो जाता है। उनको बैठा कर खिलाने से वह देश के लिये एकानामिक (economic) हो सकता है या नहीं, इस बारे में दोनों दृष्टिकोणों में बुनियादी फ़र्क है। गवर्नमेंट का यह निश्चित दृष्टिकोण है कि जो ऐसे जानवर हैं उन के स्लाटर की इजाजत देना ज्यादा एकानामिक है बनिस्बत इस के कि इन के स्लाटर को रोका जाये और उन के चरने के लिए कुछ ज़मीन छोड़ दी जाये। काफ़ी दिन चरने के बाद जब वह मरेंगे, या जो अपनी खिन्दगी में ही गोबर और खाद पैदा करेंगे, उस में आया ज्यादा एकानामी होगी या नहीं, इस के बारे में दोनों दृष्टिकोणों में फ़र्क है।

में माननीय मंत्री महोदय से निवेदन करना चाहता हूँ कि इस देश में रचनात्मक काम करने वालों का एक ऐसा तबका मौजूद है जो यह विश्वास करता है कि कोई भी जानवर जो बोवाइन (bovine) जानवरों को तारी में हो, अर्थात् वह अनुपयोगी सिद्ध हो जाये अथवा वह दूध न दे, वह बिल्कुल बैरन (barren) हो जाये, वह मरने तक जितना चरेंगे, और इस के लिए जो ज़मीन छोड़नी होगी वह ज़मीन जो अनाज पैदा करेगी वह अनाज जो क्रीमत देगा वह क्रीमत उन जानवरों के मरने के बाद उनके चमड़े और उनकी हड्डियों व खाद से आने वाली क्रीमत से किमी कदर कम होगी। ऐसा एक तबका इस देश में मौजूद है और ऐसी स्कीम भी बनाई गई है, तथा मेरे देखने में भी आया है कि ऐसे बूढ़े जानवरों को बगैर स्लाटर किये हुए अगर कुछ ऐसी ज़मीन छोड़ दी जाये जहाँ वह मजे में पड़े चरा करें और वह चीजें जो उनसे कुदरती तौर पर पैदा होती हैं उनका उपयोग देश के लिए हुआ करे तो वह एकानामिक साबित हो जाते हैं। यह बड़ा भारी फ़र्क दोनों दृष्टिकोणों में मुझे नज़र आता है और इस के पेश्वर भी हमारे मिनिस्टर साहब ने पंडित ठाकुर दास के बिल का जवाब देते हुए कहा था और जैसा कि बिल में भी कहा गया है। इस दृष्टि से मेरा ह्याल है कि सिलेक्ट कमेटी (Select Committee) में इस बात पर भी विचार होना चाहिये। अगर गवर्नमेंट का दृष्टिकोण सही है तो मैं यह नहीं कहूँगा कि जो ऐसे बूढ़े जानवर हैं उन के लिये चारे का प्रबन्ध किया जाये और मनुष्यों को साथ साथ मारने का भी प्रबन्ध किया जाये। अगर दर असल उन के लिये जो ज़मीन छोड़नी पड़ेगी उस से मनुष्यों के लिये अन्न उत्पादन में कोई फ़ायदा होता है और अपने देश में

अन्न की समस्या से आदमियों की मृत्यु की भी सम्भावना हो, तो मुझे इस बात की भी सम्भावना नहीं है कि मनुष्य को भले ही मार दें पर जानवरों को न मारें। लेकिन ऐसी योजना निकल सकती है जिस में जो एकानामिक जानवर समझे जाते हैं वह उपयोगी बन कर देश के उत्पादन में लाभ पहुंचा सकते हैं बजाय इस के कि हानि पहुंचावें।

दूसरी बात में यह कहना चाहता हूँ कि इस बिल में चाहे बुनियादी दृष्टिकोण में फ़र्क भले ही हो लेकिन इस में सुधार के बीज भी मौजूद हैं। अगर इस बिल को अच्छी नीयत से वर्क आउट (work out) किया जाये तो देश में जो बोवाइन कैटल (bovine cattle) हैं उन की नस्ल में सुधार हो सकता है और अच्छे जानवर पैदा किये जा सकते हैं। इस लिए मैं इस बिल का समर्थन करता हूँ। इस बिल में रूल मेकिंग पावर (rule making power) को देखते हुए इस की उपयोगिता या अनुसंगिता इसी बात पर निर्भर करती है कि कैसे रूल्स बनते हैं। मेरे ह्याल में जो रूल्स बनेंगे उनका आइडिया (idea) माननीय मंत्री महोदय सेलेक्ट कमेटी के मेम्बरो के सामने रख दें तो बहुत ठीक होगा।

एक बात मैं इस सम्बन्ध में यह कहना चाहता हूँ कि इस में ज्यादा से ज्यादा सच्चा अपराधियों के लिये जो है वह एक महीने की सज़ा और सौ रुपया जुर्माना है। मेरी समझ में यह ज्यादा से ज्यादा सज़ा कम है। अगर कोई उपयोगी जानवरों को क़त्ल करता है या कोई शस्त्र एक दम से पच्चीस उपयोगी गउओं को क़त्ल करता है, और अगर उस के ऊपर एक जुर्म आप आयद करते तो आप ज़दाया से ज्यादा १०० रुपया

[श्री घुले]

जुर्माना कर सकते हैं। आप इस को अच्छी तरह समझ सकते हैं कि सौ रुपये के जुर्माने से जो कुछ आर्थिक नुकसान उस को होगा उस से ज्यादा फायदा वह पच्चीस गायों को कत्ल कर के उठा सकता है। तो या तो इस में कोई ऐसा प्राविजन होना चाहिये कि पहले अपराध के लिये यह सजा, उस के बाद के अपराध के लिये और ज्यादा सजा दी जायेगी और उस के बाद वाले अपराध के लिये और भी ज्यादा सजा दी जायेगी, या फिर जो सजा का प्राविजन इस में है उस को और ज्यादा बढ़ा देना चाहिये क्योंकि बड़े से बड़े अपराध और छोटे से छोटे अपराध के लिए एक ही सजा रखी गई है, अर्थात् एक महीने की सजा या सौ रुपये जुर्माना यह बहुत कम है। अगर कोई आदमी अपनी गोशाला को रजिस्टर नहीं कराता है तो उसको ज्यादा से ज्यादा इतनी सजा दी जायेगी और अगर कोई शरुष उपयोगी जानवरों को सौ की तादाद में या दो सौ की तादाद में कत्ल कर डालता है तो उसे इतनी सजा दी जायेगी इस लिए मेरा ख्याल है कि सजा का प्राविजन इस में ठीक नहीं है।

जैसा मैं ने पहले निवेदन किया, इस बिल में मैं महसूस करता हूँ कि सुधार के बीज मौजूद हैं। लेकिन स्टेट कौंसिल्स और सेंट्रल कौंसिल का जो पर्सनेल (Personnel) होमा उस पर इस बिल की सफलता निर्भर करेगी। मैं गवर्नमेंट से फिर निवेदन करूंगा कि ऐसे लोगों को जिन पर और किस्म के बोझ हैं तथा जो काम से दबे हुए हैं, इन कौंसिलों में न रखें क्योंकि वह दिल से कामतो करना चाहते हैं लेकिन उन पर इतना काम लदा हुआ होता है कि उनको इस के लिये समय ही नहीं मिलता। अगर ऐसा हुआ तो नस्लें खरूर खराब होंगी। जिस तरह से म्युनिसि-

पैक्ट्री काम किया करती है उमी तरह की कौंसिलें कायम हो जायेंगी, कुछ हुकम जारी हो जायेंगे और यह कहने के लिये हो जायेगा कि काऊ स्लाउटर (Cow-slaughter) के बन्द करने के लिए बिल बना दिया गया। मगर मैं यह कहना चाहता हूँ कि यह कोई भावना का सवाल नहीं है यह तो आर्थिक सवाल है। इस दृष्टि में इसे ज्यादा कीनली (keenly) देखा जाये तथा जो पर्सनेल गवर्नमेंट के हाथ में हो, उनको ठीक से काम करने दिया जाये। और यही दृष्टिकोण मद्देनजर रखा जाय।

इतना कहते हुए मैं बिल का समर्थन करता हूँ।

(English translation of the above speech)

Shri Ghule (Madhya Bharat): The Bill that has been brought forward for the consideration of the House is confined to Part C States alone. The intention of the Government in bringing this Bill seems to be that all States may enact legislation on the model of this Bill in order to help solve the question of cow protection. But after seeing this Bill, it will not be wrong to say that there is nothing so inspiring in it on account of which one could say this Bill should be regarded as a model not only in Part C States but in other States as well.

In clause 4 of the Bill, provision has been made to prohibit the slaughter of useful and productive cattle. It cannot, therefore, be said that the present Bill does not provide for the slaughter of useful cattle in the country being stopped. There seems to be a basic difference of opinion between the Government on the one hand and Shri Thakur Das Bhargava and his other supporters, on the other. In the opinion of the Government, as they stated while explaining the objectives of the Bill, an animal becomes useless when it goes dry on account of old age. There is a fundamental difference of opinion as to whether feeding such an animal is an economic proposition or not. The Government definitely hold that it is more economic to permit the slaughter of such cattle than to prohibit it and set apart pastures for them. As to whether it will be more economic if they die the natural death after surviving for a longer period and providing us with cow-dung, manure etc. during their life-time, there is a difference of opinion. I would submit

to the hon. Minister that there is a certain section of people among the constructive workers of this country which is of the opinion that the value of the foodgrains to be produced on the land that would be left as pastures for such animals—be they useless or dry or barren—will, by all means, be less than that which would be derived after their death from their hides, bones and manure etc. So there is a section of people in this country which thinks on those lines. Certain schemes have also been formulated to that effect. I have also found that if for such old cattle some pastures are left where they might feed themselves and if the country continues utilising what they provide us with in the natural course, it ultimately proves to be a comparatively more economic proposition. This is the great difference which I notice between these two points of view, which has also been referred to in the Bill itself and in the hon. Minister's reply to Shri Thakur Das Bhargava's Bill. As such I am of the view that this point should also be taken into consideration by the Select Committee. In case what the Government think is correct, I will be the last man to plead for arrangements being made to provide such old animals with fodder and at the same time bring starvation to the people. If in reality by cultivating the land to be left as pastures for the so-called useless cattle, we can help avert the famine and starvation, I shall not take any objection to it because I am not so religious-minded as to allow human beings to die of starvation in order to keep animals alive. But we can evolve some schemes according to which the so-called useless and uneconomic cattle would become useful and help enhance the country's production instead of putting it to any loss.

The next thing which I wish to say is that although there is a basic difference of opinion in regard to this Bill, it also contains seeds of reform. The breed of bovine cattle in the country can be improved should this Bill be worked in right earnest. I, therefore, support this Bill. As for the rule-making power, the usefulness or uselessness of this Bill depends on what sort of rules are framed. I am of the view that the hon. Minister would do well to give to the Members of the Select Committee an idea as to what sort of rules would be framed.

The maximum punishment prescribed under this Bill extends to one month's imprisonment and a fine of not more than one hundred rupees. I am afraid the maximum punishment prescribed is by no means sufficient.

If you hold a person guilty of slaughtering useful cattle or of slaughtering as many as twenty-five cows at a time, you can impose a fine of Rs. 100 on him. You can very well understand that what the offender is expected to gain from the slaughter of twenty-five cows would be far more than the loss which he would suffer by having to pay a fine of Rs. 100. Either there should be some provision to the effect that the extent of punishment for the second offence would be greater and for the subsequent one still greater or the punishment provided for in the Bill should be enhanced because the existing punishment does not vary in respect of big or small offences. One month's imprisonment or a fine of Rs. 100 is none too big a punishment. A person who does not get his *Gowshala* registered will get the same punishment as one who slaughters one or two hundred useful cattle. I, therefore, think that the provision relating to punishment is not quite appropriate.

As I said earlier, the seeds of reform are there in this Bill but the fact as to how far the Bill would be a success would ultimately depend upon the personnel of the State Councils and the Central Council. I would again submit to the Government not to allow such persons to be appointed to these Councils as are already overbusy otherwise because in spite of their willingness to work sincerely they do not find time to do so on account of other pre-occupations. If such things are allowed to happen, the breeds would necessarily be spoiled. The Councils may be set up and they may also work like the Municipalities. Some orders may be issued and it may be said that an Act has been enacted to stop cow slaughter. I would like to say the question does not relate to mere sentiments. It is an economic question and, therefore, it should be considered a bit more keenly. Let the personnel now at the disposal of the Government do their job in the right manner and let all these factors be kept in view.

With this I support this Bill.

Shri Hyder Husein (Uttar Pradesh):
I do not have the honour to belong to a Part C State but from a general point of view I would like to make some observations.

There can be no doubt that every Indian must have sympathy with the general objects of this Bill and I am one of them, and I have every sympathy with the objects behind the Bill. As long as India retains its rural economy it is absolutely essential that we must protect the cattle which are so essential for our rural economy. Besides, there is a strong sentiment

[Shri Hyder Husein]

behind the protection of the cows and there is no reason why we should not respect it. I have however one or two observations to make on the Bill itself.

First of all as to the name of the Bill. I know that the Minister has the knack of selecting names which are not comprehensible to the common man. For instance the simple "Banmahotsav" has been converted into "Vanamahotsava" and the simple "go-raksha" has been converted into "Go-samvardhana". I may remind him that the language which we have adopted as the National language of the country is Hindi and not Sanskrit. Besides, *go-raksha* is much more easily comprehensible to the country as a whole than *go-samvardhan*. I know it is a Sanskrit word.

Mr. Deputy-Speaker: Raksh is only protection.

Shri Hyder Husein: Any way the title is inconsistent with the object of it. We find herein that the object is only the protection of useful cattle. Now who is to decide which is a "useful cattle"? It will give a handle to the police to proceed on the basis of what it considers it to be a "useful cattle" and what is not "useful cattle". In Bombay they have fixed an age limit and said that all cattle above the age of fifteen are supposed to be useless. I do not know how it has been working here, but personally I think it is not possible to decide what is "useful cattle" and what is not "useful cattle". Once in my own Province of Oudh an old lady gave a *dan* of a few hundred cows and they were let loose in the jungle. When I happened to go there for certain other purposes I found that all those cattle which were supposed to be absolutely useless were converted into absolutely useful cattle, very fat and nice looking. Therefore, I submit it is not possible to decide as to which is useful and which is not useful cattle.

If we want to protect the cattle we must protect them as a whole. It is not a communal question at all. There are countries professing Islamic which have also passed laws to the same effect. Instead of converting this measure into an instrument of embarrassment and harassment in the hands of the police, I would recommend that protection should be given to the cows and other cattle as a whole. That will help the sentiments of the country and also encourage the protection of cattle, and, thirdly, it will mean no harassment to the people who are prepared to kill those cows.

Therefore, the objects of this Bill, I respectfully submit, are not quite consistent with the name of it. I remember one of the hon. Members, Pandit Thakur Das Bhargava, introduced a Bill some time ago for the protection of useful cattle. I do not know whether the prestige of the Government stood in the way of adopting it and modifying it to suit the needs of the country. Anyhow that has been bid goodbye to and we have got a new Bill in front of us. I am afraid I do not support it in its entirety.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I move that the question be put.

Mr. Deputy-Speaker: The question is:

"That the question be put."

The motion was adopted.

Shri K. M. Munshi: First a few words with regard to the dilatory motion of my friend, Dr. Deshmukh. A committee was appointed by this Government in 1948 and it made its recommendations on the lines of which the present Bill is more or less based.

Pandit Thakur Das Bhargava: The Committee was appointed in 1947.

Shri K. M. Munshi: Anyhow, on 24th March, 1949 my hon. predecessor gave a promise to the House that he will bring in legislation and that *gosadans* will be established within two years, that is by 24th March, 1951. This Bill somehow got delayed, and again and again this matter was taken up by the House and promises were given that the Bill would be brought forward. Now that it has been brought forward my friend, Dr. Deshmukh wants to postpone it to the Greek kalends. I am quite familiar with the way he deals with most agricultural problems the committees on which he is closely associated and where he gives very good assistance. His role is that of my town astrologer of the old days who went to ladies who were anxious to get a son and promised them they will get a son; the next minute he would step up to a rival neighbour and say, "This lady is hysterical and I have promised she would get a son, but as a true astrologer I will have to say she will get a daughter." And either a son is born or a daughter is born. Here my friend supports all the policies of the Ministry, takes credit for them and in public he says they are bound to go wrong. Therefore, I take his criticism at its face value.

As regards the other matters, I know we are going to thrash out all the points which have been mentioned here in the Select Committee and I need not anticipate at this stage. As I promised I will be very short myself rather than

deliver speeches. The first matter which I would refer to is a remark by Mr. Upadhyay as regards some report of the Ministry of Commerce for 1950-51. This is the first time that I came across information about that report. It may be my fault—the report may be lying on my table not read by me—but I can assure him that so far as I am concerned I would not kill a cow which is yielding milk in order to sell its hide. At the present moment I can only give him an assurance as far as I am concerned.

As regards the remarks made by the hon. Member who spoke last about the title of the Bill, the word *go-samvardhan* has been substituted for *goraksh* for the simple reason that *goraksh* means merely protection of cattle—it does not mean development, it does not mean looking after the pedigree cattle or securing better strain in the family of bovine cattle. Therefore the word had to be used which though unfamiliar is very apt and fully conveys the objects of this Bill. I hope my hon. friend will now get the advantage of adding one more word to his dictionary and perhaps he will be all the better for it.

Seth Govind Das: May I ask a question, Sir? Will the hon. Minister kindly ask the hon. Commerce Minister whether he knows of this report or not, because once I raised the question of this report and the Commerce Minister said he never knew anything of it. So I should like to know whether the hon. Agriculture Minister would inquire from the Commerce Minister as to whether he knew anything of the report or whether it was a thing done by his Secretaries and his department, of which he has no knowledge.

Shri K. M. Munshi: A short notice question from my hon. friend will perhaps make it much easier for my hon. colleague to answer that.

Shri A. C. Guha (West Bengal): In statement 'A' at the end of the Bill showing the estimated receipts of the Council of *Go-samvardhana*, it is stated that Rs. 3 lakhs are "Expected amount received as *go-dan*, *dharmada*, etc., from Part "C" States". There is an asterisk against this entry and the footnote says, "Arising from separate legislation under consideration." May I know when that separate legislation will come before the House, and does the hon. Minister expect that this sum is to be collected before the passing of that legislation?

Shri K. M. Munshi: How can funds be collected before the Bill becomes law?

Shri A. C. Guha: When will that legislation be brought before the House? It says here, "Arising from separate legislation under consideration."

Shri K. M. Munshi: I think there is some mistake. It is part of the same Bill. Originally there were two bills—that is why probably it is a mistake.

Dr. Deshmukh: So far as the quotation from the annual report is concerned, I had referred to it during the Budget discussion and the hon. Minister for Commerce had contradicted me that there is no such statement. On showing him that statement he admitted that he had not read it and he apologised. There, I think, the matter rests at present. I wanted to make this clarification, as other hon. Members may not have known it.

Pandit Thakur Das Bhargava: Is it true that the Department of the hon. Minister for Food and Agriculture issued a circular to Provincial Governments, municipalities and other bodies giving its own colour to the directive principles contained in article 48 which to a certain extent encouraged cow slaughter.

Shri K. M. Munshi: I wonder how this question arises from the discussion.

Seth Govind Das: The point is whether it is a fact that such a circular was issued from his Department or not.

Shri K. M. Munshi: Hon. Members will realise that that letter was issued last year. This Bill if it is accepted and passed into law will over-rule all those considerations.

Dr. M. M. Das: The hon. Minister stated that a sum of Rs. 20 lakhs has been set apart for *go samvardhan* from the Grow More Food campaign. Part of it is going to be spent in the implementation of this Bill. I want to know what part of it will be distributed among Part A and Part B States for this purpose.

Shri K. M. Munshi: All this has to be worked out. A decision was arrived at by the Government that Rs. 20 lakhs out of the Grow More Food campaign should be earmarked. We have not worked it out. The hon. Member can rest assured that A and B States will get quite a lot.

Shri V. J. Gupta (Madras): I find that all *gousalas* are to be registered compulsorily under this Bill. There is a practice in vogue in our parts according to which persons who have got some land collect dry animals and after they have calved they are returned to the owners. Have such institutions to be registered?

Shri K. M. Munshi: I fail to understand the apprehension of my hon. friend.

Mr. Deputy-Speaker: Only trustees are asked to register under the Bill.

I shall first put the amendment to the House. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the last date of the next session."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Bill to promote "Gosamvardhan" and for matters connected therewith, be referred to a Select Committee consisting of Seth Govind Das, Pandit Thakurdas Bhargava, Shri B. Shiva Rao, Sardar Suchet Singh, Dr. Punjabrao Shamrao Deshmukh, Shri Gulabshankar Amritlal Dholakia Shrimati Uma Nehru, Dr. Rani Subhag Singh, Shri Dev Kanta Borooah, Shri T. D. Pustake, Shri T. Hussain, Shri A. M. Rathnaswami, Shri Gokulbhai Daulatram Bhatt, Pandit Shiv Charan Lal, Shri Praolal Thakoral Munshi, Shri Mihir Lal Chattopadhyaya, Shri Chandrika Ram, Shri Deshbandhu Gupta, Thakur Lal Singh, Shri G. Ramachar, Shri Amolakh Chand, Chaudhuri Ranbir Singh, Shri T. N. Singh, Shri Thirumala Rao, and the Mover with instructions to report by the last day of the first week of the next session."

The motion was adopted.

DELHI LAWS (AMENDMENT) BILL

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

"That the Bill further to amend the Delhi Laws, Act, 1951, be taken into consideration."

Sir, this is a very small Bill with absolutely no controversy attached to it. A certain part of the Delhi State called Shahdara *ilqa* was governed by the Agra Tenancy Act, 1901 as adapted for Delhi under the Delhi Laws Act, 1915. It has so happened that the Agra Tenancy Act, 1901, which was a law of the Uttar Pradesh area is no longer law in that State and villages neighbouring to this *ilqa* are now governed by the United Provinces Tenancy Act of 1939. In order that there may be uniformity of obliga-

tions and duties in respect of tenants round about the same area, it is necessary to abolish the Agra Tenancy Act application and to have a notification that the United Provinces Tenancy Act should apply in this *ilqa* of Delhi. This is necessary in the interest of the tenants concerned. Therefore it is that we have introduced this Bill and it has been put before the House for consideration. It is merely a technical change of a provision under the Delhi Laws Act, by which the Agra Tenancy Act is replaced by the United Provinces Tenancy Act, 1939. If this is approved by the House, I would have to change the year from 1950 to 1951. I commend the adoption of this Bill to the House.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Delhi Laws Act, 1915 be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 -- (Short Title)

Shri Rajagopalachari: I beg to move:

In clause 1, for the figures "1950" substitute the figures "1951".

Mr. Deputy-Speaker: The question is:

In clause 1, for the figures "1950" substitute the figures "1951".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

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

Shri Rajagopalachari: I beg to move:

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

Mr. Deputy-Speaker: The question is:

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

The motion was adopted.

INDIAN BOILERS (AMENDMENT) BILL

The Deputy Minister of Works, Production and Supply (Shri Buragohain): I beg to move:

"That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration."

Under the Indian Boilers Act, boilers and steam-pipes belonging to or under the control of the Indian Navy are at present exempted from its provisions. The object of this Bill is to extend this exemption to the boilers and steam-pipes of the Indian Army and the Air Force as well, or, in other words to exempt the Armed Forces as a whole from the operation of the Indian Boilers Act, 1923.

This proposal for permission to use in India standard type boilers of welded construction was received from the Air Ministry of the Government of the United Kingdom sometime in January 1947. Such boilers are normally used in the various commands overseas and also in the United Kingdom. But under the Indian Boilers Act and the Indian Boiler Regulations such boilers are not acceptable for registration. So it is now proposed in this Bill that the steam-pipes, mountings and other accessories used by the fighting services should be exempted from the provisions of the Indian Boilers Act, following similar exemption in favour of the Navy under clause (b) of sub-section (1) of section 3 of the Act.

The proposal has since been circulated to all State Governments and also to the Members of the Central Boilers Board who frame the Boiler Regulations under the Act. None of the State Governments have any objection to the proposed amendment except the States of Madhya Pradesh and Delhi who have expressed doubts whether the Indian Army and the Indian Air Force will have the necessary facilities and properly qualified technical personnel to carry out the inspection that it will be their duty to do. Some of the Members of the Indian Boilers Board also have expressed similar misgivings. The Ministry of Defence, however, categorically say that they have the necessary technical staff and that they are fully competent to handle the latest type of such boilers that they may be called upon to use, and they further say that they intend to find the inspection staff from their existing establishment and do not anticipate any extra expenditure. The boilers that are intended to be used in the Indian Army and Air Force will generally be brought from the United Kingdom and the United States of America. In both these countries the boiler equipment for fighting services

is regulated by the specifications and standards issued in the United Kingdom by the British Standards Institution, and in the United States of America by the American Society of Mechanical Engineers. It is difficult for the Indian Boilers Act and the Indian Boiler Regulations always to keep pace with the rapidly changing technique in the manufacture of boilers abroad, and the Indian Air Force and the Indian Army may be called upon to use at a very short notice various types of the latest boilers. Therefore the Government have considered it fit that this exemption should now be extended to the boilers that may be used for the other branches of the Armed Services, namely, the Indian Army and the Indian Air Force, as well. With these few words I commend the motion for the acceptance of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration."

Dr. Deshmukh (Madhya Pradesh): I am not sure under the circumstances as have been stated by my hon. friend whether this amendment is really necessary. Of course, when the Government brings forward a Bill we generally favour it and support it. But, as has been mentioned by the hon. mover of this Bill, they had themselves certain misgivings whether the Army and the Air Force should be exempted from the control of the Boiler inspectors. The only reason given is that on the one hand the Defence Ministry is quite convinced that they are in a position to look after the boilers, and, secondly, he has mentioned the difficulty of the Boiler inspectors themselves that they cannot keep pace with the modern inventions and developments. If the Boiler inspectors who are supposed to be expert in boilers cannot keep pace with it, it remains to be seen how far the Defence Ministry would be able to look after them so carefully unless it is intended that the naval personnel would be in a position to look after or supervise the Army and Air Force boilers also. Then it would be possible. I can understand the Naval exemption. It stands on a different footing from the exemption of the Army and the Air Force. Also, it was a thing which was not attempted during the last thirty years. Nobody ever thought it necessary to do so. Under these circumstances, if the Defence Ministry is quite certain that they will look after them and that probably they will spare some personnel from the Navy—because Navy is also part of the Defence Forces—only then will it be able to look after them. Ordinarily I should have thought that

[Dr. Deshmukh]

the ordinary law should be applicable to everybody and that there should be no exceptions from it. The one exception existed from the very beginning because the Navy consists of people who are experienced in boiler working. These two wings we are now adding. If they are to be added I think every precaution should be taken that they are adequately dealt with and we should see that an unnecessary exemption is not provided by law.

Dr. M. M. Das (West Bengal): The object of this Bill is very simple. It proposes to exempt the Armed Forces from the operation of the Boilers Act, 1923 as amended subsequently. In the existing Act there are three types of cases where these exemptions have been given, namely the steam vessels, the boilers that are used by the Railways, and the Indian Navy. Now, this Bill proposes to extend these exemptions to the other two arms of the Indian Defence Forces, namely the Air Force and the Army.

There are many things in the Defence Forces of every country that do not come within the ambit of civil administration. In fact the Defence Department or the Military Department, by whatever name it may be called, in every country is in itself a State within a State with its special laws having very little similarity or resemblance to those of the civil administration. Therefore the exemption from the operation of the Indian Boilers Act of 1923 which is proposed in this Bill is a very simple matter and there is very little room for controversy or difference of opinion.

But the hon. Minister in his Statement of Objects and Reasons has enunciated a very dangerous principle which cannot and should not be accepted at all. As an explanation why it has become necessary for him to come before this House with this amending Bill, the hon. Minister has stated in his Statement of Objects and Reasons that "As the Indian Boilers Act and the Regulations which govern the use of boilers cannot always keep pace with the rapidly changing technique in the manufacture of boilers abroad, and the Armed Forces may be called upon to use at a very short notice various types of the latest boilers, it is proposed in the present Bill to exempt the Armed Forces as a whole from the operations of the Indian Boilers Act, 1923". The explanation given by the hon. Minister has got two important points. Firstly that the Indian Boilers Act of 1923 is not able to keep pace with the

advancement of science, with the new inventions that have been made. Secondly, that as our Armed Forces may be called upon to handle these up-to-date and modern boilers that have been built with new techniques, our Armed Forces should be given exemption from the operation of this law. These are the two factors which have compelled the hon. Minister to bring forward this measure in this House. I submit that the explanation given by the hon. Minister is not only unconvincing and unsatisfactory but it enunciates a very dangerous principle. This dangerous principle is that when our law becomes old and antiquated and when they fail to keep pace with the changing circumstances that have been created by the advancement of science by new inventions, instead of modifying those laws we should try to remove the application of those laws. This is a dangerous principle which in my opinion is very important and should not be allowed to take effect. The people of this country as well as the Government are trying their best to pursue a planned programme of industrialization of this country. Every month crores worth of new machinery are being imported into this country. We can certainly assume that our Government and the people are not so devoid of common sense or intellect that they import antiquated machinery from foreign countries. If our antiquated laws that have been enacted decades ago have become utterly incapable of being applied to the import of the new machinery, then in my opinion, the remedy lies in the modification of our existing law and not continuing those laws. Therefore, I submit that the Bill as has been presented by the hon. Minister in the present form should be withdrawn and he must come forward with a more satisfactory and valid Bill. He should also explain why it has been necessary for him to bring forward this Bill.

12 NOON

Shri Himatsingka (West Bengal): May I know whether the Indian Boilers Act and its regulation cannot keep pace with the changing technique or the persons entrusted with enforcement? If the Act is antiquated, certainly it will affect the other commercial establishments also, because they are using the latest manufactured boilers.

Mr. Deputy-Speaker: Types of the latest boilers.

Shri Himatsingka: If the Act is behind time, then the Act has to be amended. I would like the principle made clear.

Shri Buragohain: It is a very cumbersome and long process by which the Indian Boiler regulations can be amended. It usually takes a very long time; it means a long process of consultations. As for other points raised by my hon. friends, I might say that none of the State Governments ever raised any objection to the principle of exemption being extended to the other branches of the Armed Services, namely to the Indian Air Force and the Indian Army. Also none of the Members of the Indian Boilers' Board have raised any objection with regard to the exemption principle. What they had objected to was whether the Indian Army and the Indian Air Force, like the Indian Navy and the Indian Railways, have got the necessary technical personnel to look after the inspection work that will devolve upon them. But on this point of the technical personnel the Defence Ministry has assured us that they have got the necessary technical people to undertake the inspection and that they can look after this inspection work without incurring any fresh expenditure. That is why on this assurance the Government have brought forward this Bill. There is another point which I have to mention to the House. These boilers that we have to import from the various industrialized countries like the U.K. and the U.S.A., are specially manufactured for the Armed forces of those countries and their manufacture and specifications are regulated by well established Boiler Codes and Regulations of those countries. Therefore, there is no risk so far as this country is concerned in permitting the use of such boilers. We have already accepted the principle of exemption in the case of the Railways and the Indian Navy. Now, the position is only to extend that exemption to the Indian Army and also to the Indian Air Force.

Shri Amolakh Chand (Uttar Pradesh): May I put a question, Sir, whether if a private individual wishes to bring such technical boilers for civil consumption, would they also be exempted or not?

Shri Buragohain: No, Sir. The question of exemption is only for the Armed forces and not to any individual.

The Minister of Home Affairs (Shri Rajagopalachari): The question is not as to the type of boilers or of the improvements in the boilers. I hope we shall not be misled by the reason stated in the Statement of Objects and Reasons. The real problem is whether the services for inspection and other things maintained for the Armed forces is adequate or not, and whether the civil service should mix up with that. The only question is to release

so to say the inspecting service and this Act is intended to keep the machinery belonging to the Army, Navy and Air Force under the control and inspection of their own officers rather than of the civil officers. If there are improved types introduced in the industrial service of the country by way of boilers and other things, of course, the personnel employed under the Act will be such as will deal with the latest inventions also. There is no reason why the Army, Navy and the Air Force should be entangled in the civil service of the country. The justification for this is only to release the services from entanglement. There is no question of any distinction between the type of skill that is employed in one or the other. The inspection skill must be equally high.

Dr. M. M. Das: In the Statement of Objects and Reasons, it has been clearly stated that the only reason why this Bill has been brought forward is that our Boiler laws and inspecting staff are not keeping pace with the scientific advance that is taking place in other parts of the world and that the personnel have not got the training and competency to inspect these Boilers.

Shri Rajagopalachari: Change of personnel or improvement of the standard of equipment of the personnel would not be exclusively governed by the provisions of the Act. They will be governed by conditions of recruitment and service.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There is no amendment to clause 2. The amendment is only for the addition of a new clause.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: I think this amendment is not in order.

Pandit Munishwar Datt Upadhyay: (Uttar Pradesh): I am not moving it.

Mr. Deputy-Speaker: The question is:

"That clause 1, stand part of the Bill."

The motion was adopted.

Clause 1, was added to the Bill.

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

Shri Buragohain: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

REPORTING OF EXPUNGED PORTIONS BY THE PRESS

Shri Kamath (Madhya Pradesh): Mr. Deputy-Speaker, you will recall, Sir, and the House will recollect, that when the Constitution Amendment Bill, as reported by the Select Committee, was being considered by the House, after my hon. friend Mr. D. D. Pant finished his speech, Mr. Deshbandhu Gupta made certain remarks and certain counter remarks were made by Mr. Pant. There was objection to the use of these words and expressions in the House and you were pleased to order that the entire portion of the proceedings pertaining to those remarks by Mr. Deshbandhu Gupta and Mr. Pant should be expunged from the record of the proceedings of the House. Unfortunately, I find that at least two papers to which I have had access have reported...

Mr. Deputy-Speaker: Are they expunged from the proceedings of the House?

Shri Kamath: I have got the Reporters Copy of the proceedings of the House of the 31st May and I find that these remarks do not find a place therein. Your orders, Sir, have been carried out and I find that these portions have, apparently under your orders, been omitted from the proceedings of the House. Unfortunately I find at least two newspapers to which I have had access.....

Shri Amolakh Chand (Uttar Pradesh): Which are they?

Shri Kamath: They are "The Evening News" of New Delhi and "The National Herald" of Lucknow. These remarks of both Mr. Deshbandhu Gupta and Mr. D. D. Pant have been reproduced in these papers. And in the "National Herald", which has published an Agency Report, it is not specified exactly which agency it is. Though it states "U.P.I. and P.T.I." we do not know whether both carried it or only one of them carried it. But in some papers where the P.T.I. only appears, they do not reproduce it. Anyway, it is not for me to judge that. The agency quoted here is U.P.I. and P.T.I. In the *National Herald*, they have put

the words of Mr. Pant in the mouth of the Prime Minister, Pandit Nehru and...

The Deputy Minister of External Affairs (Dr. Keskar): It was corrected the next day.

Shri Kamath: I am glad to hear that. And Mr. Deshbandhu Gupta is shown as interrupting the Prime Minister with those words. This perhaps is a funny aspect of the question. It would be comic, Sir, if it were not tragic. It is against the orders given by you for expunging this portion from the proceedings. I would like to know whether it is in order for newspapers to publish reports of proceedings which have been ordered by the Speaker or the Deputy Speaker or Chairman to be expunged. In these circumstances as well as in the interest of the dignity and tradition and privilege of the House, Sir, you may be pleased to give a ruling on this point as to whether it will be in order for the Press to publish these parts which you had asked to be expunged, though at the same time you had not specifically stated that they should not be published in the newspapers. The very fact that you had ordered the portion to be expunged should be sufficient for the newspapers not to publish those parts of the proceedings.

Shri Sidhva (Madhya Pradesh): May I say something on this, Sir?

Mr. Deputy-Speaker: No discussion on this please. After the Chair has ruled that a particular portion of the proceedings is to be expunged, only the remaining portion ought to be taken note of by the Press and circulated. I think that is a simple proposition. Whatever proceedings are not allowed by the Speaker to be published—and he is the sole authority on this matter—ought not to be given publicity. Every time this thing happens it is not the duty of the Speaker to say that the Press shall not publish it and so on. It is enough if he gives the direction that the particular portion shall be expunged from the proceedings. That is sufficient notice for the Press not to publish it. Other things alone can go into the press. The expunged portion cannot. It is clear from the report of the proceedings that those portions have not been put into the proceedings: those portions have been omitted.

So far as the *National Herald* is concerned it is a mistake. Otherwise one cannot expect that they would put into the mouth of the Prime Minister, when perhaps he was not even present here, the words uttered by some other Member. It seems to be a case of bad reporting. In regard

to the *Evening News* there does not seem to be anything deliberate. The Reporter might not have heard the direction. In future I expect that the press would be alert and watchful. It is no good the Speaker giving a direction that a particular portion should be expunged but the press giving publicity to it. A similar thing came to my notice on a previous occasion and it has occurred again. I would therefore repeat my suggestion to the press that nothing should appear in the press which has been directed by the Chair to be expunged from the proceedings. No amount of caution is too much in this respect.

Shri Kamath: Last time you did not use but this time you specifically used the word "expunged".

Shri Amolakh Chand: If a portion of the proceedings ordered to be expunged by the Speaker is reproduced in the papers, is it not a breach of the privilege of the House?

Mr. Deputy-Speaker: Only because it is a breach of privilege and it was brought to my notice that I have made these remarks. There is no *mala fide* behind it, possibly it was a matter of inadvertance that this part was reported in the press. The correspondent might not have noticed the direction given by the Speaker. I hope both the *Evening News* and the other papers will take note that things directed to be expunged by the Chair should not be reported or given publicity to.

[PANDIT THAKUR DAS BHARGAVA in
the Chair].

RESOLUTION RE. BETTER MANAGE- MENT OF CERTAIN EVACUEE PROPERTY

The Minister of State for Rehabilitation (Shri A. P. Jain): I beg to move:

"Whereas for the better management and disposal of certain evacuee property, it is necessary to make laws providing for the separation of the interests of evacuees from those of non-evacuees, and such laws may *inter alia* relate to certain matters enumerated in the State List;

This House do resolve in pursuance of article 249 of the Constitution, as adapted by the President under article 392 thereof and as at present in force, that

it is necessary in the national interest that Parliament should, for a period of one year from the 15th June, 1951, make laws with respect to the following matters enumerated in entries 18 and 30 of the State List, namely:—

rights in or over land; transfer and alienation of agricultural land; money-lending and money-lenders and relief of agricultural indebtedness."

I move this resolution with some sense of pride and a large amount of confidence—pride, because I think that the measure which we propose to introduce, if this resolution is accepted, will deal with a practical problem in a practical manner and in the shortest space of time. It is a measure intended to meet the needs of the situation; confidence, because I feel that the measure I propose to introduce will be equally for the benefit of the displaced persons and the locals, whose properties are mixed up with the evacuee property.

The House is aware that we have a large number of evacuee properties in India consisting of urban houses, shops and land. It is difficult for me to give the exact details, the nature or the number of those properties. But it may be enough to mention that the number of these properties may run into six digits. We have not so far been able to determine the exact dimensions of this evacuee property for the reason that in this property there is a mixture of non-evacuee interests. The chief instances of this admixture are where the evacuee property is mortgaged with a non-evacuee, or where a non-evacuee property is mortgaged with an evacuee. The other instance is of a large number of properties in which only a part of the property has been declared to be an evacuee property and the rest remains non-evacuee property. Under the evacuee property law as it stands today if any interest in any property is an evacuee property, then, strictly speaking, the whole of that property can be treated as evacuee property but we have not applied that law in all its rigidity. It has been laid down by a series of rulings of the Custodian-General that where there are a number of co-sharers and if one or more but not all have become evacuees, then only the portion belonging to the evacuee is declared as evacuee property. Similarly, where a mortgagor's or mortgagee's interest, in a property is declared to be evacuee property, then not the whole property but only the evacuee interest is declared evacuee property. The position today is that in many of the properties which we happen to possess there are interests

[Shri A. P. Jain]

of non-evacuees. In many properties that are in the hands of locals some interest has become evacuee property.

In regard to mortgages four kinds of cases arise. The first two relate to usufructuary mortgage where, firstly, an evacuee has mortgaged his land or house and delivered over possession to the local mortgagee, or where a local has mortgaged his land or house and delivered the possession to the evacuee. Now in first type of cases the property is in the hands of locals, that is a non-evacuee, and the evacuee property pool is not deriving any benefit from them. On the other hand, in the case of the usufructuary mortgage made by a non-evacuee in favour of an evacuee where the possession has been delivered to the evacuee the property is in the possession of the Custodian and the mortgagor is not deriving any benefit out of it.

There are two other cases of simple mortgages where the evacuee makes a mortgage with a local, that is a non-evacuee, or where the non-evacuee makes a mortgage with the evacuee. In these cases too, though there are two interests involved in the property but the holders of both are not having benefit out of it.

Similarly, in the case of joint properties, the usual practice that we have been following is that if more than an eight-anna share out of the sixteen annas in the property becomes evacuee property, we take over the possession. But if on the contrary only a portion which is less than eight annas becomes evacuee property, we generally let out the evacuee portion of the property to the rest of the joint owners. In any event, the result is that those owners who are entitled to benefit from the properties are not in a position to derive full benefit. The House is also aware that we have for the last few months been processing the claims filed by the displaced persons. We have made some progress. Personally speaking, I am not ashamed of the progress that we have made. Some hon. Members here may not share my opinion, but for their benefit I may say that I have tried to take in as many officers for processing these claims as I possibly could, and I am now experiencing that the type of man that is coming forward is not so well qualified to do full justice to the immense task that we have undertaken. Opinions may differ but so far as I am concerned I attach great weight to the efficiency and integrity of claims officers—I know it is a very difficult type of work and if it is entrusted to persons who are not fully efficient or whose integrity is not unquestionable, difficulties may

arise. Well, I have been trying to expedite the processing work. Correspondingly, we have appointed an officer who will assess the value of the evacuee property. But that assessment cannot be done unless non-evacuee admixture is separated from the evacuee property. We have been trying to come to a settlement with Pakistan, but unfortunately we have not been successful in that. I do not know what is going to be the attitude of Pakistan, but none the less four years have elapsed and we cannot wait for an indefinite time for settling something about the evacuee property. The House knows that the settlement of evacuee lands in the Punjab has been done. What is going to be the exact shape and nature of the settlement of evacuee property it is difficult for me to say today. But we shall have to make some sort of settlement of the evacuee property. We cannot wait indefinitely. For that reason as well it has become necessary that this admixture of non-evacuee interest should be separated from the evacuee property pool and the evacuee property pool determined. Now that is the object with which we have brought this Bill.

The House also knows that evacuee property is distributed all over India. Even in distant parts like Travancore we have got evacuee properties—both land and houses. In Madras and Hyderabad, in Mysore and the rest of India there are large number of properties which have become evacuee property. Therefore for separating this admixture the Central Government should have the power to proceed quickly and for all types of properties. If it leaves the work of separation to civil courts it may take years—perhaps 8 or 10 years.

A reference to List III (Concurrent List) of the Seventh Schedule to the Constitution will show that entry No. 6 "Transfer of property other than agricultural land; registration of deeds and documents" is a Concurrent Subject on which both the Central and State Governments can legislate. So also entry No. 7 relating to "Contracts, including partnership, agency, contracts, etc.", No. 12, 13, 41 and 46. But there are evacuee agricultural lands with which the Centre cannot deal. The main items with which this legislation will deal which are on the State List is entry No. 18: "Land, that is to say, rights in or over land, transfer and alienation of agricultural land;" and entry No. 30 "Money-lending and money-lenders; relief of agricultural indebtedness." If legislation under these heads were left to State Legislatures, it would mean that a very large number of Acts will have to be

passed and there may not be uniformity.

The House knows that the Administration of Evacuee Property law was passed by this House. It is a uniform law which applies to all the States in India. Now any legislation, with respect to evacuee property, even when it involves the separation of evacuee interest from non-evacuee interest should, in my opinion, be enacted by Parliament so that there may be one law for one kind of properties for the whole of India. It is for that reason that we felt the necessity of coming before the Parliament to have one legislation for the whole of the country even though it may include certain subjects which come under the State List.

Two ways are open to us, one under article 249 and another under article 252. We have decided to proceed under article 249. But simultaneously we have approached the Provincial Governments to consider the matter under article 252. I will refer to article 252 first. It says:

"If it appears to the Legislatures of two or more States to be desirable that any of the matters with respect to which Parliament has no power to make laws for the States except as provided in articles 249 and 250 should be regulated in such States by Parliament by law, and if resolutions to that effect are passed by all the Houses of the Legislatures of those States, it shall be lawful for Parliament to pass an Act for regulating that matter accordingly, and any Act so passed shall apply to such States and to any other State by which it is adopted afterwards by resolution passed in that behalf by the House or, where there are two Houses, by each of the Houses of the Legislature of that State."

We felt obvious difficulty in proceeding under article 252 straight off, because that would have involved a large number of Resolutions to be passed by the State Legislatures. The number of State Legislatures is a fairly big one. And then, we have just finished the Budget session and many of the State Legislatures are not in session. It would have meant an amount of time and delay which is not good for the refugees or for the locals or for the national interest. We have therefore decided to approach this House to accord us power to legislate under article 249 which runs as follows:

"Notwithstanding anything in the foregoing provisions of this Chapter, if the Council of States has declared by resolution support-

ed by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List specified in the resolution, it shall be lawful for Parliament to make laws for the whole or any part of the territory of India with respect to that matter while the resolution remains in force."

The next clause of that article says that this resolution shall remain in force for a period up to one year. After that, of course, it will be open to us again to approach Parliament and to have the period extended. But I do hope that no such necessity will arise and that within the period of one year and six months during which the law will remain in force, we shall have separated the non-evacuee admixture from the evacuee property.

I therefore hope that the House will accept the proposition which I have moved. It is a proposition acceptable perhaps to everybody and not only to two-thirds of the majority which is prescribed under article 249. I have done, Sir.

Mr. Chairman: Resolution moved:

"Whereas for the better management and disposal of certain evacuee property, it is necessary to make laws providing for the separation of the interests of evacuees from those of non-evacuees, and such laws may *inter alia* relate to certain matters enumerated in the State List;

This House do resolve in pursuance of article 249 of the Constitution, as adapted by the President under article 392 thereof and as at present in force, that it is necessary in the national interest that Parliament should for a period of one year from the 15th June, 1951, make laws with respect to the following matters enumerated in entries 18 and 30 of the State List, namely:—

rights in or over land; transfer and alienation of agricultural land; money-lending and money-lenders and relief of agricultural indebtedness."

लाला अक्षित राम : माननीय चेयर-मैन (Chairman) साहब, इस समय जो प्रस्ताव माननीय मंत्री जी ने हाउस (House) के सामने पेश किया है में उसका स्वागत करता हूँ। इस के स्वागत करने का बहुत भारी कारण यह है कि

[लाला अर्चित राम]

जब तक पार्लियामेंट (Parliament) के पास यह पावर (Power) नहीं आती है कि इस किस्म का कानून बना सके तब तक रिफ्यूजीज (Refugees) के कम्पेन्सेशन (Compensation) का मसला हल नहीं होता । यह बड़ी भारी चीज है । आप ने अभी यह फरमाया कि जो वैरीफिकेशन आफ क्लेम्स (Verification of claims) का काम हुआ है उस से आप को बड़ी खुशी है । यह आपका ख्याल है और आप ने ऐसा कह दिया लेकिन बहुत से आदमी इस से खुश नहीं होंगे । इस बात को जानने के लिये बहुत कोशिश करने की जरूरत नहीं होगी । यह तो एक बहुत सादी सी बात है । इस वक्त हिन्दुस्तान के अन्दर पचास लाख के करीब रिफ्यूजीज वेस्टर्न पाकिस्तान (Western Pakistan) के आये हुए हैं और आज उनको यहां आये चार वर्ष गुजर गये हैं । इस चार साल के अर्से में लोगों को अपनी जायदाद की एक कौड़ी भी नहीं मिली है । तो जिस रफ्तार से काम हो रहा है उस से रिफ्यूजीज कैसे खुश हो सकते हैं । मेरा ख्याल है कि हजार में से एक आदमी ऐसा होगा जो कि खुश होगा । आप ने अभी फरमाया कि ऐसे लोग आ रहे हैं कि जिनकी इंटैग्रेटी (integrity) पर विश्वास नहीं किया जा सकता ।

Shri A. P. Jain: I never said so.

लाला अर्चित राम : तो आपने जो कहा हो वह सही कर दीजिये । बहरहाल उन्होंने कहा था कि हमारे अन्दर टैलेंट (talent) नहीं है । तो मेरी गुजारिश यह है कि मुकम्मिल आजादी मिल जाने के बाद भी इस तरह के ख्यालात का इजहार करना कि हमारे अन्दर टैलेंट नहीं है इसलिये चार साल के अन्दर दस लाख दरखास्तों का फैसला नहीं हो सका अच्छा

नहीं है । मैं समझता हूँ कि इस तरह की स्पीच (Speech) को अगर स्पीकर (Speaker) साहब हाउस की प्रोसी-डिंग्स (Proceedings) में से एक्सपंज (expunge) करा दें तो ज्यादा अच्छा होगा जिस से कि दूसरे मुल्कों में यह बात न जाये कि हमारे मुल्क में इतनी टैलेंट नहीं है कि चार वर्ष में दस लाख दरखास्तों का फैसला किया जाय । वैसे ही दूसरे मुल्क यह कहते रहते हैं कि हमारे अन्दर यह कमी है वह कमी है । अगर वह यह बात सुनेंगे तो यह कहेंगे : It is a sad commentary on the capacity of a country like India having a population of 35 crores. तो मेरी दरखास्त यह है कि ऐसी बातें मुंह से न निकाली जायें क्योंकि दूसरे आदमी पहले से ही हमारा मजाक उड़ाते हैं । अब वह कहेंगे कि इनमें टैलेंट भी नहीं है और यह दफ्तर में बैठ कर यह काम भी नहीं कर सकते । जब मिनिस्टर साहब आज तकरीर कर रहे थे तो मैं उनकी बातों को बड़ी गौर से सुनता रहा कि अभी वह कोई ऐसा फिकरा कहेंगे जिस के जरिये वह यह बतलायेंगे कि वह इस एनेबलिंग रिजोल्यूशन (enabling resolution) को वह ६ या नौ महीने पहले क्यों नहीं लाये थे इस में उनको क्या दिक्कत थी । आप कहेंगे कि मजबूरियां थीं लेकिन जो रिफ्यूजीज बैठा है वह आपकी मजबूरियों को क्या समझता है । आप ने अभी तक कोई ऐसा फिकरा नहीं कहा कि जिस से संतोष होता । हमारे कांस्टीट्यूशन (Constitution) को लागू हुये एक साल चार महीने हो गये । हमारा कांस्टीट्यूशन २६ जनवरी १९५० को लागू हुआ था । उस के बाद

यह चीज जल्दी ही आनी चाहिये थी। इतनी बात में जरूर कहता हूँ कि मिनिस्टर साहब (hon. Minister) को भी हक है कि वह अपने ख्यालात का इजहार करें लेकिन ऐसे ख्यालात का इजहार करना जो कि पब्लिक (Public) के बिल्कुल खिलाफ है में ममदत कि बड़ा क्राइम (crime) है। ऐसे बयान के तो कुछ मानी भी हो सकते हैं कि जिसके मुवाफिक ४० या ५० परसेंट (Percent) आदमी हों, लेकिन ऐसे बयान से जिस के खिलाफ ९९ परसेंट हों उस से तो लोगों को दुःख होता है और ऐसा बयान न देना ही मुनासिब है। ऐसे बयान से तो रिफ्यूजीज़ को कोई संतोष नहीं होता। तो यह कहना कि हम खुश हैं मुनासिब बात नहीं है। कल रात को यह रिजोल्यूशन (resolution) हमारे पास पहुंचा और आज पेश भी हो गया। इस पर मैं ने बरूशी टेकचन्द जी से पूछा कि यह क्या है तो उन्होंने कहा कि पढ़ेंगे और दरयाफ्त करेंगे। तो रात को तो यह हमको मिला और सुबह यह शुरू कर दिया गया। मेरा ख्याल है कि इस के लिये हम लोग तैयार नहीं हैं। इस के लिये कुछ और वक्त देना था। लेकिन बावजूद इस के मैं कहता हूँ कि आप ने बहुत अच्छा किया और आप मुबारकबाद के मुस्तहक हैं कि आप इस को इस सेशन (session) में ले आये। अगर इस के लिये दो एक दिन का वक्त और दे दिया जाता तो बेहतर होता।

Shri A. P. Jain: If the hon. Member wants a postponement, I am prepared; it may come afterwards.

शाला अर्चित राम : यह तो ऐसी बात है कि एक भखे आदमी को रोटी दिखाई जाये और उस से यह पूछा जाये कि रोटी लेनी है या नहीं। इसलिये यह बात अब कहना मुनासिब नहीं है। पांच सात दिन में

यह सेशन खत्म होने वाला है। इस सेशन में मैं कैसे इन्कार कर सकता हूँ। आपको ऐसा सवाल नहीं करना चाहिये। आप खुद देख लीजिये कि इस का क्या जवाब हो सकता है। तो आप ने जो यह रिजोल्यूशन पेश किया है मैं इस को आप के ही ऊपर छोड़ता हूँ। सिर्फ मैं यह चाहता हूँ कि आप इस बात पर गौर कर लीजिये कि अगर जहां इस में दिया हुआ है "rights in or over land; transfer and alienation of agricultural land" वहां "rights in or over land" के बाद "collection of rent" और बढ़ा दिया जाये। मैं तो चाहता हूँ कि इस सेशन में यह पास हो जाये और जितना जल्द हो सके दरखास्तों का फैसला हो जाये और कम से कम ३१ दिसम्बर सन् १९५१ तक फैसला हो कर लोगों को कम्पेन्सेशन (compensation) मिल जाये और तमाम काम खत्म हो जाये, अगर ऐसा होगा तो इस से लोगों को बड़ी तसल्ली होगी। एक स्टेटमेंट (statement) में कहा गया था कि रिहैबिलिटेशन (rehabilitation) के बाद कम्पेन्सेशन दिया जायेगा। ऐसे स्टेटमेंट से लोगों को कैसे संतोष हो सकता है क्योंकि रिहैबिलिटेशन के लिये ही तो कम्पेन्सेशन की जरूरत है। अभी आप ने फरमाया कि आप पाकिस्तान से फैसला करना चाहते हैं और आप ने फर्म एटीट्यूड (firm attitude) लिया है। देखना है कि इसका क्या नतीजा निकलता है। जब आप पार्लियामेंट (Parliament) में ऐसी बात कह देते हैं तो लोगों को हौसला पैदा होता है लेकिन यह चीज हमारे सामने नहीं है कि पाकिस्तान से आप क्या करेंगे। हम तो खुश होंगे कि आप पाकिस्तान से दिला सकें। लेकिन आप पाकिस्तान से दिला सकें या न दिला सकें जो प्रोपर्टी (Property) गवर्नमेंट (Government) के

[लाला अचिंत राम]

पास है इवेक्युई लोगों (evacuees) की उस में से तो आप दिला ही सकते हैं। इसलिये कम से कम जो प्रापर्टी गवर्न-मेंट के पास है उस में से ३१ दिसम्बर सन् १९५१ तक कम्पेन्सेशन तो दिला ही दीजिये।

(English translation of the above speech)

Lala Achint Ram (Punjab): Mr. Chairman, Sir, I welcome the resolution that has been introduced by the hon. Minister in the House at this time. The main reason why I welcome the resolution is that unless and until Parliament assumes the power to make laws of this nature, the problem of paying compensation to the refugees cannot be solved. This is, indeed, a very important measure. You have just now stated that many persons are happy over the work of verification of claims. That may be your impression and you have expressed it, but I may say that many persons will not be happy over it. You need not try hard to find out this fact. This is a very simple thing. There are about fifty lakh refugees in India who have come from West-Pakistan, and four years have already passed since they arrived here. During these four years they have not received even a single penny for their properties left behind in West Pakistan. Then, how can the refugees be expected to be happy over the speed with which this work is being carried on. In my opinion there would be only one among a thousand who would be really happy. You have just now stated that such persons are coming in whose integrity cannot be trusted.

Shri A. P. Jain: I never said so.

Lala Achint Ram: Then please correct what you have said. Anyhow he stated that we lacked talent. My submission is that it is in no way good to express ideas such as these that we have not got the requisite talent and as such ten lakh applications could not be disposed of during a period of four years. I think it would be better if the hon. Speaker expunges speeches of this kind from the proceedings of the House so that other countries may not think that we have not got the requisite talent so as to dispose of ten lakh applications during a period of four years. We are already blamed for lacking this thing or that thing. If they hear this they would say: "It is a sad commentary on the capacity of a country like India having a population of 35 crores." So my request is that such words should

not be spoken at all because we are already ridiculed by others. Now they would say that we have not got even talent and we cannot do even this bit of office work. When the hon. Minister was speaking I was listening to him attentively in the hope that he would utter a sentence in which he would give reasons for not bringing forth this measure six or nine months before. What was his difficulty? You may say it was due to certain handicaps; but what does the refugee know about your handicaps? You have not spoken a single sentence which would satisfy anybody. One year and four months have passed since our Constitution came into force. Our Constitution came into force on the 26th January 1950. After that this measure should have been introduced at an early date. I admit the hon. Minister has a right to express his views but to express views which are completely at variance with public opinion is, to my mind, a grave crime. A statement that carries the approval of 40 or 50 per cent. of people can have some meaning but a statement which is disapproved by 99 per cent. of the people only pains the public mind and it is not at all proper to give such a statement. A statement of this nature is in no way a source of satisfaction to the refugees. And so it is not fair to say that we are happy.

This resolution was received by us only last night and it has been moved today. I talked to Shri Bakhshi Tekchand Ji with regard to this matter and enquired as to what was happening. He replied that we would study it and would enquire about it. So we received it only last night and it has been put to debate this very morning. I think we are not at all prepared for it; on the other hand we require some more time for it. Yet I say you have done a very good thing and you deserve to be congratulated for having introduced it in this very session. Had we been given one or two days' time more for it, it would have been all the better.

Shri A. P. Jain: If the hon. Member wants a postponement I am prepared; it may come afterwards.

Lala Achint Ram: It is just like showing a piece of bread to a hungry man and asking him whether he wants to take it or not. So, I say it is not proper to ask such a question now. This session is coming to a close within five or six days. Under the circumstances how can I refuse it? You should not put such a question. You may see for yourself what the answer can be. You have introduced this resolution, so I leave all these matters to you. I only want you to think over this suggestion

that the words "collection of rent" should be added after the words "rights in or over land" where the words "rights in or over land; transfer and alienation of agricultural land" occur. I want that it should be passed in this very session, that the applications should be disposed of as soon as possible, the cases decided by the 31st December 1951 at the most, the compensation paid and the whole work finished. If it happens like that people would be very much satisfied. In one of the statements it was said that compensation would be given after the rehabilitation was over. How are the people expected to be satisfied with such statements, because, in fact, it is compensation that would lead to rehabilitation? You have just now stated that you want to arrive at a settlement with Pakistan and that you have taken a firm attitude in this connection. We have to see what would be its result. When you speak such words in Parliament people are heartened; but we do not see how you propose to deal with Pakistan. We would be really happy if you are able to get us something from Pakistan. But apart from the fact whether you would be able to get something from Pakistan or not you can at least allot us something from the property which is already with the Government i.e. the evacuee property. Therefore, you should at least make them give us some compensation, up to the 31st December, 1951, out of the property which is with the Government.

Shri A. C. Guha (West Bengal): While welcoming this Resolution of the hon. Minister of Rehabilitation, I should like to move an amendment. I beg to move:

After the words "over land" insert the following:

"land tenures including the relation of landlord and tenant, and the collection of rents."

This problem of evacuee properties is one of the most baffling ones that the Government has had to face and...

Shri Kamath (Madhya Pradesh): On a point of order, can an amendment be moved before the motion for consideration has been passed?

Mr. Chairman: Yes. No Bill is before the House, it is only a Resolution

Shri A. C. Guha: There have been two or three enactments either as ordinance or some legislation to solve this problem. Yet no solution is in sight. As far as I know the Government instructed one of the High Court Judges of the Allahabad High Court to

go through the entire problem so as to draft a comprehensive legislation with regard to this problem. Here is the Resolution before the House. But you will find that the wording in Item 18 in Part II of the Seventh Schedule to the Constitution is as follows:

"Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents;".

But the words "land tenures including the relation of landlord and tenant, and the collection of rents" have been omitted from this Resolution; I do not know for what reason. As far as I can understand and as has been suggested by my hon. friend Lala Acsint Ram, the collection of rent is an important factor which should be taken into account in settling this question of evacuee property, as also land tenure and the rules regulating the relations of landlord and tenant. All these things should come within the purview of the Resolution. Without these items, it will not be possible to have a satisfactory solution of this problem.

Though East Bengal and West Bengal do not come under the purview of the Evacuee Property Act of both the States, Government should consider the value of the property left behind by the East Bengal Hindus in East Bengal. That would amount to several crores of rupees and the sufferings of these refugees who have not been receiving anything out of this property can well be imagined. In this House it has been admitted by the Prime Minister or on his behalf by the Deputy Minister for Foreign Affairs, that it has not been possible for the East Bengal Hindus to either sell their property or to get anything out of it. So Government should take into consideration what can be done in this respect.

I regret to say that far from getting due sympathetic consideration; the East Bengal refugees have become a sort of objects of ridicule—light-hearted ridicule—and even the Minister of State for Rehabilitation to-day has said something which, I feel in his sober moments he would not like to have been said. Surely the East Bengal refugees do not deserve such sweeping condemnation. He said that these refugees had left the Bihar and Orissa camps simply because they were idlers and they did not like to be rehabilitated. I know the conditions in those places were far from favourable to them. I do not say that the displaced persons from whether East Bengal or West Pakistan are all above blame. They must have had their human frailties and human weaknesses; and

[Shri A. C. Guha]

certain circumstances also might have produced some social vices in them.

Mr. Chairman: May I remind the hon. Member that these observations are not germane to the Resolution that is now before the House.

Shri A. C. Guha: My submission is that these people have left property behind them and so I submit that their case also should be taken into account by the Government. These are only passing remarks just to record my protest against certain remarks made in this House by certain hon. Members and also by the hon. Minister. I want to impress on the Government that steps should be taken to protect the property left by Hindus in East Bengal. Due to some political consideration East and West Bengal evacuee properties do not come within the purview of the evacuee property Acts so far enacted by this House or of the Ordinances and of similar measures of Pakistan. I want to impress upon the Minister that in the near future proper steps should be taken by Government so that the properties left by the Hindus in East Bengal may be taken into consideration. As far as this resolution goes I would like to suggest that the amendment I have proposed may be accepted, so that all contingencies may be covered and no loophole left.

Mr. Chairman: Amendment moved:

After the words "over land" insert the following:

"land tenures including the relation of landlord and tenant, and the collection of rents."

Shri Sidhva (Madhya Pradesh): The question of evacuee property is of such vital importance that displaced persons who have left their properties in Pakistan are anxious to know the intention of Government as regards their properties. I am glad to congratulate the hon. Minister that at least at the fag end of the session he found it desirable to move this resolution to enable the Government to enact the necessary legislation. Probably I believe the declaration of evacuee property work is more or less complete and that the claims are under examination. The expenditure incurred by the Government in this regard is nearly 25 per cent. While we are all anxious that this work should be expedited, it must be borne in mind that whatever expenditure is incurred by the Government for the verification of the claims.....

Mr. Chairman: I am sorry to interrupt the hon. Member. This

resolution is a limited one and only refers to the separation of the interests of evacuees from those of non-evacuees. The general question of expenditure is not germane to the resolution.

Shri Sidhva: I was mentioning it because Lala Achint Ram made certain remarks and I wanted to know whether the expenditure would be met from the general funds... (*Shri A. P. Jain:* General funds.) I am glad it is to be met from general funds. I am anxious to have the matter expedited. It is also apparent that the Government is also serious in their intention to expedite this matter. I do not think the hon. Minister meant anything of the kind attributed by Mr. Achint Ram.

Coming to the resolution, the Minister quoted many articles of the Constitution. One which he quoted was item 41 in the Concurrent List, Schedule VII on page 250. Under that we have ample power to enact the necessary measures without going into this unnecessary procedure. Item 41 distinctly states:

"Custody, management and disposal of property (including agricultural land) declared by law to be evacuee property."

Instead of going through all this procedure which may be challenged this item could have been resorted to. Article 249 is limited to one year and the States have to be consulted and many difficulties may arise in the way. All these complications are unnecessary, when they have ample provision within the wording of the evacuee property law to any extent the Government may want to go.

I would therefore request him to reconsider this matter. I understood him to say that he could do it under the Concurrent List, still he wants to have these provisions enacted under the State List. We do not know up to what period the evacuee law will last. Then, if we make these provisions under the State List the States will have to be consulted. Instead of all this, why not do it straightaway under the Concurrent List when we have the powers? He may inform the State Governments of the intentions of the Union Government.

As regards the Lists themselves we cannot change them for the purpose of making a law. Although the power is vested in the President under article 392, you will see that article 249 states.....

Shri A. P. Jain: It is adapted.

Shri Sidhva: I know it is adapted by article 392. I accept that proposition.

still I feel why we should take that round about way. Of course the Law Ministry might have guided the hon. Minister, but I would like to be enlightened more on this point. But I would suggest that if entry 41 in the Concurrent List is sufficient for this purpose then it is unnecessary to pursue this round about procedure.

I welcome the object of this Resolution, Sir, and would request the hon. Minister to bring in a Bill as early as possible in the next session. However, I would like to repeat my suggestion and say that if he adopts this cumbersome procedure of going to the States taking cognizance of entries 18 and 30 in the State List, he will have to undergo any amount of difficulties and it will also cause a great deal of delay. I know the hon. Minister is very keen in expediting the solution of this problem. I do not know what the States may have to say on it but I am sure they would not come in the way. If however there is any difficulty, it could be got over by resort to article 249. I hope, Sir, the hon. Minister will consider my suggestions and bring forward a Bill in the next session.

Shri Himatsingka (West Bengal): I think this resolution is absolutely necessary and what my hon. friend, Mr. Sidhva has said is not quite correct. Entry No. 41 of the Concurrent List is limited only to evacuee property, whereas the present question is of some properties in which part is evacuee and the rest non-evacuee. Therefore, when we pass this resolution it will give ample powers to Parliament to legislate. If the other procedure has to be followed then the different States have to pass laws or they have to request Parliament to pass laws. As a matter of fact, article 249 contemplated that the opinion of the representatives of States, as present in the Council of States, should be availed of, but during the transitory period article 392 gives power to adapt this procedure. Therefore, it is absolutely necessary that this resolution is passed to give Parliament the necessary powers to pass legislation for dealing with all kinds of evacuee property. Especially when money-lending and money-lenders are also intended to be covered which items do not fall within Entry 41, this procedure has to be followed.

Sir, I support this resolution

1 P.M.

MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS, 1951.

Mr. Chairman: In the morning when the Speaker called upon Members to move their motions some of them were

absent. Now I propose calling upon them, as also some others, to move their motions.

BIHAR ORDER

Shri K. P. Sinha (Bihar) I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

HYDERABAD ORDER

Shri Ramachar (Hyderabad): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

PEPSU ORDER

Kaka Bhagwant Roy (P.E.P.S.U.): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

PART C STATES ORDER

Shri R. Velayudhan (Travancore-Cochin): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

ASSAM ORDER

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

[For text of the motion see Appendix XXXIII, annexure 1.]

ORISSA ORDER

Shri M. Naik (Orissa): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

HYDERABAD ORDER

Shri Sidhva: I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

MADHYA BHARAT ORDER

Shri K. K. Vyas (Madhya Bharat): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

BIHAR ORDER

Shri B. K. Pani (Orissa): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

BIHAR ORDER

Shri Himatsingka (West Bengal): I beg to move:

[For text of the motion see Appendix XXXIII, annexure 1.]

Mr. Chairman: I understand that the other motions which have been given and in respect of which the Members

[Mr. Chairman]

were not present here will be taken up tomorrow.

I may also inform hon. Members that if they want to make any corrections in their motions they may go to the office and see that they are in order--by 1-30 P.M. today.

RESOLUTION RE. BETTER MANAGEMENT OF CERTAIN EVACUEE PROPERTY—contd.

Mr. Chairman: Now I will call upon the hon. Minister to reply. But Mr. Kapoor wanted to say something.

Mr. J. R. Kapoor: If it is the intention to finish I shall suppress my desire to speak and give place to the hon. Minister.

Dr. Deshmukh (Madhya Pradesh): I want to say something on this.

Mr. Chairman: If he wants to finish in a short time then certainly he can speak.

Dr. Desamukh: Although nobody can have any quarrel with the intention behind this resolution, I am rather concerned over the scope of the resolution and the way in which it is likely to work. All of us are anxious that the compensation to the various persons who are displaced should be guaranteed and everything should be done by the State to afford them relief. We would also like that the complications in the way should be resolved as early as possible. All the same what we are doing is very important and I do not think that it is a matter which can be really rushed through in this manner. My hon. friend Lala Achint Ranj was quite correct in saying that we got the notice of this resolution only this morning and we propose to pass this important resolution which requires two-thirds majority of the House of those who are present and voting so hurriedly. Among other things it takes away the rights of the States in a very vital matter. It touches land tenure and land alienation. (An Hon. Member; Land tenure is not there.) It is a motion which would cover that also; as a matter of fact it is stated that Government wants power to legislate on items 18 and 30 in the State list. (An Hon. Member; Not in entirety). I do not know if mere omission of the few words would suffice. Even supposing that is so, the transfer is there and

the "alienation" is there and money-lending and all these laws come under the purview of the resolution.

Mr. Chairman: These are not in the motion.

Dr. Deshmukh: I admit land tenure is not there. But questions with regard to this may arise out of other questions. I do not know whether succession will be included in this or not and to what extent these laws that will be made by Parliament hereafter will affect the various laws in force because they differ from State to State. All such complications are likely to arise. I do not wish to create any difficulty but I just want the House to understand that we are really doing something very important and it will have to be done with a good deal of care. My friend, Mr. Sidhva said that it can be done under item 41 of the Concurrent List. I do not think so. It seems that Government is right in bringing this resolution. At the same time I feel that under the guise of this resolution Government would interfere with the law in the various States and this is not a very simple matter. With these observations, I conclude my speech.

Shri Kamath: Is there any particular reason for adopting a procedure—the intentions may be different—which has the effect of throttling discussions in the House and hustling this measure through?

Shri Sidhva: The hon. Minister says it could be held over.

Shri Kamath: So then, let it be held over.

Mr. Chairman: I would like to know the hon. Minister's wishes in this matter.

Shri A. P. Jain: I do not mind it. We can hold it over for tomorrow.

Mr. Chairman: Then the reply of the hon. Minister will be made tomorrow.

Shri A. P. Jain: I thought I might start so that no speeches are made afterwards.

Mr. Chairman: The hon. Minister will give the reply tomorrow. The other discussions are now over.

The House then adjourned till Half Past Eight of the Clock on Tuesday, the 5th June, 1951.