

[श्री प्रकाशव र शास्त्र]

अध्यक्षता में पिछले अधिवेशन में जब यह प्रश्न था तो उस समय आप ने होम मिनिस्टर को कहा था कि पिछले दो सालों में मिनिस्टर्स का टी०ए० और डी०ए० कितना हुआ है वेतनों के अतिरिक्त, इस का विवरण जल्दी से जल्दी सभा को दिया जाये। लेकिन आज तक उसे नहीं दिया गया। ढाई साल से सरकार उसे टाल रही है। उस आश्वासन को कब तक पूरा किया जायेगा, इस सम्बन्ध में आप कोई निर्णय अवश्य दें।

Shri Morarka: So far as this Committee is concerned, it follows up every assurance which is given on the floor of the House, and from time to time it keeps on reminding the Ministry of Parliamentary Affairs and through them the concerned Ministry, but it is up to the Government to fulfil the assurance.

Mr. Speaker: The Committee might now take that up, and see that this is complied with as early as possible.

12.31 hrs.

PUBLIC ACCOUNTS COMMITTEE

FIFTEENTH REPORT

Shri Tyagi (Dehra Dun): I beg to present the Fifteenth Report of the Public Accounts Committee on the Audit Report on the Account of the Damodar Valley Corporation for the year 1961-62.

12.31 hrs.

CONSTITUTION (SEVENTEENTH AMENDMENT) Bill—contd.

Mr. Speaker: Further consideration of the following motion moved by Shri Asoke K. Sen on the 18th September, 1963, namely:—

"That the Bill further to amend the Constitution of India be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

Shri S. V. Krishnamoorthy Rao; Shri Bibhuti Mishra; Shri Sachindra Chaudhuri; Shri Surendranath Dwivedy; Shri A. K. Gopalan; Shri Kashi Ram Gupta; Shri Ansar Harvani; Shri Harish Chandra Heda; Shri Hem Raj; Shri Ajit Prasad Jain; Shri S. Kandappan; Shri Cherias J. Kappen; Shri L. D. Kotaki; Shri Lalit Sen, Shri Hanakrushna Mahatab; Shri Jaswantra Mehta; Shri Bibudhendra Misra; Shri Purushottam R. Patel; Shri T. A. Patil; Shri A. V. Raghavan; Shri Raghunath Singh; Chowdhry Ram Sewak Singh. Bhola Raut; Dr. L. M. Singhvi; Shri M. P. Swamy; Shri U. M. Trivedi; Shri Radhelal Vyas; Shri Balkrishna Wamnik; Shri Ram Sewak Yadav; and Shri Asoke K. Sen.

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

Out of seven hours allotted, 2 hours 35 minutes have been taken; 4 hours and 5 minutes remain.

Shri Nath Pai (Rajapur): May I seek a clarification? We have been consistently waiting for the beginning of the debate on the NEFA report. It was originally scheduled for yesterday. Will you kindly advise us when it will be taken up because tomorrow happens to be Private Members day? Your guidance will be very useful.

Mr. Speaker: I expect to take it up immediately after we finish this.

Shri Hari Vishnu Kamath (Hoshangabad): That is by 4.30.

Mr. Speaker: I will take care to see that this is finished by that time.

Shri Hari Vishnu Kamath: Will the House be sitting beyond 5?

Mr. Speaker: We have got the half hour discussion.

Shri Indrajit Gupta (Calcutta Southwest): The total time for discussion of the NEFA report is five hours. Tomorrow we have Private Members' business as Shri Nath Pai pointed out. How is it proposed to get these five hours?

Mr. Speaker: We have Saturday also.

Shri Indrajit Gupta: So, we will carry on tomorrow and on Saturday?

Mr. Speaker: Or, if the Members desire, we might carry on with this business tomorrow, and put the non-official business the next day. We can take up non-official business on that day.

Shrimati Renu Chakravartty (Barrackpore): No, Sir. Till now I have been one of those who always oppose tinkering with non-official business. Although the NEFA debate is very important once we do this there will be no end to this. We will

always try to push out non-official business.

Mr. Speaker: Just as the House likes.

Shrimati Renu Chakravartty: Of course, the House and the majority party, the Congress Party can do what they like. But I feel that non-official business should not be touched. We have never done it before.

Shri Hari Vishnu Kamath: May I submit that besides this NEFA debate, there are two other items.

Mr. Speaker: That is different altogether.

Shri Hari Vishnu Kamath: About NEFA enquiry, I have been pressing from the beginning that we should have more than one day.

Mr. Speaker: We will see that when we begin it. Time is not being fixed now.

Shri Hari Vishnu Kamath: Will it start today?

Mr. Speaker: Yes; that is what I am saying.

Shri Surendranath Dwivedy (Kendrapara): There is considerable force in what Shrimati Renu Chakravartty said. Since the NEFA debate has to go on for the whole day, we must decide about the non-official business; if we decide to take it up positively on Saturday at 2.30 we can do like that.

Mr. Speaker: But if the House is divided, I will advise the hon. Member to go as it is put down already. Now, Shri A. C. Guha.

Shri A. C. Guha (Barasat): Mr. Speaker, I rise to support the motion for referring the 17th Constitution (Amendment) Bill to the Joint Committee. This Bill is intended to implement the policy of the Congress

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which was drawn even before the Independence of India had been achieved. Even in the 1947 election manifesto, Congress had certain proposals for effecting agrarian reforms. For implementing that policy a committee was set up by the All India Congress Committee in 1948 and Prof. Ranga was a member of that committee. Yesterday, Prof. Ranga expressed vehement opposition to the provisions of this Bill. His opposition is not a new thing. Even in that committee, he submitted a note of dissent recording his difference with the approach and recommendations of that committee. It may be relevant to read out a few lines from that report,—“The Congress in its election manifesto and the report of the economic programme committee has declared that it is in favour of elimination of intermediaries between the State and the tiller. Even after the abolition of the zamindari, there would remain a large element of non cultivating interests. The land committee of the Congress was strongly of the opinion that in the agrarian economy of India there is no place for any intermediaries and land must belong to the tiller. This committee has, therefore, recommended that in future sub-letting of land would be prohibited except in cases of widows, minors and other disabled persons.” The Constitution was amended twice with regard to this matter. Articles 31A and 31B were put in to give effect to the recommendations of this committee or to implement the agrarian policy of the Government of India.

Shri Ranga (Chittoor): I would like to offer a personal explanation. I would like to know whether my hon. friend said that I agreed with the majority report.

Shri A. C. Guha: I have already stated that his difference on this matter is not just new. It was there even in 1948 and in 1949, and he had submitted a note of dissent to that committee.

Shri Ranga: I had made it very clear. In fact, I was one of the very few people in this country who took up this question of elimination of intermediaries between the Government and the actual tiller. I also rejoiced in the elimination process. But I have always laid stress on the fact that the actual tiller of the soil who happens to be a peasant proprietor should not be eliminated and he should be helped. My complaint now is that this Bill seeks to weaken that right to ownership of land.

Shri A. C. Guha: I was only stating that Shri Ranga has been consistent all through in his opposition to any agrarian reform.

Shri Ranga: No, no. It is the elimination of the intermediaries.

Mr. Speaker: Order, order. Shri Guha says that Shri Ranga has been consistent. But if Shri Ranga says that he has not been consistent and if he takes exception to that, what else can be done? (Interruption).

Shri A. C. Guha: I find from the record of the proceedings of yesterday that his objection is not so much to preserve the interest of the real cultivators . . .

Shri Ranga: Question.

Shri A. C. Guha: But his objection to agrarian reform is to protect the interests of some urban population who holds land in villages. I think I am quoting his language.

Shri Ranga: What a perverted view?

Shri A. C. Guha: I think I am quoting his language. Shri Ranga is an old friend of mine, and it is no pleasure for me to differ from him on such fundamental matters as agrarian reform. India is still having an agrarian economy. About 75 to 80 per cent of the people live on agriculture or on agricultural economy. So, it is of vital importance

for us that there should be no impediment in proceeding with agrarian reforms according to the best interests of the country and also according to the decisions of the party in power.

The other day there was objection that the Government sometimes take the cue from the Congress party decisions. I think the party Government, as you have rightly decided, is bound to act according to the mandates and decisions given by the party. What has been decided by the All-India Congress Committee and what was put as late as in 1946 in the election manifesto of the Congress, I think there should not be any hesitation on the part of the Government to give effect to those pledges and commitments must be fulfilled.

I think for two or three days in this House, there was a debate as to the immensity of poverty, particularly, poverty in the rural areas in India. We all know that there is appalling poverty and unemployment in the rural areas. How are we to remove them? The first step is to have a rational agrarian system and an agrarian policy. For that we have to take up drastic agrarian reforms. Unless we can do that, it is no use shedding tears for the poverty-stricken rural population of India. If we have any love or any concern for the poor rural people, I think we should have no hesitation in effecting agrarian reform and for that any step that is necessary should be taken.

Shri Ranga has stated that Government have been behaving in an arbitrary manner. I cannot understand what is the arbitrariness in this Bill. This Bill is only an enabling Bill, protecting certain legislations that have been passed by different legislatures of the country. So, the Parliament or to do anything initially by their own or do anything initially by their own initiative, except to remove the anomaly of different difficulties of the term "estate" prevalent in different regions creating social and economic

problems. They are also taking certain steps to protect legislative measures that have already been taken by different States to give relief to the poor peasants, and to give effect to the agrarian reform programme.

The question of compensation has also been raised. I do not think there is any provision or mention of compensation in this Bill. Prof. Ranga said that compensation will be given according to some arbitrary standard or some ante-dated rates. But I think this Bill does not provide for any rates of compensation. The compensation will be paid by the State Governments according to the laws prevailing in each State. This House and the Government here have time and again, shown enough concern about the amount of compensation to be given to any rural people whose land is to be acquired by Government.

Prof. Ranga has also mentioned that 65 million peasant families will be affected. I think his claim is as fantastic as Dr. Lohia's claim that 60 per cent of the people live on 3 annas per day. I cannot understand from where he got these 65 million peasant families, which would mean at least 75 per cent of the population. Had that been the position, I do not think any State legislature would have passed all these Bills. Practically all the enactments of all the legislatures are enunciated in this schedule. So, all the legislatures of the country have passed certain laws and they cannot ignore the feelings and interests of 65 million peasant families or the total rural population. As I said, I think his claim is as absurd as Dr. Lohia's claim that 60 per cent of the population are living on 3 annas per day.

Laws have been passed by different legislatures, but always there is an element of uncertainty in all the cases. Several of these laws have already been struck down, some by the Supreme Court and some by the High Courts. The validity of some other

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laws is also being questioned in different courts. So, the State Governments are almost in a state of uncertainty and they cannot make up their mind as to how to proceed. Therefore, this Bill gives only that element of certainty to the legislative measures taken by the State Governments. Article 31B gives enough power to the State legislatures at any time to repeal or amend or in any way change the already existing Acts. So, by this Bill, there is no compulsion that the Acts mentioned in the schedule will be as they are now. If necessary, the State Governments or the legislatures of the States can change any of these Acts or even repeal any of them. There is no compulsion that these Acts will continue as such.

I am told certain objections have come from the Kerala Government. I think that Bill was considered by the Central Government and certain changes were made under the directions of the Central Government or rather of the President.

Shri Bafle (Khargone): What about the assurance given by Dr. Ambedkar to ryotwari cultivators?

Shri A. C. Guha: Now, having passed an Act after so much consideration and consultation between the State Government and the Central Government, I think it will not be proper to exclude that Act from the schedule. That Act has been almost the immediate occasion for sponsoring this Bill. That Act has been challenged and declared *ultra vires* by the Supreme Court. It is for the protection of that Act that this Bill has been necessitated. We cannot allow any defective language in Constitution to stand in the way of implementing the wishes of these State Governments. Therefore, I think it will not be proper for the Kerala Government to urge for the exclusion of that Act. If necessary, on any subsequent date they can make certain

amendments to that Act if the situation demands it.

There is a demand, again by Prof. Ranga I think, that the Bill may be circulated. But the Bills not being passed immediately. It is only being sent to the Joint Committee. In the Joint Committee, different interests will have enough freedom and opportunity to represent their grievances and their views. I am sure the members of the Joint Committee will consider the Bill with an open mind.

Considering all these things, I hope that the motion of the Law Minister for sending this Bill to a Joint Committee of both Houses will be accepted. Before concluding, I should say that it is an obligation on the part of the Government to implement the pledge given to the peasants that the land should belong to the tiller and that between the tiller and the Government there should not be any intermediary to enjoy any unearned profit, whether he is an urban property-holder or a rural zamindar, talukdar, inamdar or anything like that. The abolition of Zamindari should have its logical sequence in the economic life of rural India.

Shri Keshu Narayan Karmath: Sir, I rise to extend my qualified support to this Bill which is before the House. The Bill, if adopted and later suitably implemented, will vest certain powers in the executive which, knowing as we do that it is arbitrary and at times high-handed, might turn out to be an engine of oppression against the small peasants who own small holdings, less than the ceiling provided in the enactments of the various States. Unless safeguards are provided, these peasants are likely to become victims of executive arbitrariness and high-handedness. I, therefore, seek to urge very strongly that the Government, while bringing this Bill before the House, must without any mental reservation, assure the House either by suitable amendments

in the Bill itself or later by suitable legislation, that the interests of ryotwari peasants and other peasants who hold land under similar or different tenure in other States will be adequately and fully safeguarded.

We are not concerned with the anti-zamindari or anti-talukdari legislation here. These zamindaris, talukdaris and other big estates, according to the spirit of the Constitution, were abolished some years ago. But everyone of us, the Minister, the Government as well as my colleagues in this House, are very much concerned with the 90 per cent or more of those who live on land, who are small proprietors, owners of small holdings, tillers who are owners of the land on which they live. And, it should be our zealous concern that the interests of these peasants, who by their labours grow two blades of grass where one grew before, unlike many politicians and most Ministers, should be safeguarded, and protected adequately. It has been rightly said by a poet that:

"A bold peasantry, their country's pride,

When once destroyed, can never be supplied."

Here, Sir, the Constitution itself in its preamble has embodied the eternal verity of justice—social, economic and political—and this principle of socio-economic justice applies with even greater force, to this class of population—more than 90 per cent, who eke out a bare sustenance, from the land they live on.

The Minister referred yesterday, in the course of his speech, to the land reforms that have been sought to be enforced in the various States of our country. In the Statement of Objects and Reasons it has been said :

"Moreover, many of the land reform enactments relate to lands which are not included in an estate."

The other day, in another context, the Minister said that amendments to

the Constitution should be undertaken only in the national interest or for social change, real, genuine social change. By that yardstick, by that criterion I shall seek to judge this Bill before the House.

The Third Five Year Plan has propounded its objective as follows:

"The objective of planned development is not only to increase production but also to secure a social and economic order based on the values of freedom and democracy in which justice—social, economic and political—shall inform all institutions of national life."

That, Sir, is the grand objective of the Third Plan and, may I submit in all humility, also of the Constitution.

Now, the Bill before the House seeks to amend article 31A of the Constitution, and by that amendment the Government seeks to equate or put on a par big estates, zamindaris, talukdaris and inams with small ryotwari holdings, with peasant holdings. The objective is very clear.

The clause as it was is comprised only in clause 2(a)(i). That was the article as it stands in the Constitution. Now, by two more sub-clauses, sub-clauses (ii) and (iii) we have brought in:

"(ii) any land held under ryotwari settlement; sub-clause (ii) is very sweeping, it is bad enough unless it is properly safeguarded. It says:

"(iii) any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture and sites of buildings and other structures occupied by cultivators of land agricultural labourers and village artisans."

None has been left untouched. None of these poorer classes about whom my hon. colleague Shri Nath Pal said that day "it is not a question of per capita income, it is per capita starva-

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tion in this country" has been left out. All these classes, the poorest, the lowliest and the lowest, in the words of vishva Kavi Rabindranath Tagore, the Government has sought to lay its cruel hands on. No class is immune from the operation of this Bill. Unless adequate safeguards are provided by a vigilant Parliament, by a watchful public forcing their will on the Parliament, may I ask you in all conscience, in all humility, whether this will seek, whether this will promote socio-economic justice if the executive acts arbitrarily, because once this is passed, once this is adopted, article 31 may—may it is very likely, come into operation, and article 31 seeks to acquire land for a public purpose and it seeks to empower the executive to acquire it with a quantum of compensation which will be non-justiciable.

You will recall, Sir, the grand, almost vehement, fiery debates that took place in the Constituent Assembly and also, before it came to the Constituent Assembly, in the party. Very furious, very fiery and vehement debates took place there. At one stage—I hope I am not divulging any party secrets—the then Finance Minister threatened to walk out of the meeting. After that a compromise formula was arrived at and embodied in article 31 of the Constitution. Subsequently, this article was amended and we have got 31A and 31B also. Now, Sir, this is a further amendment. We are socialists. We want to have not merely a socialist society but a democratic socialist society. The spirit of democracy must pervade all the institutions of national life. We do not want undemocratic or anti-democratic socialism, that is communism. That is the distinction from communism. We do not want either State capitalism or totalitarian socialism. We do not want the State or the Government as a superzaminidar. Well, if you deprive the small holders arbitrarily, holders who have got 1 acre, 5 acres, 10 acres or 15 acres of land, lower than the

ceiling proposed in various States, it comes so that. There is nothing to prevent the Government from acquiring this land, the ryotwari lands, the peasant holdings, the very small holdings for a public purpose. And, the quantum of compensation would be non-justiciable.

A Communist country like Russia liquidated what they call *kulaks* or big land holders and also some *Mujhiks*, the small peasants who obstructed their so-called land reforms. They were butchered. Violently, thousands, perhaps some two or three millions, were butchered during Stalin's regime. But the situation did not improve. But here, Sir, if as I have stated at the outset, this is implemented, when this Bill becomes law—unless the majority party take it into its head to amend it suitably, if they do not take it into their head to amend it suitably and if it is passed as it is—I fear—God forbid—there may be a non-violent liquidation of small peasants, and ryots in this country. And, this House committed as it is to democracy, to genuine socialism and not to communism, not to totalitarianism, must safeguard the poor section of the population.

May I invite your attention, Sir, to the Statement of Objects and Reasons. The Minister, I wish, should have been more explicit about certain aspects of the Statement of Objects and Reasons. He has rightly drawn the attention of the House to land reforms. Certainly, we are all for land reforms. But land reforms for what, for a purpose, for an objective which is envisaged, visualised in the Constitution. Certainly, we are against concentration of wealth, concentration of property. But are we against small land-holders, small peasants who hold five or ten acres of land and who eke out their livelihood on that? Then, Sir, if you really mean socio-economic justice, if you really intend to promote and to bring about socio-economic justice in the country, you have to lay your

hands not merely on the rural population but also on the urban propertied population. What have you done about urban millionaires, billionaires and crorepathis? Statistics are revealing, and there are people in our country whose income runs into one lakh or two lakhs rupees per day. What have you done about them? Why do you lay your hands only on the rural population? That may happen—nay I am sure it will happen that the executive will exercise the powers vested in their hands after the Bill is passed. If Government is really anxious about socio-economic justice, it should set about in an honest manner, straightforward manner, drastic manner, and stern manner also. Let them make no distinction between the rural population and the urban population. If it cannot be done in this Bill, let them give an assurance that there will be no discrimination between rural population and urban population and that they will come up with legislation for the urban population also, who are amassing wealth by hook or crook. They must at least give that assurance now.

13 hrs.

One or two more points and I am done. The statement further says that the expression "estate" has been defined differently in different States. The Minister, has got access to material which we have not got. We have not got secretarial assistance. It has been my misfortune, not to be able to find out, to ascertain, how "estates" have been defined in various statutes passed by the various States. I wish the Minister had told us in what ways "estates" have been differently defined.

Then, the Minister has stated that 124 or more—is it 124? perhaps 144—Acts have been included in the Schedule. I suppose it is a record even for this Parliament such blanket legislation, one blanket Bill I might call it, making them valid by one sweeping stroke 144 Acts are sought to be validated *ex post facto* retrospective

validation, blanket validation at one time, and the House does not even know the contents of these Acts, what exactly they contain. I suppose none of these Acts has been struck down or gone to the Supreme Court. But because the Kerala Act has been struck down, Government thinks that these other Acts might also by implication be struck down as invalid. But there is one Act, Act No. 86, which, I am told, went to the Supreme Court some time ago in some connection, the Bombay Tenancy and Agricultural Tenants Amendment Act, 1960 and the Supreme Court in its judgement held that it was a colourable piece of legislation and struck down that Act, but that Act finds a place in the list of 144 Acts before the House.

I appeal to the Joint Committee to give careful thought to this matter and see that no Act which has been already struck down by courts is included in this blanket validation legislation, retrospective legislation. I, therefore, still beg of the Government, the Minister and the House to consider well again, consider afresh, in all seriousness, in all conscience, whether this Bill will not endanger the rights to property which small peasants now enjoy.

Shri Vasudevan Nair (Ambalapuzha): You are agreeing with the Swatantra.

Shri Hari Vishnu Kamath: No, I am for the peasant; you are anti-peasant.

Mr. Speaker: Myself?

Shri Hari Vishnu Kamath: No, Sir I meant my colleague, sitting here. I will correct myself.

Shri Vasudevan Nair: Shri Chandrasekhar is supporting it.

Shri Hari Vishnu Kamath: Therefore, I seek an assurance from the Minister that the rights of these small peasants will be safeguarded, because I am very much interested in them.

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though I am not bothered about the incorporeal rights of zamindars and talukdars.

It must be remembered that the right to property has not been abolished so far. Article 19 is clear on that point. Article 19(1) (f) gives the right to acquire, hold and dispose of property. The only restriction imposed is that it can be done "in the interests of the general public or for the protection of the interests of any Scheduled Tribe". That is the only restriction that can be imposed.

Therefore, I appeal to the Joint Committee to go into this Bill very carefully. Every word and every syllable of this Bill should be carefully scrutinised so that the interests of the vast mass of people in this country, 80 or 85 per cent or more of the rural population who have small holdings, some of whom may perhaps be holding only one acre or half acre, their rights are not sought to be bartered away for a fancied socio-economic reform. Their rights should be jealously safeguarded, in this legislation itself, if possible. Otherwise, very soon after the passing of this Bill, another Bill should be brought before this House to impose restrictions upon the Government so that lands within the ceiling, within prescribed limits, shall not be acquired by the State for a public purpose, without payment of adequate compensation and that should be made justiciable. So, for the small peasants, proper safeguards must be included in this Bill itself, or in a subsequent Bill. I, therefore, give my qualified and hesitant support to this Bill.

13.07 hrs.

STATEMENT RE: STARRED QUESTION NO. 760—MINISTERS' ACCOUNTS IN FOREIGN BANKS

Mr. Speaker: I would like to interrupt the proceedings for a short while. Today morning, during the

question hour, there was a certain discussion about the disclosure of accounts held by Ministers in foreign banks. I notice that some of the Members who raised it, particularly, Shri Tyagi, Shri Banerjee and Shri Daji are not present here. It was brought to my notice by the hon. Finance Minister that there was a law prohibiting disclosure of accounts as also the traditions and that the Government was also bound by the same, shall I say inhibition which the banks had in disclosing, even though the banks had passed on that information to Government. There is one point on which I would like to get the help of the Finance Minister. Since he has said that the Minister had authorised him to disclose it, without going into the details, may I know whether there is any harm in doing that and whether he is prepared to do that. What is the position?

The Minister of Finance (Shri T. T. Krishnamachari): Mr. Speaker, I am most grateful to you for providing me an opportunity for making good what was perhaps a lapse in my answer this morning. The account referred to is not a bank account. It is an account made up of accounts with several publishers, book publishers, who collected royalties on behalf of this particular Minister for the books published by them. The total account is placed before the Reserve Bank and money withdrawn from time to time. All that the Reserve Bank does is to allow the party, the Minister concerned, to keep £50 with the publisher.

An Hon. Member: How much?

Shri T. T. Krishnamachari: £50. That is all and that is for purposes of expenses when he goes to Europe and England. Sir, the Minister concerned happens to be the Prime Minister of this country, Shri Jawaharlal Nehru, who, as you all know, has published several books for which he gets royalties from several countries. I can assure you that in 1961 the total amount payable was £733. Since then he has not kept at any time more