

## DISPLACED PERSONS (CLAIMS) SUPPLEMENTARY BILL

**The Minister of Rehabilitation (Shri A. P. Jain):** I beg to move\*.

"That the Bill to provide for the continuance of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith, be taken into consideration."

I would like to define the scope of the present Bill as also of the original Act, because from the amendments tabled I find that there is a good deal of misunderstanding on the part of hon. Members. The original Act provided for the verification of claims, which meant the assertion of the right to ownership of or interest in any immovable property in West Pakistan which is situate within an urban area and such class of property in any part of West Pakistan other than in an urban area as may be defined by the Central Government in this behalf in the official gazette. Urban area was defined so as to include a corporation, a municipality, a municipal committee, a notified area committee, a town area a small town committee or a cantonment. This definition was enacted after taking into account the conditions as they existed then.

The House will remember that the State of Punjab had enacted a law for the verification of the claims for agricultural land and rural houses belonging to people in West Pakistan and also to people of West Punjab extraction living in other parts of West Pakistan. It was, therefore, laid down at that time that all claims in regard to properties situated in the urban area will be entertained by virtue of sub-section (i) of the definition of claim. In regard to claims about property which was outside those urban areas, Government would issue notifications and the notifications were issued with a view to include all the properties except those

which were covered by the laws in the Punjab.

Consequently, while certain types of small rural houses were excluded in the Punjab, so far as provinces outside West Pakistan were concerned, that is, Sind, Bahawalpur, and the North-West Frontier Province, people living in the rural area were allowed to file claims in respect of all types of houses, whether of Rs. 20,000 or less or of Rs. 10,000 or less, except the small houses of people who had been allotted land. In assessing these claims, no distinction was made. The same rules and the same principles were laid down for valuing all houses.

Now, during the three years that the Act of 1950 has been in force, we have verified a large number of claims. Altogether, about 4,50,000 claims were filed, out of which 3,90,000 claims were found to be valid claims. The original Act came into force on the 1st May 1950. It continued up to 17th May 1952 and it was further extended for another year up to 17th May 1953. Under the original Act, applications were invited by a notification dated 14th June 1950, and three months' time was originally given for filing applications, i.e. from 1st July 1950 to 30th September 1950. Later on, the time was extended by another month, i.e. up to 31st October 1950. In practice, however, applications continued to be received up to 31st August 1952, i.e. instead of a period of four months originally provided for in the notification for the receipt of applications, in effect applications were received for twenty-six months. That, I submit, was an ample period.

When the original Act expired on the 17th May 1953, we discovered that some work was left over. Certain claims were left over from being verified. In this connection, I would like to draw the attention of the House to a notification dated 1st October 1952, whereby we called upon the claimants whose claims had

\*Moved until the recommendation of the President.

not been verified to give certain particulars within a period of one month, so that their claims may be verified. We received applications some of which were verified and others were left over. Some claims were missing and we gave those people an opportunity to file duplicate claims.

The present Bill provides for the verification of all claims which were pending on the 17th May 1953 whether the claim was lost and duplicate had been filed or the claim had been left over for verification, whether any application for its revival was received during the period allowed or no such application was received. Thus in this Bill, we have been more liberal than in the notification which we had issued after the Act of 1950 had expired, wherein we had promised that we would be making a provision for the verification of certain types of claims. In fact, any claim which has been left over from verification under the old Act, will be verified now.

**Pandit Thakur Das Bhargava (Gurgaon):** May I just inquire from the hon. Minister whether those claims which were not verified, and in respect of which a period of one month was allowed for filing duplicates, will also be gone into now, even if the persons concerned had not filed their applications within that one month?

**Shri A. P. Jain:** Yes. In the present Bill, we have incorporated a provision that all claims which had remained unverified on 17th May 1953 will now be verified. I do not think that we could lay down a more comprehensive provision.

**लाला अचिन्त राम (हिसार):** क्या वह आदमी जो बाद में आये हैं, उनके क्लेम आप लेंगे ?

**Shri A. P. Jain:** I have not dealt with that aspect of it. If the hon. Member will look at the Long Title of the Bill, he will find that it provides for the continuance of certain proceedings pending under the Displaced Persons (Claims) Act, 1950.

This Bill is meant only to cover the work which had been left unfinished under the old Act.

**Lala Achint Ram:** What about them? How would you manage them?

**Shri A. P. Jain:** This Bill does not deal with them.

**Lala Achint Ram:** Bring a new Bill.

**Shri A. P. Jain:** The second important matter relates to the revisions. The old law had made a provision for filing revisions. Some revisions filed were left over on 17th May 1953. Their number is about 7,000. This Bill makes a provision for deciding the revisions which were pending on 17th May 1953. In certain cases the date of limitation had not expired on 17th May 1953, in other words, the aggrieved party could file a revision, but was disabled from doing so, because the Act had expired. We have provided in this Bill that all those persons who were entitled to file revision on 17th May 1953 will be entitled to file revision under the new law, within a month of its coming into force.

Another provision relates to claims which had remained undecided on 17th May 1953. We have put in a provision that a revision could be filed within one month from the decision of a claim which had remained unverified. We have exhausted all the possible categories of persons who had filed revision which has remained unverified or who were entitled to file revisions, but could not do so because of the expiry of the Act, or who should in future be entitled to file revisions.

Apart from that, there is another clause, viz., clause 5 (1) (b), wherein we have provided that in exceptional cases, the Chief Settlement Commissioner can *suo motu* revise.

In making provisions in this Bill, I took care to see that all the possible cases may be covered. The House is also aware that we have appointed

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an Advisory Committee, and I referred this matter to the Advisory Committee, whether they could think of any class of a pending proceeding under the old Act, which has been left over. I want to inform the House that they could not point out any case or class of cases, which was pending under the old Act but had remained incomplete, and which are not covered by these provisions. I have also gone through the amendments, and I do not find that any hon. Member has pointed out any cases which were pending on 17th May 1953, and which are not covered by the present law.

My hon. friend Lala Achint Ram has asked me a question: what about the people who come afterwards? As the Long Title of the Bill shows, this Bill covers only proceedings which were left unfinished under the old Act. I want to submit that we have laid down some limiting date, because we wanted to have the whole set of verified claims on one side and the assets which were going to be distributed against these verified claims on the other side, and then to work out a scheme whereby the assets may be distributed among the claimants. If the receipt of the claims becomes an unending stream, i.e. anybody who had come before or afterwards goes on filing claims, it is not possible to formulate any scheme of compensation. I cannot give any guarantee with regard to persons who have come after the last date for filing claims or who may come hereafter. If the scheme of compensation is to be implemented, it is necessary that on one side, we should have the credit side, and on the other, we should have the debit side. If we have no certainty about the debit side, we cannot formulate any scheme of compensation.

I submit that in framing this Bill, we have taken care to cover all the possible cases that were left over under the old law. We want to finish this work soon. I hope it will not

take us more than four or five months. I do hope that this Bill, which was issued first in the form of an Ordinance, which has been, I submit, fairly well received in the country, will have the assent of the House.

**Shri Nand Lal Sharma (Sikar):** On a point of information. What is going to be done with regard to the claims of those persons who have crossed over to the Indian side, just after the expiry of the old Act?

**Shri A. P. Jain:** I cannot make any commitment at the moment. This Bill does not cover those persons.

**Pandit Thakur Das Bhargava:** May we know the number of persons who had come after the expiry of this Act?

**Shri A. P. Jain:** I do not think many persons have come, a few persons may have come, but we have no record.

**Shri Nand Lal Sharma:** There were other claims also that had not been put forward within the date. May I know whether there will be any provision for them?

**Shri A. P. Jain:** No. We do not propose to provide for them. It does not provide for the receipt of fresh claims.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to provide for the continuance of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith be taken into consideration."

**Shri Gidwani (Thana):** I beg to move:

"That the Bill be referred to the Select Committee consisting of Pandit Thakur Das Bhargava, Giani Gurmukh Singh, Shri Amar Nath Vidyalkar, Shri Basanta Kumar Das, Shri Rohini Kumar Chaudhuri, Dr. Ram Subhag Singh, Lala Achint Ram,

Sardar Hukam Singh, Shri N. C. Chatterjee, Shrimati Sucheta Kripalani and the mover, with instructions to report by the 1st March, 1954."

Though this is called a Supplementary Bill and covers, as stated by the hon. Minister, about 8,000 to 4,000 cases, I feel there is a larger number of claimants whose claims have not been verified. I will relate to you the reasons and the causes for that state of affairs. In the first place, I would like to know, though it may be too late, why the Bill is called "Supplementary" Bill, if the old Act has expired. A supplementary Bill can only be an addition to something which exists. Therefore, I feel that a more comprehensive Bill should have been brought, so that it could have covered all the cases, and justice could have been done to every claimant. But according to this Bill, very few cases will be covered. There are certain defects which I want to bring to the notice of the House, so that while working the new Act, those defects may be avoided and the same things may not be repeated.

The first thing is that I would appeal to the Minister to bring in an amendment himself under certain powers which he has got under the original Act. When the original Act was passed, those who framed the Act probably did not know the conditions of the entire West Pakistan area. They were conversant probably with the Punjab Act and the local self-Government areas in Punjab. In the original Act, "urban areas" is defined thus:

'"Urban area" means any area within the limits of a corporation, municipality, municipal committee, a notified area committee, a town area, a small town area or a cantonment, as those limits existed on the 15th day of August, 1947.'

While in Punjab, these were the local self-Government bodies, which carried on these functions, in Sind we had committees called sanitary

committees which were more or less on the same lines as the small town committees of Punjab. Those committees were elected and they carried on the same functions which the other local self-Government bodies did.

Now, I will relate to you some facts from a note which has been prepared and which has been already submitted to the hon. Minister as to what these sanitary committees were. I will mention to you, and describe what some of those sanitary committees did, for the information of the House as well as for the information of the hon. Minister who has already got a copy of it. There is a town called Pir-jo-goth in Sukkar District with a population of over 10,000. Electric lighting in streets and houses is derived from the power-house established in the town itself. It had pucca brick buildings with iron girders supporting the roofs. The town had brick-paved drainage system, hospital, maternity home, primary and secondary schools, post offices, cinema houses, police station, *goshala* and a bazar with over 500 shops. It is a great centre of cloth printing and handloom cloth industry; centre of considerable trade in grains and fuel wood; also a very important place of pilgrimage. Land values as shown by sale transactions go up to Rs. 25 per sq. ft.

"Sale of shops measuring 88'8" by Ramoo Mal Tirath Das and Gurmukh Mal for Rs. 2,500 on 2nd February, 1942 and registered on 28th February, 1942 in the Sub-Registrar's Office, which works out roughly at Rs. 28 per sq. ft.

Sale of a residential house measuring 980.6 sq. ft. by Tolomal to Holomal and Ramchand for Rs. 15,000 on 10th July, 1945."

**Pandit Thakur Das Bhargava:** May I submit one point? It is not that I want to interrupt the hon. Member. After having the benefit of a talk with the hon. Minister, the position

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has become quite clear. It is not that these gentlemen whose properties were situated in the sanitary committee's area will not be given any compensation. On the contrary, as explained by the hon. Minister, they are likely to get somewhat more than those people whose properties are in urban areas. If that is so, why then have this amendment? If the hon. Minister explains this part of the case may not be pressed.

**Shri A. P. Jain:** I will clarify this point. This question of sanitary committees in Sind has come up before the Government more than once. There are quite a large number of sanitary committees, probably more than 100, in Sind. These sanitary committees are of all types and description. Some of the sanitary committees are mere villages, or glorified villages. Some sanitary committees are fairly well-developed, somewhat approaching the urban areas. From the figures that we have been able to work out up to now, it appears that the compensation payable to the rural agriculturists, would, in all likelihood, be on a higher scale. The basis on which we have worked out the quasi-permanent settlement in Punjab and which we propose to apply to the rest of the agriculturists in other parts of West Pakistan would, in all probability be given more to the rural claimant. For instance, the owner of ten standard acres of land in the Punjab has got  $7\frac{1}{2}$  standard acres of land. Assuming that the value of a standard acre is Rs. 500, the total value of ten acres comes to Rs. 5,000. This man has got land worth Rs. 3,750 on this side. I am not sure but in all likelihood the urban man who has got a claim for Rs. 5,000 may not get Rs. 3,750. If we transfer all these sanitary committees *ad hoc*, to the urban sector it would mean that while the owner of a house will gain, the owner of the land will suffer. We will be accused of showing bias in favour of the property-owners of one class. This question is not capable of solution on an *ad hoc* basis, transferring

one class of towns from one category to another. When the representatives of the Sindhis came to me, I told them: "Give me a list of all the sanitary committees, and we shall examine the case of each committee. If we find that the conditions prevailing in any sanitary committee is the same as in a town, we shall transfer that committee to the urban sector. We will keep the rest in the rural sector, so that there may be no discrimination between the rural and the urban man." It is not our objective to discriminate against any particular class of persons. We want to be equitable. I shall be prepared to consider any scheme, at the time when the question of compensation comes up, which may do justice between the residents of the sanitary committee areas and others. But the type of amendments tabled will mean loss to one class of persons living in the sanitary committee area at the expense of others. I think that what I have said is the only practical way of dealing with it.

**Shri Gidwani:** For your information, I can tell you that most of these claimants in the sanitary areas did not own agricultural land like the urban people. Not even 50 per cent. of them may be holding any agricultural land.

**Shri A. P. Jain:** If 50 per cent. persons hold agricultural land, and I accept your amendment or your suggestion, it will mean that those 50 per cent. persons will suffer because others will benefit.

**Shri Gidwani:** What about those who hold no agricultural land at all? They should be treated just as you treat the urban people. That is what I want.

**Shri A. P. Jain:** In fact, this Bill and the original Act deal only with the verification of claims. They have nothing to do with compensation or the rate or the manner in which compensation is to be paid. So far as

the method of verification is concerned, it is the same for the urban and rural areas. But when the question of giving compensation comes, then the question arises as to what should be treated as on the rural side and what property should be treated as on the urban side. I have said that I am prepared to consider when the question of compensation comes up as to which of these sanitary areas should be lumped up with the urban properties. That is the only solution. This amendment here is quite misconceived because this Bill does not deal with compensation, and all that my friend has in mind is the rate at which compensation is to be paid.

**Pandit Thakur Das Bhargava:** May I just put one question? In regard to non-urban property, the notification that the Government have made is like this: in case a person has an area of 4 acres of land with him, then his house worth Rs. 10,000 will not be taken into consideration, and if a person has got more than 10 acres, then in that case his house, which is worth about Rs. 20,000, will not be taken into consideration. This only applies practically to Punjab where people have been given houses as well as lands. In regard to Sind and Baluchistan, may I just know, whether a person with his house in the rural area, which is worth, say, Rs. 10,000 or Rs. 5,000 or Rs. 4,000 will get compensation or not?

**Shri A. P. Jain:** Well, those persons who had been allotted land were treated on the same basis as the Punjabis. Those people who had not been allotted, were allowed to verify all their claims.

**Pandit Thakur Das Bhargava:** So that if a person in the rural area has not got any land, his house should be treated as property which will earn compensation on the usual basis?

**Shri A. P. Jain:** If he had not been allotted land, then his house would be verified. If he had been allotted land, then it would not be verified.

**Shri Gidwani:** I only want a further clarification. Some people were given maintenance allowance on the basis of their property left in Pakistan. You know it. Recently when fresh inspection is going on for the purpose of giving them compensation, in many cases the maintenance allowances of people who were living in the sanitary area in Sind have been stopped, because they have been considered as people not residing in urban area and the maintenance allowance scheme relates only to urban areas. That is my difficulty.

**Shri A. P. Jain:** This Bill does not deal with the maintenance allowance at all. But apart from this Bill, if the hon. Member wants to discuss that question, I am prepared to do it so far as receiving claims on a priority basis is concerned. That is a very minor question. But so far as this Bill is concerned, it does not deal with the manner or the method or compensation; it only deals with verification.

**Shri Gidwani rose—**

**Mr. Deputy-Speaker:** May I suggest one course? Not only in regard to this Bill but in regard to other Bills also in all cases where—except where serious matters of policy on which people do not agree are involved and are brought before the House where they will have to have their say—in all cases where the Government are willing to accommodate and only want to explain their position, the hon. Minister will just take those people into confidence who have tabled amendments, have a small conference and then iron out those differences. I have been allowing nearly half an hour on this kind of questions and answers. They are good in that the hon. Minister tries to satisfy the Opposition or other Members try to get enlightenment so far as the scope is concerned. But at this rate, one Bill itself will take a lot of time. Therefore, in future I would urge upon all hon. Ministers to have a discussion with those Members who have tabled amendments before they take up the matter in the House; of

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course, if they do not agree upon a particular problem, each Member will place his point of view before the House for the acceptance of the House.

**Shri A. P. Jain:** May I inform you, Sir, that I have discussed this question with Mr. Gidwani several times during the last two years?

**Shri Gidwani:** The Bill has come just now and this is the first opportunity for me to move an amendment that these areas shall be included in the urban areas. The whole Bill relates to payment of compensation to those who have left property in the urban area. If you refer to the original Act, 'urban area' means.....

**Mr. Deputy-Speaker:** I am trying to satisfy all Members.

**Shri Gidwani:** It is a very pertinent point, a very important point, affecting property worth at least 4 crores of rupees.

**Mr. Deputy-Speaker:** The hon. Minister has been saying that this is only a continuation of the previous one regarding claims.

**Shri Gidwani:** I would certainly suggest, Sir, that this should be referred to a Select Committee where we can thrash out the thing. It will solve all the problems.

**Mr. Deputy-Speaker:** Very well.

**Shri Nand Lal Sharma:** On a point of order, Sir.

**Mr. Deputy-Speaker:** There are other hon. Members who have tabled amendments.

**Shri Nand Lal Sharma:** I rise on a point of order, Sir. This Bill is termed the Displaced Persons (Claims) Supplementary Bill, 1953. Now, the Act that is referred to here—the original Act—is the Displaced Persons (Claims) Act, 1950, which expired on the 17th May, 1953. Now, we are

moving in 1954. The Act is gone, expired and is a dead letter by now. So how can this be termed a Supplementary Bill?

**Mr. Deputy-Speaker:** I am only concerned with the jurisdiction of the House. The hon. Minister evidently wants to relate this to the other one. If there is any provision here, to give it retrospective effect is all right; prospective effect is always there. The mere nomenclature does not take away the jurisdiction of the House. This matter was raised by Shri Gidwani and there was absolutely no substance in it, simply because it is called a Supplementary Bill. Whatever has been left unfinished is sought to be finished here and to cover that portion he used the word 'supplementary'. If the hon. Member has in view any other expression, he will consider the propriety of using it.

**Shri Raghavachari (Penukonda):** May I make a submission, Sir? I have gone through the whole Bill and there is nowhere any provision made that the old Act is in force or that its operation continues.

**Pandit Thakur Das Bhargava:** But this is a complete Bill by itself. It provides all those things which were there in the original Act.

**Shri Raghavachari:** No.

**Pandit Thakur Das Bhargava:** Yes.

**Shri Raghavachari:** The provision is this. They simply say: 'to provide for the continuance of certain proceedings'. There is nowhere any mention that the old Act continues.

**Mr. Deputy-Speaker:** It may not be necessary, if all the provisions have been incorporated here so as to suit the altered conditions of the undisposed of claims. The hon. Member seems to suggest that a particular provision is wanting in a suitable place and it is necessary to include that.

**Shri Raghavachari:** The whole purpose of this Bill will not be served so far as this matter is concerned, unless it is a Bill complete in itself.

**Shri A. P. Jain:** It is complete.

**Mr. Deputy-Speaker:** If any provisions are wanting, they might be added.

**Shri Gidwani rose—**

**Mr. Deputy-Speaker:** The hon. Member must finish. He has taken up a lot of time.

**Shri Gidwani:** I just only began. Then, Sir, I would like your ruling whether the Bill can be restricted in scope. I will invite your attention to the original Act wherein the definition of 'Displaced person' is this. 'Displaced person' means any person who on account of the setting up of the Dominions of India and Pakistan or on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has after the first day of March 1947 left or has been displaced from his place of residence in such area and who has been subsequently residing in India and includes any person who resides in any place in India and who for that reason.....

**Mr. Deputy-Speaker:** The point of order must be stated briefly. What is the point?

**Shri Gidwani:** It is that the claim of any displaced person who has come from Pakistan and is in India—who has been displaced and has left property in Pakistan—can be filed at any moment. This is my point.

**Mr. Deputy-Speaker:** I do not know what it is that he wants. What is wrong with this Bill?

**Shri Gidwani:** Sir, the hon. Minister says that this is a Supplementary Bill. You will see, Sir, that this covers only those cases which were pending on the appointed day; and the appointed day was the 17th May, 1953. My submission is that any displaced person—who had come to India on any date could file his claims under the original Act, we cannot restrict it to any particular date.

**Mr. Deputy-Speaker:** The previous Act has exhausted itself.

**Shri Gidwani:** Even so, the new Bill restricts itself only to those cases.

**Mr. Deputy-Speaker:** There is no point of order. The previous Act exhausted itself. We will assume that this Bill is not brought. Then those other people who had not filed their claims must thank their stars. On account of some defect or on account of want of proper machinery, what is lost is lost. The hon. Minister wants to make an enabling provision with regard to the claims of those persons, whose claims of Rs. 4,000 and odd had been notified before a particular date. It is open to the hon. Member to say, as he has been suggesting all along, that even now an opportunity must be given to the other people. This is a different matter altogether. It is open to the hon. Minister who introduces the Bill to decide as to what the scope of the Bill ought to be. It is open to any other hon. Member to induce the Minister to enlarge the scope. But, so far as the scope is concerned, it is open to the hon. Minister to restrict the date not only to May, 1953; he might as well say, the first day of January, 1953. There is no point of order. The hon. Member may proceed.

**Shri Gidwani:** Then, Sir, when the original Act was being worked, some instructions were issued to Claims Officers to value urban property within certain ceiling rates, called 'rationalised rates'; even though documents were shown, a particular rate was fixed. I am not entering into the figures; and in certain cases, *suo motu*, the prices were reduced. This is a very unfair thing.

**Mr. Deputy-Speaker:** May I suggest one thing; I do not want to interrupt. Hon. Members are all deeply interested in this matter. I would like to give them as much opportunity as possible to speak and place their views before the House. But, we can apportion the time. Now, the hon. Member who has tabl-



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ed this amendment, will first of all place before the House the ground on which he would like a reference to be made to the Select Committee.

If he wants to go into the details with respect to any clause, he can do it when we take up that clause; because, otherwise, there would be repetition—once at the earlier stage and then when the discussion on that particular clause is taken up. Unless it is vital to the entire framework of the Bill, detailed discussion of the clauses should be left to that stage when we come to the discussion of the clauses. I would urge upon the hon. Member to support the motion for reference to the Select Committee and to state what are the advantages in a reference to the Select Committee and what more can be done there other than what can be done on the floor of the House.

The next point is, only those points which are vital to the whole scheme of the Bill may be referred to here now. For details regarding particular clauses, they will have ample opportunities when we come to the clause-wise discussion hereafter.

Shri Gidwani: Sir, these are the reasons for which I say the Bill be referred to a Select Committee. Notices were issued calling claimants for verification of their claims before the Claims Officers. But, they were not received by the claimants concerned. In some cases, notices were received by the claimants, but it was very late for the claimants to appear before the Claims Officers in time, owing to the notices having been sent to wrong addresses. In some other cases, notices were received in time, but the parties concerned could not attend for the following reasons.

Mr. Deputy-Speaker: This is an argument for extending the time.

Shri Gidwani: All these matters can also be discussed in the Select Committee.

Mr. Deputy-Speaker: I leave it to the hon. Member.

Shri Gidwani: They could not attend because the places where they had to attend were at great distances and they could not afford to go there. Sir, I will read to you the case of a person living in Kolhapur.

Mr. Deputy-Speaker: We have been hearing all these things from time to time. It seems to me that these are individual cases on account of which the hon. Minister may be induced to give an opportunity to these people to put in their claims. That is for extending the period to a date later than May, 1953. But, how will the Select Committee be useful in this? The Select Committee is intended to modify the provisions of the Bill. I do not know how far the Select Committee will be useful in extending the time. But, let me not create an impression that I am obstructing. The hon. Member may kindly go on. He may persuade the hon. Minister to extend the date to, say, December, 1953; but, even this will not be useful unless they have put in their claims in the meanwhile.

Shri Gidwani: Sir, you might have heard all these cases. When this Bill is being brought, even though we assume that changes may not be made to the extent that old claims may be revived, at least they may be useful for future, because there are 5,000 cases pending. Therefore, I want to bring to light, for the information of the House, certain things.

Sir, this man, whose name is Deomal Dayaram, was a resident of Kolhapur, in February, where he was getting doles from the Government. He was asked to appear at Sholapur, which is 356 miles from Kolhapur. About him I put a question in the last session and the reply I received was that the Government had no such information. This man says that he sent one letter to the Chief Claims Commissioner on 16th September 1952, another letter (copy) to the Secretary, Ministry of Rehabilitation, then to the Chief Claims Commissioner on 14th February, 1953, again to the Chief Claims Commissioner on camp on 27th April, 1953, then again

another letter on 4th May, 1953 and so on. This man was asked to appear at Sholapur; he was old, blind and infirm. He had no agent at Sholapur also to represent him, and the result was that his claim was rejected in his absence for default. This is what he writes.

"It was impossible for a blind and invalid person like me to find any agent to travel 356 miles for me in such a short period. There was nobody known to me at Sholapur to act as an Agent for me there. Even if I could have found one, it would have been a job for me to provide his railway fare when I am living on government doles. It is therefore clear that this did not amount to any facility for a person of failing health like me."

I will not take more of your time. This is not a solitary case. There have been many cases of this nature. Yesterday only a man came from Vellore in Madras State and this is a letter which I want to read to you so that such things may not be repeated again. This is how it reads—

"I beg to submit that I had registered my claim at Delhi according to Displaced Persons (Claims) Act, 1950 on 29th November, 1950. In reply to number of petitions, I was informed by the Deputy Chief Commissioner, under his endorsement on letter No. 2(100)/CCC/Records/52 dated 21st July, 1952, addressed to Shri D. K. Krishnani, that my claim had been transferred to Shri D. K. Krishnani by Shri A. C. Sajnani, Claims Officer. Subsequently, I was informed by Record Officer under his letter No. Sd./ (SR-13GP6/CCC Records/53 dated 18th February, 1953, that my claim was forwarded to M/S. Rupchand Assumal Co., Bombay on 23rd January, 1953.

At once my agent contacted this officer in person who asked him to see Mr. V. M. Gidwani. When he contacted Mr. Gidwani,

he was informed that as I had not appeared on summons issued by him from Bangalore....."

"the claim had been forwarded to higher officials for disposal. Actually I did not receive any summons from him. Since then, I have been carrying on correspondence with the Chief Claims Commissioner, Delhi, and have filed a duplicate claim as advised by him in his letter No. MC/CCC/Records/5/776/53 dated 30th March 1953. The claim was verified by Shri V. D. Kapur on 22nd April 1953 when my representative Shri Purshotamdas saw him in this connection and gave him eight annas postal order No. 066936 and one addressed envelope for copy of judgment. After that I received one letter No. 6(167)/Judl./CCC/53P/6562 dated 12th June 1953, asking me to send Re. 1/- postal order as copy fee which I remitted at once and it was acknowledged under letter No. Judl./CCC/COJ/Ack/6259/53 dated 2nd July 1953 with a note that further communications will follow as soon as the copy of the judgment was ready."

**Mr. Deputy-Speaker:** That is a very interesting. That was a claim which was preferred before May 1953. If it has been disposed of, it has been disposed of and nothing can be done. If it has not been disposed of, this Bill gives opportunities for disposing it of.

**Shri Gidwani:** Kindly hear me and you will know my point.

**Mr. Deputy-Speaker:** The hon. Member is reading the entire correspondence.

**Shri Gidwani:** "On my repeated reminders, I have been asked to fill in a particular form and to send postal order for Rs. 2/- which I have been doing. Various postal orders sent are as under:—

1. P.O. No. 734921 for Re. 1/- on 19th June 1953.

2. P.O. No. 771448 for Re. 1 on 3rd August 1953.

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3. P.O. No. 770999 for Re. 1/- on 30th October, 1953.

4. P.O. No. 771000 for Re. 1/- on 30th October 1953.

5. P.O. No. 865427 for Re. 1/- on 9th November 1953.

6. P.O. No. 865428 for Re. 1/- on 9th November 1953.

If my claim has been rejected *ex-parte* by the Claims Officer. Mr. V. M. Gidwani, I submit this as the revision petition and request that the same may be entertained under the Displaced Persons (Claims) Supplementary Ordinance of 18th January, 1954 and my claim for Rs. 40,000 may be passed."

I myself sent a letter to the Record Officer to find the copy of the judgment. What I mean to say is that these are a few cases that come to knowledge. Many of the people are illiterate, ignorant and living in far off villages.

**Mr. Deputy-Speaker:** Evidently the hon. Member wants to include cases where on account of no fault of the claimant, orders have been issued against him. He desires that such cases ought to be treated as claims which should be reviewed.

**Shri A. P. Jain:** We are not going to continue this indefinitely. If there are sufficient reasons they may put in applications and we will look into them, and send them for necessary action.

**Mr. Deputy-Speaker:** Is there a provision here for review?

**Shri A. P. Jain:** These are individual cases and will certainly be looked into. If there are satisfactory reasons, they will be reviewed.

**Shri Gidwani:** The hon. Minister has said that no fresh cases can be taken up, but just for information, I want to read one more case so that you may know the real position. The Government may or may not accept it.

A person has come only a month back from Pakistan, leaving his property worth about Rs. 14 lakhs. This is what he says:

"I, Dhanomal Mangatram, respectfully beg to bring to your kind notice that I owned vast property worth Rs. 13 to 14 lakhs, consisting of both agricultural land and residential houses, shops, etc., in the districts of Thar Parkar and Nawab Shah of the province of Sind. I also carried on business of cotton and grain and had other partners also."

I am omitting several portions of his letter and then he goes on to say:

"I am an old man of 75 years. In Pakistan all the partners and relations had left me and I and my wife were alone there. Muslim refugees would not pay rent. Revenue authorities on my request for help referred me to the Civil Court.....I had monthly income of Rs. 4,000."

This is the notice served on him by the Assistant Custodian, Mirpurkhas:

"Whereas there are reasons to believe that you are an Intending Evacuee, therefore, in the exercise of power conferred upon me under Section 23A of Pakistan Administration of Evacuee Property (Amendment) Act, 1951, I, Saiyed Irshaduddin, Assistant Custodian of Evacuee Property, District Tharparkar, Mirpurkhas, call upon you to show cause by 12th November, 1951 as to why you should not be declared an Intending Evacuee. In case you fail to show cause and do not put your personal appearance on the aforesaid date of hearing, the case will have to proceed as *ex-parte* and orders will be passed accordingly."

So, his property was ultimately taken and the poor man has left Karachi—not due to any fault on his part. Many of our people are suffering in

Pakistan not because of their crimes or sins or faults but as a result of a certain policy adopted by the Government in regard to Kashmir, canal waters, evacuee property etc., I submit that their cases do deserve sympathetic treatment.

Lastly, I would request the hon. Minister to look into one more point. There are certain claimants who have died and their heirs should get the claim, without producing succession certificates.

**Shri A. P. Jain:** There is no amendment to that effect by the hon. Member among the amendments he has tabled.

**Mr. Deputy-Speaker:** But if it is within the scope of the Bill.....

**Shri A. P. Jain:** It is not within the scope of this Bill. Payment of compensation to heirs is outside the scope of the Bill. What the hon. Member says is this. A claim was verified in the name of A. A has since died and B is the heir. The hon. Member wants the compensation to be paid to B. There is no question of the verification of the claim. The question should be brought up when a Bill for the payment of compensation comes in.

**Shri Gidwani:** I want if it is possible to make a provision here with respect to payment of compensation.

**Mr. Deputy-Speaker:** So far as payment of compensation is concerned, the hon. Minister has still kept the door open. Representations can be made to him and all aspects of the question will be considered.

**Pandit Thakur Das Bhargava:** The heir will certainly be entitled.

**Mr. Deputy-Speaker:** But he wants to avoid the payment of court fee, succession certificate, etc. The hon. Minister is very sympathetic and this point may be pursued at the time the compensation is to be paid.

**Sardar Hukam Singh (Kapurthala-Bhatinda):** Very sympathetic, because he is half Punjabi.

**Shri Gidwani:** Whatever may be the legal technicalities, the hon. Minister has ample powers even under the old Act, wherein certain claimants could be given more help in the sense that a non-urban claimant can be considered as urban one and given necessary relief.

**Sardar Hukam Singh's remarks** remind me to refer to one of the aspects of the problem as mentioned in the pamphlet issued by the Government regarding the Interim Compensation Scheme in the foreword of which the hon. Minister says—

“Rehabilitation is something more than the provision of houses and gainful employment, just as the human body is more than a combination of bones, flesh and blood, and a family is more than a collection of people. Figures and statistics have their own value, but they are far too inadequate to give a correct idea of the success or failure of rehabilitation. My approach towards displaced persons has been purely human. I have moved among them more than others, not by virtue of any inherent quality in me, but because I am their Minister. I have mixed with them, they know me and I know them. Half the blood in my veins is Punjabi. Sometimes we have quarrelled we have shouted at each other. But all through, there has been a concord, an understanding and an undercurrent of good feeling. Even though on occasions they have been angry with me, they have not doubted my sincerity. They have excused my mistakes; they have overlooked by shortcomings.”

I want him to implement the assurance of the good feelings in the implementation of this Act and try to see that no injustice is done to a single claimant. My submission is that every claimant who has left his

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property in Pakistan should get his due, not by way of charity. They are not getting their full compensation, and the amount that has been sanctioned is not more than 10 or 15 per cent. of their claim. This question is connected with rehabilitation and with compensation and so it must be viewed generously without sticking to the technicalities of the law. I hope the hon. Minister will take into consideration all the facts that I have placed before him and see that no injustice is done even to a single claimant.

Mr. Deputy-Speaker: Amendment moved:

"That the Bill be referred to the Select Committee consisting of Pandit Thakur Das Bhargava, Giani Gurmukh Singh, Shri Amar Nath Vidyalankar, Shri Basanta Kumar Das, Shri Rohini Kumar Chaudhuri, Dr. Ram Subhag Singh, Lala Achint Ram, Sardar Hukam Singh, Shri N. C. Chatterjee, Shrimati Sucheta Kripalani and the mover, with instructions to report by the 1st March, 1954."

But I find that there is no representative of the Ministry.

5 P.M.

Shri Gidwani: I have no objection: if the hon. Minister agrees, we would welcome him.

Mr. Deputy-Speaker: Until the hon. Member becomes a Minister he has to add a Minister also.

So after the name of Shrimati Sucheta Kripalani, I shall add the name of the hon. Minister and the mover.

Two other hon. Members, Lala Achint Ram and Sardar Hukam Singh, have given notice of similar amendments. They are barred. But I shall give them an opportunity to speak. But before that I would call upon Pandit Thakur Das Bhargava to speak.

श्री ठाकुर दास भार्गव : : जनाब डिप्टी स्पीकर साहब, मैं आप का मश्कूर हूँ कि गो कि मेरा हक नहीं था कि इस समय मुझे फीरन प्रपॉर्चुनिटी मिले, लेकिन आपने मेरे ऊपर यह मेहरबानी फरमाई है।

सरदार हुकम सिंह : उन्होंने आपकी खातिर नहीं, अपनी खातिर दिया है ताकि आप वहां जा सकें।

पंडित ठाकुर दास भार्गव : मैं सरदार साहब और अचित राम जी का भी मश्कूर हूँ कि उन्होंने बहुत गुड प्रेस से इसको मंजूर फरमाया है। लेकिन मैं उम्मीद करता हूँ कि मैं जो कुछ अर्ज करूंगा वह उन की भी concurrence उसको हासिल होगी और जनाब भी यह अर्ज महसूस करेंगे कि मैं उन्हीं खयालात को दोहराऊंगा जो कि जनाब ने चैम्बर से जाहिर किये हैं।

यह बिल दूसरे बिल के साथ सप्लिमेन्टरी इस सेन्स में है कि बिला उस बिल को समझे हुए हम इस बिल का अन्दाजा नहीं लगा सकते कि यह नई चीज है या उसी का एक जुज है। उस की जो बहुत सी चीजें हैं वह इसके अन्दर जरूर इम्प्लिसिटली कायमशुदा समझी जायेंगी इस वजह से मैं इसमें कोई आब्जेक्शन नहीं सनसन्नता कि दोनों बिलों को हमें एक साथ पढ़ना होगा।

अब, अगर जनाबवाला स्टेटेमेंट आफ आब्जेक्ट्स एंड रीजन्स का मुलाहजा फरमायेंगे तो उनको यह रोशन हो जायेगा कि इसमें चार पांच बातें आनरेबुल मिनिस्टर साहब ने कही हैं। मैं उनकी खिदमत में अर्ज करना चाहता हूँ, जैसा कि एक फारसी का मसला है, कि आप की मेहरबानी ने मुझको गुस्ताख कर दिया। आनरेबुल मिनिस्टर साहब ने अपने बिल में डिस्प्लेस्ड पर्सन्स को तीन महीने की मियाद दी है कि वह अपने क्लेम को

जायें और आनरेबुल मिनिस्टर साहब उनका फैसला करेंगे। नतीजा क्या होता है? लोग जो मारे हुए थे, बिछड़े हुए थे, उन को सरकार से उम्मीद नहीं रही थी। जिस वक्त यह सूरत थी कि गवर्नमेंट कहती थी कि क्लेमस लाभो तो लोग कहते थे कि यह वही गवर्नमेंट है जिसको हम सन् १९४८, १९४९ और १९५० से क्लेमस दे रहे हैं, और कुछ नहीं हुआ। हम किस को जा कर क्लेमस दें? यह (situation) सिचुएशन थी, उस वक्त हम सब ने जा कर आनरेबुल मिनिस्टर साहब की तरफ से लोगों को कहा कि क्लेमस दो, सरकार तुमको जरूर कम्पेन्सेशन देगी। मैं खुश हूँ कि आज वह दिन आ गया है कि आनरेबुल मिनिस्टर साहब के साथ साथ गरीब बेवा औरतें फोटो में खड़ी होती हैं और उनको वह चँक देते हैं। मैं जानता हूँ कि यह सरकार या कोई सरकार दुनिया में पूरा मुआवजा नहीं दे सकती, लेकिन हमारी सरकार ने थोड़ा ही सही, मुआवजा दिया और उसके वास्ते मैं उस की जितनी भी तारीफ करूँ थोड़ी है, और आनरेबुल मिनिस्टर साहब ने इसमें जो पार्ट अदा किया है वह ऐसा है जिसको रिफ्यूजीज और वह लोग, जिनका रिफ्यूजीज से कोई वास्ता है, हमेशा याद रखेंगे।

मौके मौके पर हमने देखा है कि आज स्वर्गीय श्री गोपालस्वामी आर्यंगर ने बयान दिया कि कम्पेन्सेशन मिलेगा, लेकिन उसी के फौरन बाद हमारे प्राइम मिनिस्टर साहब ने उस पर पानी फेर दिया। इस के बाद दूसरे मिनिस्टर ने कहा कि कम्पेन्सेशन मिलेगा और तीसरे मिनिस्टर ने उसे शक में डाल दिया मगर हमारे मौजूदा मिनिस्टर साहब बिल्कुल चट्टान की तरह अडिग खड़े रहे कि कम्पेन्सेशन जरूर मिलेगा और इसके लिये उन्होंने अपनी मिनिस्ट्री की भी परवाह नहीं की। मैं उनको मुबारकबाद देता हूँ पब्लिकली, और मैं यह अर्ज करना चाहता हूँ कि जिस

मेहनत से, जिस मोहम्बत से और जिस खुश-अस्तूबी से उन्होंने अपना काम शुरू किया था, वह आखीर तक उस पर कायम रहे और उसी हीसले को कायम रखा, उसी सिम्पेथी को कायम रखा ताकि लोग कह सकें कि जिस तरह से उन्होंने काम शुरू किया था उसी तरह उस को खत्म भी कर दिया।

जिन तीन मिसालों का मि० गिडवानी ने हवाला दिया है उन को पढ़ कर, उन को सुन कर किस आदमी का दिल नहीं पसीजेगा? मैं कहता हूँ कि एक शख्स जो १४ लाख का मालिक था उसको आज इन्टेन्डिंग एवैक्वी होने के बहाने सिन्ध से निकाल दिया गया। आज आखिर वह कहां जाय, यह मैं आनरेबुल मिनिस्टर साहब से पूछना चाहता हूँ? उन का दिल हर एक के लिये पसीजता है। उस गरीब आदमी के लिये इस बिल में जगह निकालिये या इसको बदलिये। मैं जानता हूँ कि ऐसे बहुत केसेज नहीं हैं, क्योंकि सभी को पहले से ही बैस्ट पंजाब से निकाल दिया गया, लेकिन थोड़े ही सही, ऐसे केसेज हैं। अगर आप कान्स्टिट्यूशन का मुलाहिजा फरमायें, उस में दिये हुये इक्वैलिटी आफ ट्रीटमेंट का मुलाहिजा फरमायें तो आप देखेंगे कि अगर ए और बी को आप मदद देते हैं तो कोई वजह नहीं है कि सी को यह इम्दाद न मिल सके। हर शख्स को हक है और हर एक को उसी बेसिस पर मुआवजा मिलना चाहिये जिस पर कि उसके दूसरे भाइयों को मिला है। मैं ने आनरेबुल मिनिस्टर साहब से दरयाप्त किया कि ऐसे कितने आदमी होंगे तो आनरेबुल मिनिस्टर साहब ने फरमाया ऐसे आदमियों की तादाद बहुत ज्यादा नहीं है। मैं अदब से अर्ज करूंगा कि ऐसे आदमियों को किसी ऐसी चीज से, जिसे कि आपने दूसरे रिफ्यूजीज को दिया है, आप महकूम नहीं रख सकते। वरना किसी रिफ्यूजीज को सब नहीं आवेगा, उस के वारिसों को सब

## [पंडित ठाकुर दास भार्गव]

नहीं आयेगा, और वह कभी नहीं भूलेगा कि सरकार ने अपनी तरफ से औरों को मुभावजा दिया लेकिन उसको मुभावजे के हक से वंचित रखा। आप उस गरीब को देखिये जो कि पाकिस्तान के जुल्मों का शिकार हो कर मजबूरन यहां आया। अगर वह सन् १९५० के ऐक्ट के मुताबिक डिस्प्लेस्ड पर्सन की तारीफ में आता है तो कोई वजह नहीं मालूम होती कि उसको इस मुभावजे से महरूम रखा जाय और जो कान्स्टिट्यूशन का क्लॉज है ईक्वैलिटी आफ ट्रीटमेंट का उस से महरूम रखा जाय। यहां लोग आते हैं रिहैबिलिटेशन के वास्ते, मकान के वास्ते, रोटियों के वास्ते। आप उन्हें इस तरह से मायूस नहीं कर सकते। आपको दिल का दरवाजा खोलना पड़ेगा। मैं कहता हूँ आनरेबल मिनिस्टर से और सारी कैबिनेट से कि उन लोगों को जो कि उधर से आये हैं, अगर वह डिस्प्लेस्ड पर्सन्स की तारीफ में आते हैं तो आप उन को वंचित नहीं कर सकते और न रोक सकते हैं उन के क्लेमों को। अगर आनरेबल मिनिस्टर साहब दोनों ऐक्टों का प्रोटेशन लें और कहें कि यह लोग ऐक्ट के अन्दर नहीं आते हैं तो मैं एक कानूनदा की हैसियत से तो मानने को तैयार हूँ कि वह लोग नहीं आते, लेकिन ऐसा कानून logical नहीं है। जो चीज उस के अन्दर नहीं आती क्या वह सब की सब जायज है? हम यहां legalistic फार्म के लिये नहीं बैठे हैं। हम ने कान्स्टिट्यूशन में लिखा है कि हम सोशल जस्टिस देंगे, हर तरह की जस्टिस देंगे। मैं आनरेबल मिनिस्टर साहब से अदब से पूछूंगा कि स्वाह कोई शस्स इस बिल के अन्दर आये या न आये, आप किस कानून से उस शस्स को इस बिल के मफाद से महरूम कर सकते हैं। यह एक ऐस्पेक्ट आफ दी केस है कि आदमी पहले आये हों या बाद में आये हों उनके साथ यकसां सलूक होना चाहिये।

मैं ना चाहता हूँ कि अगर हमारे आनरेबल मिनिस्टर साहब पत्थर का दिल रखते तो मैं कुछ नहीं कहता। लेकिन उन्होंने इस बिल में उन-लोगों के लिये प्रोवाइड किया है जो कि बाद में आये हैं और ट्राइबल एरियाज के हैं या ऐसे लोग हैं जिन के क्लेम्स थे मगर वह अब तक पक्के नहीं हुये हैं। और रजिस्टर नहीं किये गये हैं। आज आप अपने नर्म दिल को और कांशेंस को सेटिस्फाई करने के लिये ट्राइबल एरियाज के क्लेम्स को ले रहे हैं, तो मैं अदब से पूछना चाहता हूँ कि जो ट्राइबल एरियाज से नहीं आये मगर जिनकी हालत बेसी ही है तो आप उनको वही फायदा क्यों नहीं देना चाहते। उनकी बहुत बड़ी तादाद नहीं है। मैं इस को नहीं मानता हूँ कि आप इन को कम्पेन्सेशन नहीं दे सकेंगे क्योंकि आपने तो एक फंड मुकर्रर कर दिया है कि इतना रुपया कम्पेन्सेशन में मिलेगा। आप ने उन की तादाद मुकर्रर कर दी है कि ३,९०,००० को मिलेगा अब पाकिस्तान से तो हमको कोई उम्मीद ही नहीं है। अब अगर किसी का हिस्सा कम होगा तो उन्हीं का होगा। सरकार का कुछ नहीं बिगड़ेगा। अब अगर डिस्प्लेस्ड पर्सन्स को २५ परसेंट के बजाय २४ परसेंट मिल जाय और उनके दूसरे भाइयों को भी मिल जाय तो इस में आप का क्या हर्ज है। मैं जानता हूँ कि इसमें दस पन्द्रह दिन की देरी हो जायगी लेकिन इसका कोई बहुत लम्बा चौड़ा असर नहीं होगा क्योंकि इन की तादाद बहुत ज्यादा नहीं है। इसलिये मैं बड़ी ग्राजिजी से लेकिन बड़े जोर से अर्ज करूंगा कि आप अपने दिल का दरवाजा खोल दें क्योंकि यह दरवाजा बहुत बसीय होना चाहिये।

गिडवानी साहब ने जो अपील की है मैं उसके बारे में यह अर्ज करना चाहता हूँ

कि आप देखें कि हमारे मुल्क में ऐसे कितने आदमी हैं जो कि अंग्रेजी जानते हैं। हिन्दी और उर्दू जानने वाले भी बहुत कम हैं। आपने यह अखबारों में दे दिया कि फलां दिन तक क्लेम आवें लेकिन कितने आदमी अखबारों को पढ़ते हैं। कितनों को इसका इल्म हुआ होगा। मैं मानता हूँ कि जब वह लोग आपस में मिलते हैं तो एक दूसरे को बतलाते हैं। लेकिन फिर भी मैं यह मानता हूँ कि इतने बड़े देश के अन्दर ऐसे आदमी भी होंगे जिनको कि इसकी इत्तिला न हुई हो। बहुत लोगों को तो यह भी मालूम नहीं है कि यहाँ पर क्लेमस दिये जाते हैं। मेरे लायक दोस्त यह सुन कर हँसेंगे। लेकिन हिन्दुस्तान के अन्दर ऐसे ऐसे लोग हैं जिन्होंने आज तक रेल नहीं देखी है, जिन्होंने मोटर नहीं देखी है। जब मैं ने कुछ रिपयूजीज को जी० के स्टेशन पर १९४७ में देखा तो मुझे यह देख कर ताज्जुब हुआ कि पंजाब में ऐसे भी लोग रहते हैं। यह लोग सिविलाइजेशन के लिहाज से बहुत पीछे थे। उन से यह उम्मीद करना कि वह आपके लिमिटेशन के कानून को जानते होंगे दुस्त नहीं है। मैं यह जानता हूँ कि ४, ५०,००० क्लेम आये थे जिन में से ६०,००० बैरीफाई नहीं किये गये, सिर्फ ३,६०,००० बैरीफाई हुये।

**Shri A. P. Jain:** Sometimes duplicate, triplicate claims were preferred, sometimes no property was held on the other side.

**पंडित ठाकुर दास भार्गव :** दुस्त है। हां कुछ गलत दावे दिये गये। ऐसे भी लोग थे जिनकी प्रापर्टी नहीं थी पर जिन्होंने क्लेम दिये। लेकिन मेरी आपकी खिदमत में यह अदब से गुजारिश है कि उन में ऐसे भी लोग थे जो कि लिमिटेशन की वजह से मारे गये, जिनको इत्तिला नहीं मिली या जिनके डुप्लीकेट नहीं मिले।

**Shri A. P. Jain:** If a claim was filed it will be verified; there is provision for its verification.

**पंडित ठाकुर दास भार्गव :** मैं अर्ज करूंगा कि जो प्राविजन है वह बहुत नाकाफी है। जो प्रावीजन है वह मुझे मालूम है लेकिन वह नाकाफी है। मैं अदब से अर्ज करना चाहता हूँ, मुझे और ज्यादा बहस करने की जरूरत नहीं है, आनरेबुल मिनिस्टर साहब ने मेरी अपील मान ली है। वह फरमाते हैं कि ऐसे केसेज को हम इजाजत देंगे लेकिन जो प्रावीजन उन्होंने रखा है वह मेरी नाकिस राय में काफी नहीं है। हमारा झगड़ा तो इसी बात पर है कि जो शक्स लिमिटेशन की वजह से रह गया है उसको भी रिबीजन का हक देना चाहिये।

**Shri A. P. Jain:** May I ask my friend to look into the definitions. 'Claim' means any claim registered under the principal Act and pending on the appointed day, whether a duplicate has been filed or it has not been filed, if a claim was filed and it has not been disposed of, it will be disposed of. I am not relying upon *suo motu* power; I am relying upon the definition of 'claims'.

**पंडित ठाकुर दास भार्गव :** जनाब वाला मैं अर्ज कर रहा था ५ (२) के बारे में। मेरे लायक दोस्त ने ५ (२) का हवाला दिया। तो मैं अर्ज कर रहा था कि जहाँ कहीं भी रिबीजन का हक दिया जाता है वह दो तरह दिया जाता है। एक तो मरसी पिटीशन की तरह है कि कोर्ट स्पू मोटो किसी दूसरे को बुलावे। वह केसेज बहुत थोड़े होते हैं। दूसरे वह केसेज होते हैं कि सिके अन्दर एग्रीव्ड पार्टि सुद जा कर दरबाजा खटखटायें और कहे कि मेरा क्लेम सुन लीजिये। ५ ए० में आपने एक महीने की लिमिटेशन रखी है। यह जो लिमिटेशन का कानून दूसरे मुल्कों से ला कर यहाँ चलाया गया है उसको मैं



[पंडित ठाकुर दास भांडव]

मानता हूँ क्योंकि हर बीज की कहीं न कहीं लिमिट मुकर्रर होनी चाहिये नहीं तो मुश्किल हो जाय। लेकिन मुआबजा देने की या इन्सफ देने की जो कि सरकार को देना है उसकी क्या मीआद हो सकती है। उसकी मीआद को बना कर इस सस्ती से लागू नहीं करना चाहिये जैसा कि ५ ए० में दर्ज है। मैं अर्ज करूँगा कि मिनिस्टर साहब ने तीन महीने की मीआद मुकर्रर की थी पर वह उस पर खुद कायम नहीं रहे और उन्होंने पहले उसको एक महीना और बढ़ाया और फिर २६ महीने तक क्लेम लेते रहे। इसके लिये मैं उनको मुबारकबाद देता हूँ और उसी बुनियाद पर अपील करता हूँ जिस की वजह से उन्होंने तीन महीने से २६ महीने मीआद बढ़ा दी। अब यह रिप्यूजीज की आपसे यह आखिरी अपील है। वह दिन मुबारक होगा जिस दिन मिनिस्टर साहब अपना काम पूरा कर लेंगे और उनका महकमा खत्म हो जायेगा मैं अर्ज करना चाहता हूँ कि यह आखिरी मौका है कि आप इस लिमिटेशन को बढ़ा दें। लिमिटेशन के गुजरने का फायदा दूसरी पार्टी को मिलता है। पर यहाँ तो गवर्नमेंट दूसरी पार्टी है। मैं अब से अर्ज करूँगा कि यह जो आपने लिमिटेशन रखा है इसको हटा लीजिये। वह आखिरी मौका है क्लेम देने का। उन लोगों के क्लेम ले लिये जायें जिनके क्लेम किसी टेकनीकल वजह से नहीं लिये गये हैं। डिपटी स्पीकर साहब, जनाब वाला ने निहायत खूबसूरत अल्फाज में यह दरयापत फरमाया था कि जिन लोगों के क्लेम डिफाल्ट की वजह से नहीं लिये जा सके उनके अलावा जिनके क्लेम किसी टेकनीकल वजह से नहीं लिये गये क्या उनके लिये कोई प्राबीजन है। आनरेबल मिनिस्टर साहब ने फरमाया कि हाँ है। मैं मानता हूँ कि जरा सा लूपहोल तो रखा गया है प्राती स्पु मोटो

रिबीजन के वास्ते रखा है। लेकिन जो अपील हम लोग मिनिस्टर साहब की खिदमत में करना चाहते हैं वह यह है कि आप इस लिमिटेशन के कानून को हटा दीजिये ताकि डिफाल्टर्स को छोड़ कर बाकी नये क्लेम आपके सामने आ सकें। मैं जानता हूँ कि आप इसको मानने को राजी नहीं होंगे क्योंकि जो बार बार रियायत देता है उसके लिये ऐसा करना मुश्किल हो जाता है और वह चाहता है कि कहीं खत्म करे। लेकिन गरीब नवाज, हिन्दुस्तान में तीन बार माफी दी जाती है दो बार आप क्रसुर माफ कर चुके हैं। तीन महीने से आपने चार महीने किया और फिर उसको बढ़ा कर २६ महीने किया। अब आखिरी माफी यही है कि आप इस लिमिटेशन के कानून को वापिस ले लीजिये और इस बात की इजाजत दीजिये कि जितने क्लेम किसी टेकनीकल वजह से नहीं लाये जा सके वह लाये जा सकें। इनमें बिल्कुल डिफाल्ट वाले क्लेम नहीं होंगे। आप इस लिमिटेशन को सस्पेंड कर दीजिये और इस नए काम को जिससे गवर्नमेंट की कीर्ति को चारबाद लगेंगे और आपकी भी शान बढ़ेगी, आगे बढ़ने दीजिये और लोगों को यह महसूस करने दीजिये कि वह एक वेल्फेयर स्टेट में रह रहे हैं न कि एक लीगलिस्टिक स्टेट में जो कि लिमिटेशन के कानून को लागू करती है। अगर आप स्टेट में आफ आबजेक्ट्स एंड रीजन्स को देखें तो आपको मालूम होगा कि ऐसा एक भी केस नहीं है जो लाला अचित राम के अमेंडमेंट में न आता हो। इस में आपने दिया है :

Claims and revision petitions undisposed of and not yet made are included, or incidental provisions, verification of claims not yet verified, validation or verification.

आपने सब कुछ प्राबीजन किया है। मैं अब से अर्ज करना चाहता हूँ कि मैं कानूनी तौर से

कुछ अर्मेंडमेंट करने के लिये नहीं कह सकता। यह तो एक पिटीशन आफ भरती है कि आप इस पीछे की कायदे कानून की वजह से न वेतों और अपने विशाल हृदय का विकास करें और उन लोगों के साथ इन्साफ करें जो कि उसके मुस्तहक हैं। मैं जानता हूँ कि जो पीछे आये हैं उनके लिये आप नया बिल लाने के लिये तैयार हैं। लेकिन ऐसे भी सैकड़ों हैं जो कि किसी वजह से नहीं आ सके, बुढ़े होने की वजह से या और किसी वजह से उन को भी आप इनमें शामिल कर लें। मुझे जो कुछ अर्ज करना था वह मैं ने कर दिया और मुझे उम्मीद है कि मिनिस्टर साहब मेरी अर्जदास्त को कबूल करमायेंगे।

लाला अशित राम (हिसार) : प्रधात जी, मैं समझता हूँ कि एक एक दफा ही मौका मिलेगा, इसलिये मैं अपने ब्यालात के मुताल्लिक अर्ज कर देना चाहता हूँ। मैं इस बिल का स्वागत करता हूँ क्योंकि इसमें जो कुछ किया गया है वह रिफ्यूजीज की भलाई के लिये किया गया है। मुझे जैन साहब के मुताल्लिक तो कुछ कहने की जरूरत नहीं है क्योंकि वक्तान फवक्तान उन्होंने ने अपने नेक इरादों का हमारे सामने सबूत दिया है। सिलेक्ट कमेटीज में वह हमेशा रिफ्यूजीज के लिये लड़ते रहे हैं। इस वास्ते उनके मुताल्लिक कुछ कहने की जरूरत नहीं है। मगर मैं जानता हूँ कि हमारे जैन साहब भिन्नत को नहीं मानते वह तो दलील को मानते हैं। भिन्नत तो हमारे बाबू जी ने बहुत कर दी है। मैं उनकी खिदमत में दलील भी पेश करना चाहता हूँ।

मैं थोड़ा सा अर्ज करना चाहता हूँ। यह जो बिल है इस की आप हिस्ट्री देख लीजिये। यह बिल सन् १९५० में आया। उस वक्त इस में दो बरस

का प्रावीजन किया गया। जब हमने सुना कि दो बरस के लिये यह है तो हमको बहुत बेवैनी हुई। यह सवाल हमारी एडवाइजरी कमेटी में आया। यहां पार्लियामेंट में कहा गया कि एक साल में काम हो जायगा।

मोहनलाल जी सक्सेना उस वक्त थे। तो उन्होंने कहा कि दो साल का प्रावीजन तो हम कर रहे हैं लेकिन काम खत्म करेंगे एक साल के अन्दर। मैं ने आखिरी स्पीच में भी यह बात कही थी कि आप दो साल रखते हैं। लेकिन उन्होंने कहा कि एक साल में काम हो जायगा। और, मिनिस्टर साहब की बात थी अच्छे भादमी थे, उनकी बात हमने मानी, उनके ऊपर एतबार किया फिर दिन गिनने शुरू किये, महीनों गुजरे, एक साल गुजर गया, डेढ़ साल गुजर गया और आखिर दो साल भी गुजर गये। फिर फौरन हाउस के अन्दर एक अर्मेंडमेंट ऐसी लाई गई कि दो साल का अर्सा तीन साल किया जाय। इस तरह यह एक पत्थर था जो हम पर पड़ा, लेकिन क्या करें सिवाय इसके कि बर्दाश्त करें। और, बर्दाश्त किया। एक साल के बाद डेढ़ दो साल गुजरे और अब तीन साल भी जो रखे गये वह भी हो गये। इसको भी बर्दाश्त किया।

उसके बाद अब आप देखें कि यह बिल और आ रहा है, जिसका मैं स्वागत कर रहा हूँ। यह ब्याल रखिये कि मैं इसका स्वागत तो कर रहा हूँ, लेकिन वक्त कितना बढ़ा। अब मैं आप से पूछता हूँ कि जरा आप अपने दिर्र में सोचिये कि यह साल का डेढ़ साल हुआ, दो साल हुए और षाई साल हुये और तीन साल भी हो गये। यह किस की कीमत पर हुए, किस के लिए हुए और क्यों हुए। यह वक्त क्यों बढ़ा? क्या यह वक्त इसलिये बढ़ा, इस वास्ते बढ़ा कि कमनसेलशन देने को गवर्नमेंट बिल्कुल तैयार बैठी थी? क्या

[लाला अचिन्त राम]

इससे लोगों को मीका दिया जा रहा था कि और एप्लिकेशन आ जायें ? क्या लोगों से एप्लिकेशन और दिलाने के लिये यह वक्त बढ़ाया गया था ? यह किस लिये बढ़ाया गया, यह आप अपने दिल से पूछिये, मैं नहीं जानता ।

अब तक तो बहुत सी बातें आप करते रहे । कभी प्राइम मिनिस्टर ने कहा कि अभी देंगे, अपनी ताकत के मुताबिक कम्पनसेशन देंगे, कभी कहा कि नहीं देंगे । यह सारा मामला इस तरह के झगड़े में पड़ा रहा । तो यह कहना कि सिर्फ रिफ्यूजीज के मफाद के लिये यह वक्त बढ़ाया गया है । मुमकिन है कि थोड़ी बहुत यह बात हो, लेकिन तबीयत बहुत इस को नहीं मानती है । यह लगातार वक्त का बढ़ाना क्या बात हुई ? यह क्या मजबूरी थी ? मैं ने तो कभी इस बात को तस्लीम ही नहीं किया कि अगर रुपया हो और आदमी में अरनैस्टनेस हो तो कोई काम नहीं हो सकता । तीन साल के क्या मतलब होते हैं ? अगर क्या आज लड़ाई आ जाये, लड़ाई पाकिस्तान के साथ शुरु हो जाय, तो क्या आप यह कहेंगे कि हमारे आदमी तैयार नहीं हैं, फाइव ईयर प्लान में लगे हुए हैं, या यह कि नहरें बन रही हैं, रुपया उन में लग रहा है ? यह नहीं होगा, आप एकदम, एक वीक में तमाम काम को स्विच कर देंगे । वजह इस की क्या ? वजह यह कि मुल्क की रक्षा का काम करना है, इस का इन्तजाम करना है । एक हफ्ते के अन्दर ही पार्लियामेंट की शकल बदल जायगी, क्योंकि मुल्क की हिफाजत का सवाल है । आज एक करोड़ आदमी लड़ाई में मरे, मुझे पता नहीं कि एक करोड़ मरे या कितने मरे, लेकिन आज इतने आदमी तबाह हुए और मरे, लेकिन किसी ने नहीं सोचा कि इस काम को बार बेसिस पर होना

चाहिये । उन्होंने कहा कि एक साल में होगा, वह एक साल हो गया, दो साल हो गये, तीन साल हो गये, कोई बात नहीं, ऐसा होता ही रहता है । लेकिन मैं इस बात को तस्लीम नहीं कर सकता कि अगर कोई आदमी किसी काम को करने के लिये अरनैस्ट हो तो वह इस काम में दो साल लगा दे । लेकिन हम क्या करें ? हमें तो माफ करना ही है । एक साल को माफ करना है, दो साल को माफ करना है और तीन साल को भी माफ ही करना है । और पता नहीं अभी कितने साल और माफ करना है । छः साल के लिये भी हम तैयार हैं । छः सात साल होंगे तो उन को भी माफ करना ही पड़ेगा ।

इस वास्ते आज बाबू जी ने जो अपील की कि एक महीना दिया, दो महीने दिये, तीन महीने दिये और चार महीने दिये तो मैं कहता हूँ कि हम ने तो महीने नहीं, साल दिये हैं । एक साल दिया, दो साल दिये, तीन साल दिये । तो इस तरह से इतना धक्का गुजर गया और हम माफ करते गये । तो खैर अच्छी बात है जो आप ने किया । अब सवाल यह रहता है कि इस बिल की हैसियत क्या है । मैं सादिक दिली से, तमाम प्यार से और दर्द से सच्ची बात कहूंगा कि हजारों आदमी हमारे हाउस के बाहर हम को फेस करने पड़ते हैं । वह मुझ से कहते हैं कि तुम कांग्रेस पार्टी के मँम्बर हो, गवर्नमेंट के मँम्बर हो, तुम ने हमारे लिये क्या किया । हम उनको क्या कहें । हम कोई बात कहते हैं तो जैन साहब नाराज हो जाते हैं । जैन साहब नाराज भी जल्दी ही हो जाया करते हैं । तो कहीं ऐसी बात न हो जाये कि जैन साहब नाराज हो जायें, इसलिये बहुत डर डर के हम बात करते हैं । लेकिन कहीं न कहीं तो बात कहनी ही पड़ती है । इस वक्त जो यह बिल है, बाबू जी ने इस की खासी बजाह्त कर

दी। मुझे तो यह मालूम पड़ता है कि इस बिल के अन्दर आप ने पंजाबी कहा तो पंजाबियों ने तो अपनी जनरासिटी दिखा दी, इन्होंने पंजाबी मान कर आप की यह बात कि हमारे पास आदमी नहीं है माफ कर दिया। अब मैं कहता हूँ कि वैसे वह पंजाबी हैं आपने उन को माफ नहीं किया। आज तो हालत यह होती है, घरों में तरीका यह होता है कि जो मालिक होता है उसकी गलती कोई नहीं देखता, जो नौकर होता है उसकी गलती निकालते हैं। लेकिन आज हालत यह है कि जब भी गलतियाँ निकालने का मौका होता है तो मालिकों की गलतियाँ निकालते हैं, नौकर चाहे जो करे। मालिक आज कौन है? मालिक तो मुल्क के रहने वाले हैं, रिफ्यूजीज हैं। नौकर कौन है? नौकर तो गवर्नमेंट है। आज नौकर जो है, उसकी गलती कोई नहीं है। यह कहते हैं कि रिफ्यूजीज बेईमान हैं, गलत बयान देते हैं, चीजें विदहोल्ड करते हैं, तमाम तरह की बातें करते हैं। आज मालिक का नुकस निकालते हैं, लेकिन नौकर का नुकस कहने की जुरत कोई नहीं कर सकते।

इस वास्ते मैं कहूँगा कि इस बिल के अन्दर जो नूकायस है, मैं तो समझता हूँ कि इट इज नाट सफिशियंटली जनरस, बाबूजी ने जो कुछ इस बिल के बारे में कहा वह अच्छा कहा, थोड़ा मैं भी उरुका मानता हूँ, लेकिन मैं समझता हूँ कि जो थोड़ी बहुत अमेंडमेंट है, वह तमाम चीजें इस में आ जाती हैं तो वह क्यों न लाई जाय। मैंने एक केस दिया मन्त्री जी को चन्द दिन हुए एक आदमी ने दरखास्त दी। उन्होंने कहा कि इन टाइम नहीं थी। मैं ने इन को लिखा कि अब वह क्या करे। इन्होंने कहा कि इस की डिले कनडोन नहीं हो सकती। अब नया बिल आ रहा है, इस बिल में इन की डिले तो कनडोन हो सकती

है, लेकिन इन आदमियों की एक-दो महीने की डिले कनडोन नहीं हो सकती।

अभी मैं ने चन्द दिन हुए एक चिट्ठी लिखी थी। जयपुर के एक बेचारे गरीब सिधी ने बीस हजार रुपये का क्लेम दिया, क्लेम अफसर को भी लिखा लेकिन उनको उसकी कोई इत्तिला नहीं और कोई जवाब उसका नहीं है। कागजात उसके पास नहीं हैं, अब बतलाइये उस बेचारे गरीब के क्लेम का क्या बनेगा। और वह किस कॅटेगरी में आयेगा? मैं जानता हूँ कि आप की इन्वाहिश इस कॅटेगरी के लोगों को इनकलूड करने की है, लेकिन खाली इन्वाहिश से तो कुछ बनने वाला नहीं है, जरूरत इस बात की है कि इस बिल को ऐसा मीडीफाई कीजिये जिससे वह इसके अन्दर आ जाय। आप सवाल बड़ा अच्छा हमारे सामने पेश करते हैं कि बतलाइये हम क्या करें? हमारी इन्वाहिश तो है कि हम जल्दी से जल्दी लोगों को क्लेम दें, एक तरफ इतना रुपया है, दो अरब है, और दूसरी तरफ इतने सारे रेफ्यूजीज हैं और वह फरमाते हैं कि अगर इसी तरह से क्लेमेट्स बढ़ते जायेंगे तो हम उनका फंसला नहीं कर पायेंगे। यह दलील आपकी ऐसी जबर्दस्त है जिसके होते हुए कुछ जवाब नहीं बन पड़ता, लेकिन मैं आपसे पूछता हूँ कि यह जो रुपया है यह कहाँ से आया? एक अरब रुपया तो रिफ्यूजीज की प्रापरटी का है, बाकी आपने रुपया दिया। अपनी इन्टेरिम कम्पेंसेशन स्कीम के अन्दर आपने बड़ी ही मजेदार बात लिखी उसके लिए मैं ने कोई मुबारकबाद की चिट्ठी तो नहीं लिखी, लेकिन उसके लिये आपको दिल में मुबारकबाद देता हूँ। आप फरमाते हैं :

"However much one may denounce the craving for ownership or praise the virtues of collective ownership, one cannot try the experiment of socialisation with

[लाला अचिन्त राम]

only one section of men, particularly with those who have been uprooted."

[PANDIT THAKUR DAS BHARGAVA  
in the Chair]

यह सोशलाइजेशन का जो तजुर्बा है, इसका एक सेक्शन पर तजुर्बा करना मुनासिब नहीं था। हम यह बात पिछले पांच वर्ष से कहते रहे, शुक्र है, कि आज छठे वर्ष में मिनिस्टर साहब ने तसलीम किया कि इस तजुर्बा को हमें रेफ्यूजीज पर ट्राई नहीं करना चाहिये, यह सोशलाइजेशन का तजुर्बा एक ऐसे सेक्शन पर जो कट पिट कर आया अपरूट हुआ है, उस पर करना किसी तरह ठीक और मुनासिब नहीं है। जब आप को यह नहीं करना है तो फिर आपको देखना है कि आप कहां से और कैसे उनको कम्पेंसेट करते हैं? आपके पास एक अरब के मूल्य की प्रापरटी मौजूद है, बाकी रकम कहां से आयेगी, आप पाकिस्तान से लीजिये और बड़े शौक से घर में रख लीजिये, लेकिन जब तक आपको पाकिस्तान से रुपया नहीं मिलता, तब तक गवर्नमेंट को खुद यह रकम रिफ्यूजीज के वास्ते प्रोवाइड करनी चाहिये। लेकिन इस का यह मतलब नहीं हो जाता और न ही हम इस बात का दावा करते हैं कि आप फौरन हमें पांच अरब रुपया दे दें, आपके पास दो अरब रुपया है, तीन अरब का फर्क है, यह मैं नहीं कहता कि आप हमें सारा का सारा फौरन दे दीजिये, लेकिन उसके लिए इक़रार तो कीजिये वायदा तो कीजिये।

मैं आजकल भूमिदान के कार्य में लगा हुआ हूँ और मुझे यह देखकर हैरानी होती है और खुशी भी होती है कि हमारे रिफ्यूजीज भाई जो पाकिस्तान से कट पिट कर और सब कुछ लुटा कर आये हैं, वह भी भूमिदान में जमीन दान कर रहे हैं। मैं समझता हूँ कि एक ऐसे सेक्शन पर जो पहले से ही लुट कर आये हैं उनके ऊपर पचास, साठ या सत्तर अस्सी

परसेंट का कट लगा देना किसी तरह इंसाफ की बात नहीं है और जैसा आपने खुद फरमाया है सोशलाइजेशन के तजुर्बों को एक सेक्शन पर नहीं आजमाना चाहिये। आपको उनको जो देना है और जिसको देना आपने कबूल किया है वह आप दें, एक साल में नहीं दे सकते तो दो साल में दें, तीन साल में दें या चार साल में दें। आपने इस सिलसिले में एक बात यह भी कही है कि हम जो बड़े २ लोग हैं और लाखों करोड़ों की जायदाद पीछे छोड़ कर आये हैं, उनको हम फिर उनका पुराना स्टेटस नहीं दे सकते, उनको उनका पुराना स्टेटस रेस्टोर करना हमारे मीन्स के बाहर है, उनके लिए मैं कहना चाहता हूँ कि आप उनके क्लेमस में ६ आने, ८ आने भर कमी कर दीजिये, लेकिन कोई स्टेटस तो उन्हें दीजिये। अगर आप उनको पूरा नहीं दे सकते तो थोड़ा बहुत तो दीजिये। आपका यह उसूल तो ठीक है कि हमारी इस इंटेरिम स्कीम का मकसद क्लेमेट्स के उस ९५ परसेंट तबके को बेनीफिट देना है, आप कहते हैं कि हम बड़ों को पूरा नहीं दे सकते, लेकिन अस्सी फीसदी बाकी क्लेमेट्स को तो दीजिये। अब यह कहना कि इन सब के लिए रुपया कहां से आयेगा, उसके लिए हमारा इंतज़ार करते जाना कि पाकिस्तान से मिले तो दें, इससे काम नहीं चलने वाला है, काफी इंतज़ार हो चुका है और गवर्नमेंट खुद अपने पास से जरूरी रकम प्रोवाइड करे और उनके क्लेम का रुपया उनको तकसीम करे। ऐसे लोग जिनके क्लेम बाद में आयेंगे, वह आपको नहीं कह सकेंगे कि हमें जल्दी पेमेंट नहीं किया, यह शिकायत वही आदमी कर सकते हैं जिन्होंने अपने क्लेमस आपको पहले से दिये हुए हैं। बाद में क्लेमस देने वालों को बाद में मिल जायगा। दो अरब से ज्यादा की आपको इसके लिए जरूरत पड़ेगी, तो मैं

कहता हूँ कि आप एक अरब और प्रोवाइड कीजिये, एक अरब न सही पचास करोड़ ही निकालिये, लेकिन अदायगी का काम तो चालू कीजिये, काफी इंतजार वे लोग कर चुके हैं। रह गये वे लोग जो बाद में क्लेम्स देते हैं, तो उनको आप बाद में दे सकते हैं।

इसके अलावा में आपका ध्यान उन आदमियों की ओर दिलाना चाहता हूँ कि जिन्होंने क्लेम्स के लिए पहले एप्लाइ किया, उनके क्लेम्स इस ग्राउन्ड पर रिजेक्ट हो गये कि वह मियाद के अन्दर नहीं थे, बाद में मियाद बढ़ा दी गयी, लेकिन उनके क्लेम्स रिजेक्टेड ही रहे, यह छोटी सी टेकनिकल बात है, उम्मीद है कि आप ऐसे लोगों को भी इस स्कीम के अन्दर ले आयेंगे। इसके अलावा में खास तौर पर आपका ध्यान इस बिल में एक लैकूना की तरफ दिलाना चाहता हूँ और वह यह है कि ऐसे देहाती क्लेमेंट्स जिनकी प्रापर्टी बीस हजार से कम है, उनको आपने इग्नोर कर दिया है, उनके क्लेम्स को आपने वेरीफाई नहीं किया और इस सिलसिले में आपने अपनी इंटेरिम कम्पेंसेशन स्कीम की किताब में एक बड़ी मौजू बात कही है :

"Voices are sometimes raised asking why, in inviting claims, we have ignored the small houses in the rural areas (valued at less than Rs. 20,000) while valuing claims for other houses."

इसके आगे फरमाते हैं कि :

"The answer is simple: people were given houses in the rural areas along with quasi-permanent allotment of land in 1950, and they cannot be given such houses twice over."

दो लाइन में सवाल और दो लाइन में उसका जवाब और इसमें शक नहीं कि जवाब भी आपने बड़ा मार्कल दिया है। इसके अलावा

आपने एक और मजेदार जवाब दिया। आप फरमाते हैं कि :

"Out of about 575,000 Punjab displaced persons who owned agricultural lands in West Punjab and other parts of West Pakistan, about 475,000 have been settled on land in Punjab and PEPUSU."

एक लाख बाकी रह गये और उनके लिए आप जवाब देते हैं कि :

"The remainder, mostly small owners, did not consider it worthwhile to occupy the tiny plots offered to them and are living in towns and cities."

आप फरमाते हैं कि वह एक लाख आदमी देहात में नहीं रहते हैं और उन्होंने छोटे २ प्लॉट्स जो उनको आफर किये गये उन पर बसना ठीक नहीं समझा और वह कस्बों और शहरों में रह रहे हैं। पाकिस्तान में भले ही उनके पास जमीन चाहे थोड़ी रही हो, लेकिन उनके अपने घर थे और अच्छा खाते पीते थे, जो थोड़ी जमीन उनको दी गई उस पर उन्होंने बसना मुनासिब नहीं समझा और चूंकि उस समय उन्होंने जमीन नहीं ली, इस लिये अब दुबारा उनको मकानात नहीं मिल सकते। आप फरमाते हैं कि छोटे २ आदमी शहर में चले गये, मैं पूछना चाहता हूँ कि उनको क्या मिला जमीन छोड़ गये, इस वास्ते उनको न जमीन मिली और न ही मकान मिला, आपने उनका क्या किया ? इसका साफ जवाब आप दें, मेरी समझ में मन्त्री जी यह दलील नहीं आयी। मेरे पास चिट्ठियाँ पड़ी हैं और मैं आपको बतलाऊँ कि ऐसे हजारों आदमी हैं जिनको कुछ नहीं मिला है। यह मेरे पास प्रेसीडेंट रूरल क्लेम्स होल्डर्स असोसियेशन की तरफ से रकत आया है। इस में इस बात की शिकायत

[लाला अचिन्त राम]

हैं कि अगर किसी आदमी का क्लेम बीस हजार से कम है तो वह वेरीफाई नहीं होगा, बीस हजार एक रुपया है तब तो वेरीफाई होजा-नेगा, लेकिन अगर उसका क्लेम उन्नीस हजार नौ सौ है तो वेरीफाई नहीं होगा। अगर मेरे चार मकान हैं और उन चारों मकानों की लागत मिलाकर नितानवे हजार नौ सौ निन्यान्वे आती है, यानी एक एक की बीस हजार से कम आती है तो उन चारों मकानों का क्लेम वेरीफाई नहीं हो सकता, अगर मैं इस में गलती करता हूँ, तो वह मुझे ठीक कर सकते हैं। लेकिन मैं समझता हूँ कि यह बीस हजार का क्लेम किसी तरह इसाफ पर मबनी नहीं है, अगर बीस हजार की उनकी प्रापर्टी की लागत नहीं आती और उन्नीस हजार ही रह जाती है, तो क्या वह इससे महकूम रखे जाय, और आपने जो यह कहा कि हम हर एक के साथ अच्छा सलूक करना चाहते हैं तो इससे मुझे बड़ी खुशी हुई।

जो देहात के अन्दर अपनी प्रापर्टी छोड़ कर आये हैं, वह रिफ्यूजी नहीं हैं और वह आप की मदद के मुस्तहक नहीं हैं। यह माकूल जवाब मिलता है। आप फरमाते हैं कि जब यहां हिन्दुस्तान और पाकिस्तान का सेटलमेन्ट हुआ तो हम ने इस को मान लिया। साहब, आप ने मान लिया लेकिन हम ने नहीं माना, रिफ्यूजीज ने नहीं माना। क्या यह खुदा के हाँ से आई हुई चीज है कि बदल नहीं सकती। मैं तो कहता हूँ कि जो सारे हिन्दू आये हैं वह तकलीफ के अन्दर हैं, उन के क्लेम नहीं मिल रहे हैं, उन्हें आप को देना चाहिये। मैं तो कहता हूँ कि अगर मुसलमान भी हों तो उन को भी मदद दी जाय अगर किसी बात से उनकी तकलीफ होती है तो हमें उनको उनके थाल से देखना चाहिये और इसको तो छोड़ दीजिये। हमारा

फर्ज है कि जिसे भी हम मजलूम पायें उस की मदद करें। आज हमारे पास आदमी आते हैं और कहते हैं कि हम क्या करें। एक कम्पाऊंडर कहता है कि मेरा मकान था दस हजार का मेरा क्लेम था, मैं कम्पाऊंडरी जानता हूँ। लेकिन मेरे पास आज पैसा नहीं है, कहां से खाऊं? कर्जा मिलता नहीं है, क्या करूं? हमारी गवर्नमेंट के विभाग के अन्दर यह बात आ गई कि मुआहिदा हो गया हमारी सरकार बाउन्ड नहीं है। मैं कहता हूँ कि आप को देखना है कि नीड क्या है, आप नौकर हैं, जनता के, आप देखिये कि जनता की सेवा कैसे ही सकती है। अगर आज आप ने एक बात की और कल आप को मालूम हुआ कि वह गलत है तो आप उन को बदलिये। क्या यह बात ठीक नहीं है? आप के पास दो आदमी आये होंगे, मेरे पास हजारों आदमी आते रहते हैं और कहते हैं कि सरकारी इन्तजाम अच्छा नहीं है, हमारे क्लेम वेरीफाई नहीं हुए हैं। मान लीजिये कि किसी को मकान दो हजार का मिला है, अगर उसका क्लेम दस हजार का ही है तो आप मकान की पूरी कीमत न दीजिये, उस के बदले में आठ हजार दीजिये, छः हजार दीजिये, लेकिन कुछ दीजिये तो सही। लेकिन उनका आगूमेन्ट मेरी समझ में नहीं आता।

मैं जानता हूँ कि आप के दिल के अन्दर जजबात है और जैसा डिप्टी स्पीकर साहब ने फरमाया था, इस बिल का स्कोप बढ़ सकता है, और आपने भी यही फरमाया था, आप का ऐटिट्यूड निहायत अच्छा है। यह मैं मानता हूँ कि हमेशा एक बात से इन्कार करते हुए अपने आप को गलत मानना मुश्किल होता है, लेकिन मैं समझता हूँ कि जो बात देश के हित के लिये हो, जो गरीबों के हित के लिये हो उस को मानने में उच्च नहीं करना चाहिये। मैं इतनी बात कहकर खतम करता

हूँ और आप से उम्मीद करता हूँ कि आप इस बिल को बर्गीय करेंगे। जैसा हमारे डिप्टी स्पीकर साहब ने कहा और अगर आप महसूस करें कि इस बिल के अन्दर जो नये आदमी आये हैं उन का स्कोप नहीं है तो मैं कहता हूँ कि जो नये आदमी आये वह रिफ्यूजीज तो हैं ही। एक आदमी के तीन बच्चे हैं, उन में से दो बच्चे तो घर के अन्दर आ गये, अगर बीसरा बच्चा भी आता है तो क्या हम को उस को अन्दर नहीं लेना चाहिये। डाक्टर साहब चौधराम गिडवानी ने फरमाया कि कुल चार या पांच सौ आदमी ऐसे हैं। मैं तो कहता हूँ कि एक भी आदमी हो अगर वह दुखी होता है तो उस की ओर आप को देखना चाहिये। आप ने अपना काम खत्म कर लिया इतने थोड़े से आदमियों की कौन सी बात है, आप उन को भी डिस्पोज आफ कीजिये।

इस वास्ते अगर आप इस बिल में प्राविजन नहीं कर सकते तो मैं कहता हूँ कि आप नया बिल लाइये जिस के अन्दर वह लोग भी आ जायें जो कि नये आने वाले हैं। आप का वह फर्ज नहीं कि आप उनको मायूस करें। कोई भी रिफ्यूजी हो आप का फर्ज है कि आप उस का भी इन्तजाम करें। यह कहना कि हम इन्तजाम नहीं कर सकते, कानून बन गया, अब स्याही या पेंसिल खत्म हो गई है इस लिये हम नया बिल नहीं ला सकते, इस को मानने के लिये मैं तैयार नहीं हूँ। नया बिल ला कर जो भी नये आदमी आते हैं उन का इन्तजाम किया जाय। रुपया तो गवर्नमेंट को देना है, पाकिस्तान से मिले तो बड़ी खुशी है, लेकिन उस का मिलना मेरे स्थल से सम्भव नहीं है, और मिले तो आप उस को अपने कंधों में शामिल कर लीजिये। आप ने जो फिकरा रक्खा है उस को मैं देखता हूँ तो मुझे आप के खयालत बड़े अच्छे दिखाई देते हैं, लेकिन आहिस्ता आहिस्ता आगे चल कर वह

फिर नर्म हो गये हैं और आप अपनी बात पर अड़े हुए हैं। मगर मैं आप को इसके लिये मुबारकबाद देता हूँ।

**Sardar Hukam Singh:** I also join my friends in congratulating the hon. Minister. He has been very keen in facing this difficult task of rehabilitation and the problems connected therewith. We acknowledge that and we do record our appreciation of the work that has been done. Really we realise that the task was a difficult and stupendous one. At the same time, we have a complaint that it has not been done with the same eagerness, with the same enthusiasm that this problem requires. We have complained on many occasions here in this House and that is not a misplaced complaint. Exactly when we review the whole process that has been followed so far, we are aggrieved to see that the rehabilitation of refugees—verification of claims is certainly connected with that—has not been on a satisfactory scale. Today, this Bill is before the House. So far as the provisions of this Bill are concerned, we do welcome them and we have no complaint against them. These provisions are required. We have been crying for them, and we wanted them. What we desire is this. There are certain cases that have been left out even now and they should also be included. When the fault is not of these displaced persons who had to leave their homes and hearths, certainly, these technicalities should not stand in the way of their filing their claims or the verification thereof. It is certainly very gratifying that the interim compensation scheme has been prefaced by our hon. Minister and he admits himself that this requires a human approach. He claims that he has been proceeding on that assumption. He has approached it with a human feeling and sympathy. We admit that. But, when we come to the conclusion that it requires a human approach, how can it be argued that there are certain technicalities, limitation would not permit this, we have already given so much time to the refugees to file



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their claims, they have not done it, it was only three months in the initial stages, that time was extended by another month, and Government continued to receive claims for six months? We feel that that was the right course to adopt and there is no reason why there should be a departure from that. I could not press that point with so much emphasis, though I entirely agree with my hon. friend Lal Achint Ram that it was not the fault or the default of the refugees themselves that necessitated these extensions or persuaded our officers of the Government to extend the time from time to time. But, there were other considerations also, perhaps greater and weightier considerations that persuaded or compelled the Government to wait for so long a time. It was rather the reactions of the Pakistan Government that were affecting our decisions and our policies here. If after six or ten months a word was there in the Press or some communication was received that Pakistan was prepared to consider this question or discuss this evacuee property problem, the whole thing was shelved, though some of us have been crying from the very beginning that it was no use waiting for any negotiations or any settlement with the Pakistan Government because they would not agree to any settlement, as in the ultimate position, they will have to pay a colossal amount, because, the difference between the evacuee properties in both the countries was so great.

Our Government was very reasonable and they gave an indication that they would be prepared to accept a reasonable amount, and a lump sum also, but Pakistan did not agree to that even. All these concessions that we have given have not brought about any tangible results that might have benefited us. Now, after the claims have been verified, we are going to work out this compensation scheme. The interim compensation scheme has been put before us and that has given some hope to these poor refu-

gees. The only question is that it should be expedited as far as possible.

It has been observed in this small booklet that this is a fulfilment of a promise, and the assurance of Shri Gopaldaswami Ayyangar given in 1949 is repeated here. It has been stated that he gave the assurance that the refugees would be given compensation, and this Government is going to fulfil that promise. But I am grieved to say that this is no fulfilment of that promise which that great spokesman gave on behalf of this Government. He clearly indicated that there would be three sources: one was the evacuee property, the second, the difference that we can recover from Pakistan, and the third, Government contribution. At that time it was clearly stated that this contribution would be a substantial contribution which would satisfy the refugees. I think two negatives were used and it was said that it would not satisfy the refugees. But now we find in this same booklet it has been put in that the Government have decided that evacuee property should be distributed more or less on a pro rata basis. And then we have been told that about Rs. 90 crores have been spent by the Government in the form of properties, loans for rehabilitation, and cash from rent recoveries. It is also said that this State's contribution shall go to needy persons. So, practically it would be the evacuee property that is to be distributed pro rata.

And now the hon. Minister says that if we look to fresh claims, that would further delay matters. We have seen, out of enthusiasm, out of anxiety to settle this question, our hon. Minister has been picking up good speed so far as this problem is concerned, but we have been differing with him in one respect. We have not seen any mention of this problem of rehabilitation and compensation in the last four Addresses of the President because this Government took it for granted and also gave it out in

their statements and in their Press notes that this problem had almost been completely solved, 80 or 90 per cent. of the refugees had been rehabilitated. We differed with the spokesmen of the Government and we expressed our views very clearly. Anyhow, the hon. Minister now wants to show results in regard to this compensation scheme in a very short time. We also want that this should be expedited, but the reason that he has advanced today that if he were to admit new claims just now it would further delay matters and there would be further complaints, is not justified. Why should it delay matters?

It would be admitted on all sides that there are certain claims, certain number of them—they may be very few or pretty few—that have not been admitted or even filed because of no fault of those claimants, but because there were some circumstances beyond the control of those persons. Instances have been cited by Mr. Gidwani and Mr. Achint Ram also. Mr. Gidwani has read certain letters that move our hearts. Why should not they be admitted? We might say that the particular person who remained there and now had to come out perhaps clung to his Rs. 14 lakhs. and when the question is put where he should go, the Minister might say: "He should go along with his Rs. 14 lakhs." That is not a human approach. He might have been at fault, and might not have moved out before. Even if he has come so late, we have to see that he is provided with something so that he can stay on as an independent citizen, and he should not depend upon others. So, there are cases where people have not been able to file their claims. And, as you put it very nicely, at that time people were shy of putting in their claims, and Government came forward in this Parliament saying that we should persuade those people to come forward with their claims. They were not anxious to file them. They took considerable time, and

they had to be persuaded that it was in their interests to do so. So, there may be cases even now where people have not been able to file their claims. Some of them came afterwards or they did not get sufficient notice or even if they sent their claim some other delay was caused and that did not reach in time. So, our submission is that these cases must be considered. If it is found that there was some wilful default, that might be thrown out, but if there is no default on their part and circumstances were beyond their control, such cases should be looked into if we want their rehabilitation should take place, because there cannot be any rehabilitation unless this compensation for the property left behind is given, though it is a very meagre sum. Even those persons who have not been able to get their claims verified should be rehabilitated, and this compensation should be given to them. Therefore, our request is that these technicalities should not stand in their way.

I agree with another point that was made by you. Mr. Achint Ram has also stressed it. It is that Government should not be anxious that the pool will be dwindled, that the compensation *pro rata* will be lowered down, because if evacuee property is the only property, then certainly that has to be distributed. If there are a hundred persons more included, then it is the refugee that suffers and not the Government. Government is not going to add anything. Therefore, Government should not feel any hesitation in admitting these claims.

Then the second point comes whether that would delay compensation. That also can be avoided. If this property is to be distributed *pro rata*, two or three crores of rupees can be kept aside and the balance distributed. This interim compensation can go on. The final compensation has not come yet. Therefore, even delay can be avoided, and these persons can be brought in. Government does not

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suffer on any account and these people also will get the benefits which their brethren are going to get, though it may be very meagre and might not satisfy them. It would have been certainly much better if our Government had succeeded in getting something out of Pakistan, but even the contribution that is going to be made is very little, and though it appears to be Rs. 90 crores in books, yet in substance it is not as much because the value of those properties must have gone down. Some loans might have been wiped out or not worth being recovered. Therefore, that amount would be very small. I repeat with all the emphasis at my command that those cases must also be considered. The delay also can be avoided, and we can proceed with the interim compensation scheme without detriment to the Government or to any displaced person, and these other persons also can be accommodated within the scope of the Act.

6 P.M.

**Shri D. C. Sharma (Hoshiarpur):** Sometimes, Mr. Chairman, I read books and I read this book *Interim Compensation Scheme*,—so beautifully printed, so beautifully got up and so beautifully illustrated,—with some amount of interest. I was amazed to find that the substance cuts at the very roots of the rehabilitation process which our Government has undertaken and has been carrying out all these years. On page 10, I found the following statement:—

“Rehabilitation, to my mind, is the process of economic recovery of displaced persons leading ultimately to the disappearance of all distinction between them and other nationals.”

This statement is admirable as far as it goes, but it is a half-truth; it is only a partial approach to the problem of rehabilitation.

Of course, economic rehabilitation should be there, but along with economic rehabilitation there should be, what I may call, the psychological rehabilitation of the refugees. If our Government and the Ministry have been criticised, it is because there has not been this psychological rehabilitation. We have been depending too much upon the legal interpretation of the phenomenon of refugee migration. As one hon. Member put it, the refugee has been suffering from a sense of dire frustration. When I came to India and when we were asked to file our claims, I remember how much time I spent in calculating what I had left behind and how much time my friends spent in calculating what they had left behind. We spent days and nights in preparing those claims, and what was the result?

The result was that some of us, it may be, filed claims in a false manner—I do not deny that—but then all these claims were thrown on the scrap heap. Being a student of psychology, especially of mass psychology and social psychology, I must say that the wound which was inflicted by that procedure on the minds of the refugees was a grievous one. Of course, Government has done many things afterwards to take away the sting from that wound, but the refugee is still sore at heart. There is no doubt about it. There was a refugee friend of mine, who was feeling seedy all the time. He has been doing very well after the Partition, and I do not say that he has any right to complain. But I do not know what was happening to him; he was feeling depressed all the time. I took him to a doctor in a hospital here—and that doctor was not a refugee doctor. I do not want to disclose his name, but he is very eminent doctor. He said: “This is a disease which is common to all the refugees, and from which every refugee has got to suffer at one time or the other”. I said, “What do you mean by that, this gentleman has been doing very well after the Partition, he has not suffered in any way; he has been leading a very comfortable life, and you say

that this is a disease which is common to all the refugees". He said, "You do not know what harm or what wound, psychological, mental and spiritual this Partition has inflicted upon the refugees." I therefore say, that to the problem of rehabilitation, it is not an economic approach only that you should bring, but also the psychological approach. I have been studying the speeches, books and everything on rehabilitation, but I find that the correct psychological approach has not yet been made. I was listening to the debate on the Demands for Grants for the Rehabilitation Ministry, and what did I find? There was not a single hon. Member, whether on the Opposition side or on the Government side, who got up and said anything complimentary to the Ministry. I do not deny that the Rehabilitation Minister is a nice person, he is doing his best, but why is it that hardly any Member gets up to say something good about the work done by the Ministry? There is no doubt that there is a lot of good being done, but that good which has been and is being done is washed off by the fact that the correct approach has not yet been made. What that correct approach is, of course, no one would like to teach the hon. Minister of Rehabilitation, who is himself a very wise man, and has said on page 5 of the booklet, that it is a human approach that has to be made. I would like to ask him whether he has made that human approach so far as this Bill is concerned.

Why is it that this Bill has been brought forward? It has been brought forward to cover administrative ineptness, to cover those deficiencies, which, on account of lack of foresight, proper planning and proper facilities, Government were not able to see. They were not able to verify those claims in time, they were not able to appoint the right number of claims officers, they did not have an adequate machinery for verifying these claims, and therefore they have brought this Bill. This Bill has not been brought in for the good of the refugees, it has been brought in to cover administrative inefficiency. It is a smokescreen for

that purpose. Still I say it is good. Sometimes good cometh out of evil. This administrative inefficiency may be there, and it may not be a good thing, but a good is coming out of that evil, because those refugees whose claims were not verified....

**Shri M. S. Gurupadaswamy** (Mysore): Evil may drive out the good.

**Shri D. C. Sharma:** Of course, the evil may drive out the good, but there is a lot of good on this side of the House, and that good will drive out the evil.

I was saying that good is coming out of that evil. That good consists in this that some claims will now be verified. Some of the pending decisions will be reviewed, and the whole machinery will be set in motion again, and in return it will do some good to the refugees. But I would say that this should not end here. Why it should end, we are not able to understand. As you know, I also belong to a constituency where there is a large number of refugees. I would request the Minister of Rehabilitation to make note of it. There are large numbers of persons all over the place who had been misleading these refugees, mis-teaching these refugees and taking claims from them which have not been forwarded. There is a soap-maker in my town, and he came to me one day and said, "What shall I do?" He went to somebody in some city—I do not want to name that city—and said: "I want to settle my claims." That man said: "Give me Rs. 10 and I will do the needful." He gave him Rs. 10. How are you going to protect these refugees from these malpractices? It is not only the soap-maker in my town whose case I referred to but there are hundreds of persons like that, illiterate persons, ignorant persons, who do not know anything about the legal procedure, who do not know anything about technicalities, who do not know anything about the rules and regulations, who do not know anything about limitation and who do not know anything about when the suits get barred. They do not know these things. It is a human material which, I should say,

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is of a new kind. They are scattered all over the place and in all the States of India too. I cannot forget that soap-maker's case, because hundreds of such persons—or, I should say, not hundreds, but thousands of persons—have been victimized like that. I am glad that our Rehabilitation Minister has brought in this Bill so that those persons who have been victimized like that by fraudulent persons have been promised the restoration of their claims. Those claims must be restored, and those persons who have misled them should be punished. I think nobody who has spoken in the House today on this subject, whether he belongs to this side of the House or that side of the House, has sat down without saying that the period of the filing of claims must be extended. I would say to the Rehabilitation Minister that if he wishes to make a human approach to which he has already referred on page 5 of the booklet, I think he should be gracious enough to accept the suggestion which has been made unanimously by all Members of the House irrespective of their party affiliations. I will therefore say that this is a thing which our friend should do. At the same time, I want to say that there are so many other cases. I would also request the Rehabilitation Minister to remember one thing: Mr. Gidwani has said that—I am sorry to mention his name, but I do not know in what other way I could call him—some refugees are coming from his side. It is because Pakistan is following a policy of squeeze and since these persons have no other home excepting our own country, they come to India. When they come to India, I think India should always be ready to receive them with open arms. They might have stayed in their own places, but they have found it difficult to do so now. Therefore, I request that the Rehabilitation Minister should make some provision for these unforeseen migrations. I know these migrations are occurring now and that they will continue to occur. I know that this process will go on. The Minister was right when he said that it cannot be

an unending stream—I think I am quoting his words correctly—and that it should come to an end some time. Of course it will come to an end in certain sectors at one time, but it will also remain in certain other sectors, because, I must say that it is a policy of squeeze that is being followed by Pakistan and we must provide for the refugees suffering from the effects of this policy.

Sir, I would only say this much. I do not want to complain; I do not want to do anything of the kind. The Rehabilitation Minister said that the Rehabilitation Department is a *sarpanch*. Very good. We believe in *panchayat raj*; we believe in *sarpanch*. He has said: 'I am a trustee'. Very good. It is good that he is a trustee. But I would request him now that in addition to his being a *sarpanch*—I know that you are going to ring the bell—and in addition to his being a trustee, he should become also a doctor and he should bring the healing touch to the refugees who are living in India and for whom the Government has done so much already. He should give them a little more amenities so that their little grievances are lightened and they live very happily and very comfortably.

**Babu Ramnarayan Singh** (Hazari-bagh West): Sir, I want to speak.

**Shri V. G. Deshpande** (Guna) rose—

**Mr. Chairman:** Every Member cannot be given opportunity to speak. At this rate, we will never be able to finish. Already I find that arguments are being repeated.

**Shri A. P. Jain:** Mr. Chairman, Sir, I am thankful to the hon. Members for the contribution that they have made to this debate. I feel a little flattered that more than one hon. Member should have chosen to quote one or another portion of my introduction to the Interim Scheme. More than once it has been said that I have said that rehabilitation is a human problem and it must be approached as such. I maintain that it is a human problem and it must be approached as such. Throughout my working—I may have

erred here or there—I can say with full sincerity that I have treated the problem as a human problem, and in bringing this Bill all the human considerations were before me.

Now, Sir, you included the principal suggestions in your speech and what other Members have said is more or less commentary on what you said. The first point which you made out was with regard to the receipt of fresh claims. So far as unverified claims are concerned, whatever be their nature, even if they are not traceable, full provision is contained in this Bill. But two other cases have been cited here, namely, first: what about persons who have failed to file claims before 31st August 1952, and second, what about persons who come thereafter? So far as the first class of persons is concerned, i.e., those who were in India but could not file claims before 31st August 1952, I am not prepared that their might be a few such persons. There might be a soap-maker or there might be a blacksmith or there might be an illiterate person, or even there might be a literate person. I cannot swear that there is no such person. But when we have to deal with lakhs and lakhs of persons, we have to do so on some general principles. Those principles must be actuated by human feelings. Now, I submit that a period of 25 or 26 months, which was given for filing claims, was no small period and there must be an end somewhere.

**Mr. Chairman:** May I just enquire whether these persons knew that the period was extended to 25 months.

**Shri A. P. Jain:** Yes, the persons knew because various notifications were issued.

**Lala Achint Ram:** We have been extending your period also.

**Shri A. P. Jain:** I am grateful to you for extending my period; but, unless you want to extend my period indefinitely, you must put an end to your period at some time.

I can say and I do believe that by and large, I am to say, almost all the

claims have been filed. There is an additional difficulty today. We have no records of Pakistan. None of our Claims Officers or other Officers can go to Pakistan and verify whether a person has property or not. What check or what guarantee can there be that there will not be an infinite flow of false claims? There are dishonest men in all societies, among refugees as among the locals. Now, at this stage, to re-open the whole flood-gates for the claims would, I think, be the most inadvisable thing. It would put an end to the schemes of interim compensation. I am sorry that it will not be possible for me to extend the period for receiving claims of persons who could have filed their claims before 31st August, 1952, but have not done so.

That leaves the third class of persons who are now coming in. There is a lot of force in what you said. But, there are various considerations involved in it. After all, when one has to work out a certain scheme, he must have some firm data. We have got some firm data on the basis of claims which have already been filed. We have also got some estimates of the property. We are working on the basis of those estimates. We cannot allow our calculations to be upset. But when we frame the final scheme for compensation, of course, that will come before the House, if the House decides to set apart some proportion of the property for distributing compensation to persons who may come in after the last day....

**Lala Achint Ram:** Why not ask the Government to make a contribution?

**Shri A. P. Jain:** That kind of interruption will not help. Let me develop my point; you may ask questions if you like. If it is decided that those persons who come late also will get compensation, well, we can set apart some property for them and they can get compensation out of it. So far as the Government is concerned, I cannot make any promise that the Government is going to make any further contribution. The policy of Govern-

[Mr. A. P. Jain]

ment has been announced. That is about the second category. In this Bill, I am sorry that it will not be possible for me to make any provision with regard to persons who come after the 31st August, 1952.

The second point, Sir, which you made out is with regard to limitation. I know that limitation, in a sense, is an arbitrary rule of law. But, looking at it from the social point of view, from social considerations, it has got its advantages. If no time is prescribed, we can never get to a finite stage and for working out any scheme it is necessary that we must reach a finite stage. You would be aware that in the Ordinance which we have issued, we gave one month's time. That one month's time expired on the 18th February. We have again given one month's time beginning with the coming into force of this Bill.

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

I do not want to prescribe time-limit because I want to deprive anybody of the remedy but because I want that we should be in a position to implement a scheme, which will benefit lakhs of persons. And if you look at limitation from that point of view, I think it is principle which is based on human considerations. A few persons may benefit and if we do not prescribe any definite period but a very much larger number of persons will suffer because some have delayed in filing their claims. Then, the provision about *suo motu* revision will cover all types of hard cases, but the normal rule of a time-limit should be there and I think the provisions which we have made should continue. These are the two principal points made with regard to the Bill. There is a third point which has been agitated over and over again in this House and which has been considerably emphasised by my friend, Shri Achint Ram, and that is with regard to rural houses. I am sorry to say that Shri Achint Ram has looked only at one side of the picture and that too in a blurred manner. He has

said that claims for rural houses of the value of less than Rs. 20,000 in Pakistan have not been verified and we have been very harsh on the people; we have been very unjust and almost inhuman;—that was the gravamen of his charge. He forgets that in Punjab on this side also, all houses whose value may be Rs. 19,999-15-9 or less have been given to those people who have left houses of less than Rs. 20,000.

**Lala Achint Ram:** What about people who have got nothing?

**Shri A. P. Jain:** When we worked out the quasi-permanent allotment, all the agricultural lands on that side and all the rural houses of less than Rs. 20,000 on that side were put into one sector.

**Lala Achint Ram:** You have already said that.

**Shri A. P. Jain:** Will the hon. Member allow me to proceed when I am developing my ideas? He must have some patience and listen to me. All the agricultural land on this side and all the houses whose value did not exceed Rs. 20,000 were put into another sector. Every house whose value did not exceed Rs. 20,000 on this side has been given to the agriculturist. Therefore, if it is decided that the houses in West Punjab whose value does not exceed Rs. 20,000 should be verified again, then all the houses on this side whose value does not exceed Rs. 20,000 will have to be taken back from the allottees and a complete re-settlement will have to be made. When the quasi-permanent allotment was made in the Punjab elaborate rules were made for the allotment of the houses. It is not such a simple matter nor is it a one-sided issue. If we re-open this issue, every house in the Punjab and PEPSU which has been allotted to agriculturists and whose value does not exceed Rs. 20,000, will have to be taken back from the allottee and re-allotted. Now, what is the use of all this? A system has already been worked out, and as I have said in the

pamphlet which has been quoted by Lala Achint Ram, 'you have got compensation for the house once and you cannot have it for a second time'.

These are practically the main suggestions made by hon. Members. So far as the question of referring the Bill to a Select Committee is concerned, I submit that no case has been made out, and I would request the hon. Member to withdraw his amendment, or if he does not withdraw, I would request the House to vote it down.

**Sardar Hukam Singh:** This is not a human approach.

**Mr. Deputy-Speaker:** I am taking the amendment first. The question is:

"That the Bill be referred to the Select Committee consisting of Pandit Thakur Das Bhargava, Giani Gurmukh Singh, Shri Amar Nath Vidyalandkar, Shri Basanta Kumar Das, Shri Rohini Kumar Chaudhuri, Dr. Ram Subhag Singh, Lala Achint Ram, Sardar Hukam Singh, Shri N. C. Chatterjee, Shrimati Sucheta Kripalani, Shri A. P. Jain, and the Mover, with instructions to report by the 1st March, 1954."

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

"That the Bill to provide for the continuance of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith, be taken into consideration."

*The motion was adopted.*

**Clause 2.— (Definitions)**

**श्री एन० एल० जोशी :** श्रीमान् उपाध्यक्ष महोदय, मेरा संशोधन इस प्रकार है :

**In part**

1, after line 14, add—

"(iii) any claim dismissed for default and which could not be restored on legal and technical

grounds e.g. non-presentation of the restoration application within the time prescribed;"

अभी इस विधेयक के सम्बन्ध में बहुत कुछ विचार हुआ और यह कहा गया कि कई मामले ऐसे भी हैं कि जहाँ पर बावजूद इसके कि उन लोगों ने अपने दावे पेश कर दिये, परन्तु दावे पेश करने के बाद भी कई कारणों से उन दावों को वह सरकार के सामने साबित नहीं कर सके। उन में एक कारण यह भी हो सकता है कि जो दावे उन्होंने पेश किये उन दावों की सुनवाई इसलिये नहीं हो सकी कि वह हाजिर नहीं हो सके सरकार के सामने, और इसलिये उनके दावों पर विचार नहीं हो सका। अगर उन दावों को शासन के सामने फिर से प्रस्तुत करने की इजाजत नहीं दी गई तो यह निश्चित है कि उन दावेदारों के दावों की सुनवाई कहीं आगे होने की गुंजाइश नहीं रहेगी और जो हक उनको हासिल होने चाहिए वह उनको हासिल नहीं हो सकेंगे। अतः यह संशोधन बहुत जरूरी है। उन सब शरणाधिकियों को यह हक दिया जाना चाहिये कि वह ऐसे दावों को सरकार के सामने पेश कर सकें। अब सवाल यह आ जाता है कि अगर उन्होंने अपने दावे समय के अन्दर प्रस्तुत नहीं किये या अजियां नहीं दीं, जैसा कि मिनिस्टर साहब ने फरमाया है कि उनको पेश कर देनी चाहिये, तो उनका क्या होगा। यह भी हो सकता है कि उन्होंने समय के अन्दर रिवीजन की अजियां भी नहीं दी हों, लेकिन उनका दावा तो है, वह कुछ मुआवजा पाने के तो हकदार हैं। तो जहाँ तक इन्सानियत का तकाजा है, जहाँ तक कि उनके हक का सवाल है, यह बात बड़ी जरूरी हो जाती है कि उनको हर हालत में मुआवजा मिलना चाहिये। अगर बीच में कोई कानून आता है और यह कहा जाता है कि जो भिदाद का कानून बना है उस भिदाद के अन्दर वह ऐसा नहीं कर सके इसलिये उनका दावा



[श्री एन० एल० जोशी]

नहीं टिक सकता, तो इस तरह का ब्याल ठीक नहीं कहा जा सकता। यह बहुत जरूरी है कि इस तरह के दावों पर जरूर ही सरकार को विचार करना चाहिये। मैं ने जो यह संशोधन प्रस्तुत किया है वह इसी गरज से किया है। यह बहुत जरूरी बात है कि उनके हक पर विचार किया जाय। उनको मीका दिया जाना चाहिये कि वह सरकार के सामने अपने हक को सिद्ध कर सकें। इसके अतिरिक्त एक वजह और भी है और वह यह है कि जहां तक इन शरणार्थियों का सवाल है ये शरणार्थी कोई अपने आप नहीं बने। यहां की राजनीतिक स्थिति के कारण ही वह शरणार्थी बने हैं। यह एक आर्थिक सवाल है जिसको कि सरकार हल करना चाहती है और बहुत सहानुभूति के साथ हल करना चाहती है। यहां के जितने भी शरणार्थी हैं वह सरकार के बहुत एहसान मन्द हैं। परन्तु जब हम उनके हकों के सम्बन्ध में सोचते हैं तो यह बात हमारे सामने प्रमुख रूप से आती है कि उनके दावे प्रस्तुत तो हुये मगर मिवाद के सवाल की वजह से या उनके गैर हाजिर होने की वजह से वह दावे यदि सरकार के सामने साबित नहीं किए जा सके तो यह बहुत जरूरी हो जाता है कि सरकार उनके दावों पर विचार करे। इसलिये, उपाध्यक्ष महोदय, मेरा आपके जरिये मिनिस्टर साहब से नम्र निवेदन है कि वह इस संशोधन को मंजूर करें।

**Mr. Deputy-Speaker:** Amendment moved:

In page 1, after line 14, add—

“(iii) any claim dismissed for default and which could not be restored on legal and technical grounds e.g. non-presentation of the restoration application within the time prescribed;”

श्री ए० पी० जैन : जनाब आली, मैं ने इस सम्बन्ध में पहले ही कह दिया है कि

क्ला ५ (१) बी० में इसके लिये काफी गुंजाइश रखी गयी है। ऐसे मामलों पर जिनमें बहुत हानि हुई हो गौर किया जा सकता है। मैं समझता हूँ कि इस संशोधन की कोई आवश्यकता नहीं है और इसे मैं मंजूर नहीं कर सकता।

**Mr. Deputy-Speaker:** Already the hon. Member has said *suo motu* they can look into claims. There is provision to that effect. All the same, if the hon. Member wants me to put it.....

**Shri N. L. Joshi:** I would like to withdraw it.

**Mr. Deputy-Speaker:** Has the hon. Member leave of the House to withdraw the amendment?

*The amendment was, by leave, withdrawn.*

**Mr. Deputy-Speaker:** There are no amendments to clause 3. The question is:

“That clause 2 stand part of the Bill.”

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

**Clause 4.—(Verification of claims)**  
*Amendments made:*

In page 2, line 34, for “Cases” substitute “claims”.

In page 2, line 41, for “thinks fit and” substitute “thinks fit; but”.

In page 2,

(i) line 42—omit “shall be made”

(ii) line 43—after “any person” insert “shall be made”.

—[Shri A. P. Jain]

**Mr. Deputy-Speaker:** The question is:

“That clause 4, as amended, stand part of the Bill.”

*The motion was adopted.*

*Clause 4, as amended, was added to the Bill.*

**Clause 5.— (Special power of revision in certain cases)**

**Shri A. P. Jain:** I beg to move:

In page 3, line 15, for "has" substitute "had".

In page 3,

(i) line 22—omit "shall be made".

(ii) line 23,—for "without giving the person concerned" substitute "shall be made without giving him".

**Mr. Deputy-Speaker:** I understand that Mr. Gidwani does not want to move his amendments.

**Mr. Gidwani:** No, Sir.

**Pandit Thakur Das Bhargava:** I want to speak on this clause.

**Mr. Deputy-Speaker:** Let me place the amendments before the House.

Amendments moved:

In page 3, line 15, for "has" substitute "had".

In page 3,

(i) line 22—omit "shall be made".

(ii) line 23,—for "without giving the person concerned" substitute "shall be made without giving him".

**पंडित ठाकुर दास भार्गव :** जनाब डिप्टी स्पीकर साहब, चन्द बातें जो मिनिस्टर साहब की खिदमत में अर्ज की गयी थीं, उन में से एक के साल्यूशन के लिये उन्होंने ऐसे तरीके से हमारे सामने सजेशन दिया है जो मैं समझता हूँ कि सारे हाउस को मंजूर होगा। वह यह है कि जो साहब आर्यदा यहां पर आवेंगे, रिफ्यूजीज, उन के वास्ते गो इस बिल में रखने की गुंजाइश नहीं है, लेकिन ऐसा किया जा सकता है, जैसा कि आनरेबिल मिनिस्टर साहब ने फरमाया, कि एक करोड़ या ज्यादा रकम उनके वास्ते कम्पेनसेशन

के लिये अलाहदा रखी जावे और अगर वह खर्च होने से बच जावे तो एक साल या दो साल के बाद फिर लोगों में वह डिस्ट्रीब्यूट की जा सकती है। इतने अरसे के वास्ते उन लोगों के लिये प्रावीजन किया जा सकता है जो आयन्दा आने वाले हैं। जिन लोगों के लिये यह तजवीज की गयी है, इस एहत-नाल पर कि वह आवेंगे, मैं समझता हूँ कि यह उनके लिये निहायत माकूल है और हाउस की खिदमत में मैं अर्ज करूंगा कि वह इस तजवीज को उसी सिग्निट में ले और कबूल करे।

दूसरी बात जो उन्होंने क्लॉज ५ के मुताल्लिक फरमाई वह यह है कि उन्होंने यह रखा है कि सूओ मोटू अफसरान को अख्तियार दिया गया है कि वह ऐसे हार्ड केसेज में जिनका कि जिक्र किया गया है, उनके ऊपर गौर करें। मैं एक छोटी सी बात अर्ज करना चाहता हूँ और वह यह है कि प्रोसीजरल ला सिर्फ जस्टिस करने के वास्ते बनाया जाता है, वरना बलेकस्टन के मसले पर प्रोसीज्योर ऐसा नहीं बनना चाहिये कि किसी तरह की बेइन्ताफी कोई कर सके। इस जिम्न के मातहत मैं अदब से उनकी खिदमत में अर्ज करूंगा कि वह इसको तब्दील न करना चाहें और हमारे अमेंडमेंट को कबूल न करना चाहें तो न करें। लेकिन सूओ मोटू को इस तरह से स्ट्रक्टली इन्टरप्रेट न करें। अगर कोई आदमी किसी अफसर के पास दरखास्त दे और वह अफसर उस दरखास्त को मंजूर करे या न करे, इससे गरज न रखते हुए,—अगर उस अफसर के इल्म में यह चीज आ जाय कि यह इनजस्टिस का केस है, जिसमें गलती हुई है, तो उस केस में जस्टिस होनी चाहिये। इसके लिये कोई सरक्युलर या कोई ऐसी हिदायत जारी होनी चाहिये जिसमें कि इसका लिबरल इंटर-प्रीटेशन किया जाय और इसको लिबरली

(पंडित ठाकुर दास भागव)

कनस्ट्रू किया जाय, ताकि हार्ड केसेज में इन्साफ हो सके। मैं निहायत अदब से अर्ज करना चाहता हूँ कि अफसरान को खुद हार्ड केसेज नहीं मिल सकते, लेकिन लोगों को मालूम है कि उनका केस कितना हार्ड है। तो कोई दरखास्त दे और वह किसी तरह से टाइम बाई हो, तो मैं अर्ज करूंगा कि ऐसा कहना स्ट्रिक्टली विदिन ला तो होगा, लेकिन जो आनरेबुल मिनिस्टर साहब का मंशा है, उसके मुताबिक यह नहीं होगा। इसलिये मैं अर्ज करूंगा कि वह इनस्ट्रक्शन के जरिये या किसी और तरह इसके अन्दर ऐसी रियायत जरूर रखें जिससे कि लोग जा कर अपना केस कह सकें, और उनकी दरखास्त पर अफसर चाहे जो भी हुक्म दें, मुझे उसके बारे में कोई उज्र नहीं है, लेकिन जो हार्ड केसेज हों उनमें जरूर वह इसको लिबरली इंटरप्रेट करें।

इस वक्त कम्पनसेशन के बारे में मैं ज्यादा अर्ज नहीं करना चाहता। बाद में वक्त होगा और मौका आवेगा तो अर्ज करूंगा। मगर आनरेबुल मिनिस्टर साहब ने मौक़ा बेमौक़ा हमको इसके बारे में उम्मीदें भी दिलाई कि इसके बारे में इन्साफ किया जायेगा। लेकिन आनरेबुल मिनिस्टर साहब की ताक़त में ज़तने थोड़े रिसोर्स हैं, उनके मुताबिक पूरी ताक़त गवर्नमेंट आफ इन्डिया को हासिल नहीं है, गवर्नमेंट आफ इन्डिया को पूरी शक्ति हासिल नहीं है जो पूरा रिलीफ हर शख्स को दे सके। मैंने आनरेबुल मिनिस्टर साहब की ख़िदमत में एक पुराने बिल के वक्त अर्ज किया था कि यहां के लोगों के लाखों रुपये उन रिफ्यूजीज के जिम्मे रह गया जो कि पाकिस्तान चले गये। उन्होंने कहा कि उन के केसेज को भी देखेंगे। लेकिन आज तक उनके केसेज को देखने की नीबत नहीं आयी।

एक लाख गरीब आदमी इन में से उन के रिपोर्ट के अनुसार ऐसे हैं कि जिनको न ज़मीन ही मिली और न मकान ही मिला और न मुआवजा मिला, वह बहुत ही गरीब आदमी थे। उन के साथ भी कुछ नहीं किया गया। मूवेबुल प्रापर्टी जो हम ने पाकिस्तान में छोड़ी उसका कोई मुकाबिला उस प्रापर्टी से नहीं हो सकता जो मुसलमान यहां छोड़ कर गये। मैं अब इन पुरानी तमाम बातों को ताज़ा नहीं करना चाहता, आपने जो कुछ अब दिया है उसी के सिलसिले में मैं अर्ज करूंगा कि जितना लिबरली आप इस तमाम चीज़ को कर सकें वह करें और जितना लिबरली आप इसको इंटरप्रेट कर सकें वह करें।

श्री ए० पी० जैन : जो बात मेरे दोस्त पंडित ठाकुर दास भागव ने कही है हम इस पर पूरा खयाल रखेंगे और जितनी ज्यादा से ज्यादा सहूलियतें हम दे सकेंगे वह देने की कोशिश करेंगे।

**Mr. Deputy-Speaker:** The question is:

In page 3, line 15, for "has" substitute "had".

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

In page 3,

(i) line 22,—omit "shall be made"

(ii) line 23,—for "without giving the person concerned" substitute "shall be made without giving him".

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

"That clause 6, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 5, as amended, was added to the Bill.

**Clause 6.—(Powers of Settlement Officers)**

*Amendment made:*

In page 3, lines 36 and 37, for "a person who is a minor" substitute "persons who are minors".

—[Shri A. P. Jain]

**Mr. Deputy-Speaker:** The question is:

"That clause 6, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 6, as amended, was added to the Bill.

Clauses 7 to 12 were added to the Bill.

**New Clause 13.—(Repeal of Ordinance 3 of 1954)**

*Amendment made:*

In page 4, after line 37, add—

"13. Repeal of Ordinance 3 of 1954.—(1) The Displaced Persons (Claims) Supplementary Ordinance, 1954 (3 of 1954) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act; as if this Act were in force on the day on which such thing was done or action was taken."

—[Shri A. P. Jain]

**New Clause 13 was added to the Bill.**

Clause 1 was added to the Bill.

**Long Title**

*Amendment made:*

In page 1, in the Long Title, for "continuance" substitute "disposal".

—[Shri A. P. Jain]

**Mr. Deputy-Speaker:** The question is:

"That the Long Title, as amended, stand part of the Bill."

*The motion was adopted.*

*The Long Title, as amended, was added to the Bill.*

*The Enacting Formula was added to the Bill.*

**Shri A. P. Jain:** Sir, I beg to move:

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

**Mr. Deputy-Speaker:** Motion moved:

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

I will allow hon. Members who have not taken part so far, to speak.

श्री श्री० श्री० बेशपांडे : उपाध्यक्ष महोदय, बहुत बड़े ही शब्दों में मैं इस विषय पर इस कारण से बोलना चाहता हूँ कि इस बिल से, इस विधेयक से, बहुत से लोगों के अन्तःकरण में आशाओं का निर्माण होता है। बहुत वर्षों से रिफ्यूजीज के अन्तःकरण में यह आशा निर्माण हो रही है कि हम को कुछ मुआवजा मिलेगा। यहाँ एक सुन्दर किताब भी आई है जिसमें मोहिनी देवी की बड़ी मोहक कथा भी है और आत्म चरित्र का भी कुछ भाग इस में दिया गया है। यह देखने के पश्चात् बहुत लोगों के हृदय में यह आशा हो रही है—एक लाख तक और दस लाख रुपये तक के फिगर्स सब इसमें दिये हुए हैं, कि हमको पैसे मिलने वाले हैं। मैं अभी इस कारण बहकह रहा हूँ और शरणार्थी भाइयों को बतलाना चाहता हूँ कि यह सब पढ़ने के बाद मेरे हृदय में एक सुभाषित संस्कृत का दोहा याद आता है, जिसमें कहा है :

"रे रे चातक सावधान मनसा मित्रः क्षणं श्रूयताम्।

धम्भोवाः बहुवो वसन्ति गगने॥"

चातक पक्षी को कहा है कि वह बादलों की तरफ देखता है और समझता है कि बारिश होगी और उसे पानी मिलेगा। मैं बतलाना चाहता हूँ कि आकाश में जो बादल होते हैं

[श्री वी० जी० देशपांडे]

वह सब सरीखे नहीं होते हैं। कोई बादल होता है बारिश करता है और कई ऐसे बादल होते हैं जो गर्जना करते हैं और बीच में किसी का बोलना सुनना भी नहीं चाहते हैं परन्तु बरसते नहीं। इसी वास्ते आगे कहा है : "यं यं पश्यसि तस्य तस्य पुरतः मान्नाहि दीनं वचः।" जिसको जिसको देखते हैं उन के आगे दीन वचन न कहो।

इस वास्ते मुझे कहना है कि अन्तर्कालीन जो योजनायें हैं इन से भी किसी का खास हित होगा, ऐसा मैं नहीं समझता हूँ। ग्रामीण लोगों की भूमि के बारे में मैं परसों ही पेप्सू गया था। वहाँ राजपुरा में बहाबलपुर के बहुत से लोग मुझे मिले। मैंने वहाँ देखा कि छोटे छोटे घर लोग लिये हैं। किस तरह वह लोग पाकिस्तान से यहाँ आये और यहाँ आने के बाद किस तरह से मकान उनको मिले हैं और उसकी कितनी कीमत लगाई गई है, २८०० रुपये और २५०० रुपये में वह मकान मिले हैं जिन मकानों के बनाने में सात सौ या आठ सौ रुपये से अधिक नहीं लग सकते थे। फिर हमको कहा जाता है कि जल्दी जल्दी विधेयक को स्वीकार कर लो, नहीं तो इस में देरी होगी। मुजफ्फरनगर के लोग परसों मेरे पास आए और उन्होंने बताया कि किस तरह उनके साथ बरताव होता है। किराये के बकाये के लिये उनको गिरफ्तार किया गया है और उनका सामान कुर्क हुआ है। रिफ्यूजी अफसर एक बात कहता है और कलक्टर दूसरी बात कहते हैं। इस तरह से उनका कोई काम नहीं चलता।

फिर यह कहा जाता है कि हमने उनको मुआवजा दिया, घर दिया, जमीन दी लेकिन सिन्ध के, सरहद के और बहाबलपुर के जो शरणार्थी आए हैं, बहाबलपुर के लोगों को कहा जाता है कि पेप्सू में रहना चाहिये और वह वहाँ रहना चाहते हैं। लेकिन यह

सब होते हुए भी, दोनों पंजाब के लोगों को तो पेप्सू में जमीन दी जाती है, लेकिन बहाबलपुरियों को पेप्सू में जमीन नहीं दी जाती है।

इस प्रकार से उन सब के साथ अन्याय हो रहा है और आपकी यह जो सरकार की इतनी बड़ी मशीनरी बनी हुई है, मैं समझता हूँ कि उनका इस प्राबलम को हल करने में ह्यूमन एप्रोच नहीं है बल्कि प्रोपेगेंडिस्ट एप्रोच है, प्रचारकों का एप्रोच है। मैं तो समझता हूँ कि इस के लिये आपको एक ह्यूमन एप्रोच अपनाना चाहिये और सरकार को इस प्राबलम को हल करने के लिए अपने पास से भी रुपया खर्च करने में संकोच नहीं करना चाहिये। पुरुषार्थियों की समस्या आप तभी सफलतापूर्वक हल कर सकते हैं जब आप इसको वार फुटिंग पर ट्रीट करें, सरकार को हमारे पुरुषार्थियों की सहायता के लिये अपने पास से सौ, दो सौ, चार सौ करोड़ रुपया देने के लिये तैयार हो जाना चाहिये और उस अतिरिक्त धन राशि के लिये आप देश से मांग करिये और शीघ्र से शीघ्र उन को मुआविजे की अदायगी का जो प्रश्न है, उसको हल करिये। मुझे पता नहीं है कि इस प्रकार की अन्तर्कालीन योजनायें कब अमल में आयेंगी और कैसे आयेंगी। इसके अलावा इस योजना में जो और छोटी छोटी बातों का जिक्र है, उनका मैं भी समर्थन करना चाहता हूँ। मेरा विरोध इस सम्बन्ध में केवल इतना है कि इस योजना को बड़ा लम्बा किया जा रहा है और यह कोई निश्चय अभी तक नहीं हुआ है कि हमारे भाइयों को उनके मुआविजे का पैसा कब देना है। निश्चय तो मेरी समझ में शायद हो गया है, लेकिन कुछ देना नहीं यह निश्चय हुआ है। इस दृष्टि से इसको लम्बा कर रहे हैं और इस योजना में भी आप इस प्रकार की रुकावटें लगा रहे हैं

जिससे बाद में आने वालों के लिये जिनके क्लेमस अज्ञानवश, उनको पता न लगने के कारण या आफिस की गलती के कारण यहां रखे नहीं गये हैं, उनको आप इस में शामिल करने की सुविधा देने को तैयार नहीं हैं। इससे यह भी मालूम पड़ता है कि शायद पैसा मिलने वाला है, इसीलिये यह स्ट्रिक्ट-नेस बर्ती जा रही है, लेकिन फिर डर होता है कि पैसा भी मिलने वाला नहीं है और सक्ती भी हो रही है। सरकार की इस नीति के कारण लोगों के हृदय में एक इर्रिटेशन पैदा हो रहा है। यहां संसद् में तो हमारे मंत्री महोदय पर बघाई की वर्षा होती है, लेकिन रिपयूजीज कोलोनीज में जहां मैं घूमता हूं, वहां मैं उन में व्यापक असंतोष ही देखता हूं और अन्त में मैं सरकार से यह प्रार्थना करूंगा कि आप अब और ज्यादा इस प्रकार

की अन्तर्कालीन योजनाओं द्वारा उनको और ज्यादा इर्रिटेट न करें।

**Mr. Deputy-Speaker:** Now, I will call upon the hon. Minister. Evidently, hon. Members would like to attend another meeting. I think enough has been said.

**श्री ए० पी० जैन :** मुझे अब कुछ और नहीं कहना है, मुझे जो कुछ कहना था, मैं कह चुका।

**Mr. Deputy-Speaker:** The question is:

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

*The motion was adopted.*

*The House then adjourned till Two of the Clock on Wednesday, the 24th February, 1954.*