

laws is sacramental as well as contractual. At the time when the marriage was performed, it should not be open under any circumstances—I am talking of the case of personal law marriages—to the parties to say “good-bye” to what they once promised. That was my objection and I still do not regard it as a good law. There is nothing of religion in it and nothing ethical is involved. Because a young man goes to the Registrar and says “I take this young lady as my wife”, does it mean that to everything decent and ethical in human life they say ‘good-bye’? There is nothing of the sort. Human life is human life. It is good and decent whether you stand by the scripture or you stand by the social virtues. A virtue is not simply because it is there in certain sacred books; it is a virtue when it is acted upon in society; scriptures are meant for social life and not meant for libraries. Therefore, to say that anything irreligious is being done is wrong and the impression created that certain sections of the House are bent upon acting in a way which is against certain tenets of religion is entirely unfounded. As I said, a law is to be passed on the conditions, economic, social and intellectual and the word ‘intellectual’ is comprehensive enough to include ethical conception. I also said that a Bombay marriage warrants the enactment of such a law because two educated persons quite decent in life, quite respected in society and doing useful work, have married in a form of contract and they live together peacefully, happily etc. Therefore, conditions obtain where such a Bill is now necessary. I again repeat it is against no religion, no ethical principles, no decencies of life. It is a perfect piece of legislation.

Mr. Chairman: I think we are nearing 5-30. At 5-30 we have to commence discussion on a matter of public importance. I think there is hardly a minute or two now.

An Hon. Member: Somebody may begin, Sir, his speech.

Shri D. C. Sharma: Mr. Chairman. Sir, I think this question is going to be a barometer of the social conscience of

those people who are going to speak on it and of those who are going to judge it. I believe, Sir, that social legislation of a progressive type is always productive of many surprising reactions. One of the reactions that it produces is a shock reaction and I was not surprised when I listened to the speech of some hon. Members on this side of the House who thought that the heavens are going to fall because this Bill has been introduced. I believe, Sir, that the heavens are not going to fall when this Bill is going to be passed. On the other hand, I believe that India will have a new social outlook on life and a new social outlook of our own. I think that this Bill will in many ways re-vitalise our home life and social life.

Shri Aigu Rai Shastri: I doubt very much.

Shri D. C. Sharma: Sir, I shall continue tomorrow.

INTERIM COMPENSATION TO DISPLACED PERSONS

Mr. Chairman: Now, we may take up the discussion of a matter of very great importance, namely, the scheme to pay interim compensation to displaced persons for their properties left in Pakistan. The hon. Member Shri Gidwani has given notice. I think that as the total time for the discussion is only one hour, 15 minutes may be given to Shri Gidwani, 15 minutes for the hon. Minister to reply and 5 minutes each to those persons who have sent in their names and who wish to take part in the debate.

Shrimati Sucheta Kripalani (New Delhi): 5 minutes is quite useless. It is such an important subject that the time should be extended beyond one hour for the discussion.

Mr. Chairman: The hon. lady Member realises that by convention that is a matter to be discussed only for a short duration. So far as the present programme is concerned, it is fixed. I think it is only a matter of urgent importance, for a short duration. Therefore, I am going to give 15 minutes to

[Mr. Chairman]

the hon. gentleman who gave notice of the motion, and I do not think any question of extending the time will arise.

The Minister of Rehabilitation (Shri A. P. Jain): You might ask the hon. Members who want to speak to give their names, and then fix the time.

Mr. Chairman: I have got a list of those names of Members who have intimated that they want to take part and they are: Sardar Hukam Singh, Shri Gurupadaswamy, Shri Soren, Shri-anati Sucheta Kripalani and Shri B. K. Das.

An Hon. Member: There may be others who want to speak.

Mr. Chairman: Let the hon. Member who has given notice of the motion first begin.

Shri Gidwani (Thana): Sir, the scheme that has been announced relates only to immovable urban property. You must be aware that apart from immovable urban property of which the value has been assessed by our Government officers, as being to the tune of over Rs. 500 crores, we have left movable property, rural property, and have also left agricultural property. The difference between the agricultural property left by us in Pakistan and the Muslims in India is nearly 40 per cent. The displaced Punjabis have received compensation to the tune of 60 per cent. and the rest ought to get to that extent. Still, the value is 100 per cent. and we get only 60 per cent. Then there are other properties in various forms. I cannot give exactly the figure of the total property left by us, movable and immovable, urban and rural, but Government had invited applications in the beginning, and the brochure published by the Government showed that we have laid claims to the tune of Rs. 2,000 crores. It may be an exaggerated figure, but it is more than Rs. 500 crores, because Rs. 500 crores represents only urban property. It may be Rs. 1,000 crores or Rs. 1,500 crores, but that is the value of the property that we have left in Pakistan.

The second point that I want to bring to your notice, Sir, is that we have left that property, and we have been saying from the very beginning that without getting compensation, we will not be able to rehabilitate ourselves. Therefore, in the beginning, we asked as early as in May, 1948, in a conference held in Delhi over which I had the honour to preside that Government should levy a liberty tax. Then in 1948, we had another conference under the chairmanship of Babu Purushottam Das Tandon, who suggested to the Government the imposition of a capital levy. Then, afterwards in July, 1949, the Government called a conference of the representatives of displaced persons under the chairmanship of Shri Gopalaswami Ayyangar. Then, Mr. Mohanlal Saxena was the Minister and we were promised that we would be paid compensation. Then, on the 20th April, 1950, this Parliament passed an Act called the Displaced Persons Act, when Mr. Mohanlal Saxena was the Minister. Again, in July, 1950, when Shri Ajit Prasad Jain became Minister, another conference was held presided over by Shri Gopalaswami Ayyangar and he assured us that "we shall also pay a substantial amount from the Government of India's resources." This was on the 20th July, 1950. Then, Sir, Government appointed a committee called the Bakshi Tek Chand Committee of which I also was one of the members. That committee submitted a report on the 22nd August, 1951, and in that report two recommendations were made. The first recommendation was that the interim compensation should be paid to all the claimants as their economic condition was worsening and they were getting on in a very bad way. The second recommendation was that apart from the evacuee property and the money spent by Government on houses and through loans, Government should also contribute a substantial amount from the Government's resources. This Committee also submitted its report. Then came this compensation scheme as announced on the 6th November, 1953.

Now, Sir, the total claims that have been verified according to the report

published by Government in their monthly review for July, 1953, are 5,35,454. They do include agricultural claims of non-Punjabi areas. This scheme which has been announced is divided into three parts. For the first part, it relates only to those who are called high priority category claimants. The number of such claimants out of 5,35,000, or, if you deduct the agricultural claims which is 4,55,000, is over 50,000. An impression has been created in the public mind that the compensation covers 95 per cent. of claimants. It is not so. Out of the total of 4,50,000 claimants, the present scheme covers only 50,000 claimants, and in these five categories, these claimants are to be divided.

The next category is to come after three or four months. That is what the scheme announces. It says that after the claimants are paid against these 50,000 claims, applications will be invited from the second category which will cover all those who are occupying Government-constructed or evacuee houses, and their number is 1,50,000. Then after that scheme is completed, that category will be paid compensation: compensation in what form?—Not in cash, not in any proprietary rights, but they will simply be allotted houses in which they are living. Then the claims of those who remain in the third category will be taken up. Their number may be three lakhs, or two lakhs and fifty-thousand.

Now, you will see, Sir, that this verification of claims was completed in July, 1952. We are now in December, 1953, and these 50,000 claimants will get their compensation within three or four months as already announced. After that, the claims of 1,50,000 claimants will be settled. That may take one year at least. Then, again, after that, 2½ lakhs or 3 lakhs claims will be settled. That may take two or three years more. So, Sir, if this process by which the scheme has to be implemented is to go on like this, I will say that the impression that was created in the beginning in the public mind that compensation is being paid to the displaced persons after six years

and three months, was wrong, and the people are feeling frustrated and disgruntled, and there is a lot of discontent and resentment among the people.

Another thing which I want to bring to your notice is this: when our Minister broadcast the scheme, he announced, and the impression created not only in the minds of the displaced persons but even in the Press, was that from 1st November 1953—the date on which this scheme came into effect—every claimant still living in an evacuee house or in a Government-constructed house will be free from payment of rent. I am reading to you the headline of this news published either in "The Hindustan Times" or some other newspaper: "Shri Ajit Prasad Jain, Rehabilitation Minister, announced on Sunday, that under the interim compensation scheme, Government-built houses or evacuee houses would be allotted on a quasi-permanent basis and the allottees would hold these properties rent-free with effect from 1st November, 1953." But subsequently, Government announced "Nothing doing". These people will continue to pay rents till their claims are settled. Their applications will be invited after four months. It may take one or more years to settle their claims. I have got a claim of a lakh of rupees. I have got the assessment order or what they call a 'decree'. I am in a way a creditor, and if I am not able to pay Rs. 30 as rent of the house which I am occupying, my household goods will be attached and I will be ejected from that house even though, as I have said, I may be holding an assessment order from the Government that my claim has been assessed to the tune of Rs. 1 lakh or even Rs. 5 lakhs. May I ask: how will it give any consolation to the displaced persons? Then, you know, further, after these two categories are over, the claims of the remaining claimants numbering two and a half lakhs will be settled. Those people who took no benefit from the Government, those people who did not occupy any evacuee houses, or who did not get help of any form from the Government, those are the people who are to wait for three or four years more.

[Shri Gidwani]

It is wrong to assume that their financial position is good, that they are not in urgent need of relief. It is wrong to assume that most of them are very rich. Maybe 10 per cent., 15 per cent. or even 20 per cent. of them may be well off. But the condition of the majority of them is more pitiable in many respects, than some of those who are getting some benefit under this scheme. Therefore, we feel, that this scheme is very defective.

Shri M. S. Gurupadaswamy (Mysore): May I draw your attention, Sir, that there is no quorum.

Mr. Chairman: There is quorum now, the hon. member may proceed.

Shri Gidwani: My hon. friend Mr. Ajit Prasad Jain a few days back issued an appeal to us that we should forget the past, give up all bitterness and cooperate with the Government in implementing the scheme they have drawn up after so many years with a view to help the rehabilitation of the displaced persons. May I ask, Sir, if three or four years are going to be taken to give relief to a large number of displaced persons, then what will be the response of the people?

I am one of those who is supposed to be a strong critic of the Government in this respect. I have my reasons for being so. I do not, however, want to enter into that subject now. My first impression on the announcement of the scheme was that I should congratulate the Government for, after all, implementing the scheme. Subsequently I met a friend who had studied the scheme more carefully and his reaction was different. Even then I said, let us begin a new chapter. But when I read the statement that was issued by Government after three or four days and found that recoveries of rents and instalments of loans would be continued from the claimants, then I felt that this scheme was inadequate. I do not wish to use strong words but I should say that this scheme is not going to benefit a large number of people. The majority of the refugees will have to

wait for a number of years. There is a proverb in Persian:

تا تریاک از عرق آورده شود -
سازگزیده مرده شود -

("Ta triyak as irak awrdhashavd
Mar guzida murda shawad")

By the time the antidote comes from some foreign land the snake-bitten dies. That is going to be the fate of a large number of displaced persons, who are neither in the government houses, nor in the five priority categories.

Therefore, it is high time that our Minister made a definite announcement as to when he was going to complete the whole process, how he was going to give compensation to all these people. Besides that, there is another point, Sir. If he is going to rely on the settlement of this question with Pakistan let me tell him that we are living under a delusion,—Pakistan will never come to a settlement. I read in "The Statesman" this morning that our Government has written no fewer than eleven letters to Pakistan since August last. A number of these communications are personal appeals from our Prime Minister to Mr. Mohammed Ali, the Prime Minister of Pakistan. But no reply yet has been received. The only reply sometimes is: your matter is under active consideration. Therefore I say let us give up this delusion. Let us take courage in our hands. Let us pool evacuee property. Let us at least start giving houses which have been constructed by Government to people on a permanent basis, sell them, make them owners so that their credit may rise, and also give a substantial contribution from Government. Then alone you will be able to create enthusiasm. Then alone displaced persons will be in a mood to forget their past wrongs, whatever they may be.

Time is the essence of the whole matter, and I would appeal to my hon. friend, whatever may have been my views I am and all of us are prepared to work with him. An inspired message appeared a few days back in the

press that the All India Refugee Association had passed a resolution asking people not to pay rents or pay back loans. No such resolution has been passed. Because I am after all the President of the Association, and all the resolutions passed have been communicated to the hon. Minister. I do not deny that they wanted to pass such a resolution. But I said we are going to hold a convention and appeal to Government.

I do not want that people who have already suffered should suffer still further. It is not easy for people, particularly displaced persons, to undergo suffering. But if you continue the present policy or the present scheme as it stands, then I am afraid even I will not be able to control them. Even this morning the Rajendranagar Refugee Association and the Ajmer Purushartha Sammelan have said that "we shall not be able to pay rents".

Therefore I appeal to you to stop recovery of rents and loan from all claimants who are in the first category, who are in the second category, or who are in the third category (those who have not been occupying government or evacuee houses) and make an early announcement of paying the first instalment to all, whether in cash or in kind or in bonds, as was solemnly promised by the late Shri Gopalaswami Ayyangar in 1949 and 1950. I hope Government will give serious consideration to my suggestion. Then our services are at your disposal.

Sardar Hukam Singh (Kapurthala-Bhatinda): Mr. Chairman, Sir, my friend has spoken with much fervour. As the time at my disposal will be very short I will only try to give the points within that time.

It has been said that the major portion of the claims has not been assessed at all. I want to repeat that all the movables have been left out. Besides, the rural immovable property has been left out. The rules provide that if any claimant had been allotted land less than four acres, then any claim in respect of his property which was of the value of less than

Rs. 10,000 was not to be considered at all. That resulted in a very great hardship. Because, if a man, without knowing what his subsequent fate would be, got an allotment of one kanal of land, then even if his property was of Rs. 9,999 that was to be ignored altogether. He never wanted it. If the other man had some allotment of more than 4 acres, then.....

Mr. Chairman: I hope hon. Members will not leave the House and create an awkward position. It is a delicate matter.

Dr. Lanka Sundaram (Visakha-patnam): May I request you to kindly ring the quorum bell, Sir?

An Hon. Member: Quorum is there.

Sardar Hukam Singh: If the second claimant, who had been given more than 4 acres, had property of the value of less than Rs. 20,000, that was not to be counted at all. There is a large number of such people. Though the Government are very solicitous about poor people, all these poor tillers, landless labourers, small landholders, artisans, petty shop-keepers, have been left out so far as the verification of claims is concerned. In spite of all this, the landholders get 60 per cent. so far as the area is concerned, taken collectively. We expected that the Government will contribute a substantial amount to this evacuee pool. We had expected that at least 60 per cent. of their verified claims would be given. Now, when that moment has come, what we find is that the amount that is now being given is much less. Therefore, there is some despondency and frustration behind their feelings. Exactly as I said, in the case of that person who has got less than 4 acres, his claim for Rs. 9,999 could not be considered, and in the case of persons who had got more than 4 acres, their claims for Rs. 19,999 could not be considered. All that has been left out. Therefore, my request is this. In such cases where it relates to petty landholders, or peasants or petty shop-keepers or artisans, they should be given a chance either to accept one or the other. Their claims should be verified and it should be

[Sardar Hukam Singh]

left to them to choose. Whenever they have got one kanal or one acre, which is uneconomical and which they are not occupying at all, to compel them to remain there and be content and deprive them of all the claims that they had about property, is very hard. The scheme does not provide anything for these people. Certainly, there is no objection to placing any ceiling. I am not pleading for those people who have got big amounts. A ceiling may be placed. A graded cut is advisable because, otherwise, we cannot meet the wishes of all the people. But, the amount that was certainly promised should be contributed by the Government. What have they contributed so far?

Then, I come to the second point. The first point that I have submitted is that option should be given to such people so that they may have their claim verified, and the compensation that might come to their share be allotted to them. The next point is this. There are others who, due to lapse of time, could not get their claims verified. There is a good number of such people, widows, etc., who had no knowledge of all these things. Such persons should not be penalised, I have a few cases, though the number is not large, where persons have come after the expiry of time, from Pakistan. They are going about to find an avenue to get their claims registered. because the law says, the time has expired. Some provision should be made for such people who are late arrivals, and who on account of no fault of theirs, are not able to get any benefit from this and have their claims verified.

It is not fair and equitable to charge any rent from the people who carry their verified claims in their pocket. It has already been raised. We have said that so far as compensation is concerned, the highest amount would be Rs. 8,000. When a person has got a claim for a large amount, at least he expects, as has been announced by the Government, that he will have Rs. 8,000. Credit can be given to him for a few hundreds of rupees. At this

time to enforce coercive measures to recover the rent or arrears of a few hundred rupees, does not look nice. That creates a very bad impression. There are loans that are being recovered, small petty loans. In the beginning they were given small loans as relief. They should be wiped out now and they should be considered as relief. At least up to Rs. 1,000 they should be considered as rehabilitation benefits. Even if it is not done, there should be no process taken at this time to recover that loan when he carries a verified claim in his pocket.

Five categories have been given and a priority has been fixed: infirm people etc. were getting allowances. In the first instance, these were given to persons who had property in Pakistan. They were receiving rents from their property; they had no source of income in India. So, those cases were considered for some allowance.

Now, if we take the case of a widow who is getting Rs. 30 a month, if she has a verified claim of Rs. 2,000 she would now get Rs. 1,200. In such cases it would be very hard because if that allowance is stopped, she might perhaps waste the compensation or fall into the hands of some evil relations; because she will be anxious to get something out of her claim that she might support herself. In these cases also, they should be given the option—the infirm, the widows etc.—that they might continue to receive the allowance or get this compensation in a lump sum.

Then again, now that evacuee property has been valued, it is to be allotted. My friend Mr. Gidwani has stressed that the rights should be given permanently. We have been pressing for it for quite a long time, but there were others who did not agree, and they said unless Pakistan gave us a definite answer it would not be advisable to extinguish the rights. Quite right, but even without that we can give them quasi-permanent rights.

And there are proposals which we have been listening to that the property is going to be sold. That would not be fair, and that would cause another displacement of lakhs of refugees. Therefore, I put a proposal before the hon. Minister that persons in possession of properties worth Rs. 25,000 or less might be allowed to continue to be in possession and have their claims adjusted against them, and properties worth Rs. 25,000 to Rs. 50,000 might be sold by auction only to refugees who really are in need of some accommodation and should not be open to everybody to bid. So far as properties of more than Rs. 50,000 value are concerned, they might be auctioned and everybody might be there to give his bid. In that case there would be minimum amount of displacement and people would be satisfied. Otherwise, some other problems might arise because the law allows that if a refugee is going to be evicted, he must have some alternative accommodation, and therefore it would be difficult to provide him with some accommodation. In that case, Government will have another problem to face. So, these considerations also they might keep in mind. This quasi-permanency system can be adopted even without disturbing those that are already in possession. Because there is no time, I will now finish.

Shrimati Sucheta Kripalani: Mr. Chairman, Sir, I take this opportunity to congratulate the hon. Minister for Rehabilitation for bringing the interim compensation scheme into effect, which is a much-awaited scheme. For the last six years refugees have been anxiously waiting to see the shape of the scheme, and I am quite sure the Minister himself must have been very anxious to expedite matters, but things were perhaps beyond his power to expedite. We note with pleasure that even payments are being made.

In order to understand the scheme, in order to appreciate the scheme properly, we should analyse the implications of the scheme and the impact on rehabilitation that the scheme will have, because the hon. Minister has

himself stated that bringing the compensation scheme into effect will mean the culmination or the real winding up of the rehabilitation work here.

6 P.M.

Now, this scheme will affect 50,000 refugees who have come from West Pakistan. It will not affect the refugees from East Pakistan. Let us understand the whole scheme and see what it is. First of all, I would like you to note that this is a compensation scheme. It is not a scheme for grants or "gifts" if you prefer that word. In order to understand the scheme and its importance, we should see what are the types of losses that the refugees have suffered. These losses can be divided into four categories. Firstly, there are the personal and household effects; they run into several crores, because personal and household effects includes lockers, safe deposits, safe custody in the banks etc. Secondly, we have merchandise and trade goods. These also go into crores, because as you know, very big firms like Kripa Rams and Lila Rams, who were firms well known in Pakistan have left buildings worth about Rs. 20,000 or Rs. 30,000 in Pakistan, but the goods that they had left in those buildings are worth several lakhs. No calculation has been made so far about the losses in this category. Thirdly, we have agricultural property, i.e. land, and fourthly, urban immovable property.

Now, let us see what has been done to assess the losses in these four categories. First, in regard to personal and household effects, conferences after conferences have been held, and even very recently there was some conference, but the conferences are postponed from time to time, and as yet, nothing has been finalised. We do not know whether our people will get anything at all for these movables which they had left in Pakistan, and which are worth several crores.

The second category, merchandise and trade goods do not come within the purview of the compensation scheme at all. Godowns, banks, shops etc. have also been left there, and

[Shrimati Sucheta Kripalani]

nobody has assessed their value, and we have not filed our claims against Pakistan for the loss of this kind of property. For this huge chunk of property has been left there, we have not even put our case before Pakistan. I really do not know how to describe it. There was talk of a Diwali gift for the refugees. I would like to know whether this is an *Id* gift to Pakistan.

Then we come to the third category, *viz.* agricultural property. But the Government tried to do something. For instance, in Punjab, they tried to put a scheme into effect, on the principle of land for land, and many Punjabi refugees have been allotted land in Punjab on a quasi-permanent basis. But what about the refugees from Sind, Baluchistan, Bahawalpur, and North West Frontier Province? So far, no scheme has been finalised for them, and the scheme is still in the examination stage. These refugees are anxious to know what will be their fate, and what they will receive. Even under this scheme for giving land for land, a further cut has been applied. The smallest cut that has been applied is for the smallest holdings, and is of the order of 25 per cent, but this cut goes up in gradation, up to 95 per cent. in the case of the higher holdings. Government have also a policy of standardisation of acres. It is of some help, no doubt, but the question of the quality of the land is entirely left out.

Shri A. P. Jain: No, no.

Shrimati Sucheta Kripalani: You have tried to make some adjustment, but it does not go far enough.

Shri A. P. Jain: Full adjustment.

Shrimati Sucheta Kripalani: As for the quality of land, there are people who have left in Lyallpur and Montgomery, land which was almost considered as good as gold. Besides people who had land there, had left also shops or little concerns in Pakistan. We are not taking into account any of these things.

We also know that our refugees had left a much greater quantity of land in Pakistan than the Muslim evacuees have left here. But we have not made any claim against Pakistan in respect of all this extra land. I consider this also as a second *Id* gift.

Then we come to urban immovable property, which forms the core of the compensation scheme. The Government have stated that in the evacuee pool, they have Rs. 500 crores worth of property. This assessment, according to us, non-officials, is perhaps a "depreciated" assessment. The hon. Minister will perhaps say that the prices have been "rationalised". Whatever it is, Rs. 500 crores worth of property is there. As against this, the Muslim evacuee property comes to a total of Rs. 90 crores. Because there is a big gap between the two, Government decided to put in some money in the pool. The Government have spent on loans and houses, an amount of Rs. 80 crores and this has been put in the pool. So, Rs. 90 crores *plus* Rs. 80 crores is all that we have in the evacuee pool to give as compensation to the refugees.

Shri Gidwani: The rest will go to the non-claimers.

Shrimati Sucheta Kripalani: There is an interesting method of calculation. We have been told that Government have spent about Rs. 200 crores on the relief of refugees so far. These Rs. 200 crores include relief in camps, feeding the refugees in the camps, education, training, houses, loans etc. For paying compensation 80 crores out of these 200 crores are being accounted.

So it would be proper to say that Rs. 120 crores have been spent on rehabilitation and Rs. 80 crores are there for compensation. I am not very clever at accounts, but if the Finance Minister had been here, I would have asked him what is the method of accounting here? Is it double entry system?

Then, let us understand further implications of this scheme. Now

there are 5000 or about 5000 verified claims. There may be many more who have not filed their claims and whose claims are not verified. But roughly, I think the number would come to between 4,000 and 5,000. Of these, the Rehabilitation Minister has agreed to give compensation to 50,000 people in the first instance.

Shri Gidwani: Five lakhs.

Shrimati Sucheta Kripalani: Those who come under the first priority are those who are on maintenance allowances and those who are in the homes. Now, I would like to draw your attention to the fact that the maintenance allowance given to them does not come out of any Government grant, but it comes from the income of the evacuee property. So again the maintenance allowance is something that we draw from the evacuee pool.

Let us take the question of Homes. The next category of people to whom we are giving compensation are the inmates of Homes, i.e. widows and unattached women. The Government budget today for this item of expenditure is Rs. 80 lakhs to Rs. 1 crore. The amount to be given ranges between Rs. 500 to Rs. 1,800 for each widow. The widows are a perpetual responsibility for the Government. The Government have again and again declared that they will always be responsible for them. Now, by giving this pitiable compensation to the widows the Government would get rid of their perpetual responsibility and thus lighten their burden.

The main part of the scheme would affect those who are living in the 18 or 20 refugee colonies. Let us see what is their position. As I have already pointed out, Sir, the claims were considered on a very limited, narrow, restricted basis. Further, after verification when they receive the compensation, they will receive only about 20 or 25 per cent. of their claims. That is, there is a further cut. Then again it is graded; the highest that can go to an individual is Rs. 2 lakhs.

Shri Gidwani: That is not said.

Shrimati Sucheta Kripalani: That is now proposed.

Further, I would like to draw your attention to the fact that the claims have been assessed by the Government and when they give them the compensation the property also would be assessed by the Government. Now, how would the property be assessed? There is a snag in the assessment. I would refer you to the case of Rajendranagar. These people have been coming to me again and again and placing their difficulties before me. In Rajendranagar, I suppose the land was acquired at the rate of perhaps Rs. 1-8 per yard—I am not quite sure; I suppose I am correct. Now the land has appreciated and it comes to Rs. 5 or so a yard. The houses were built at about Rs. 2,700 or Rs. 3,000 each. Now they are going to be valued at between Rs. 4,000 and Rs. 5,000. In addition, the refugees will have to pay for the development of the land, for the making of the streets and even for the public buildings. All these have been put on the valuation of the houses that will be given to them. So this is how the valuation of the property that the Government have today is increased. The valuation of the refugees' property would be reduced because that too will be done by the Government themselves.

Then there is another thing—I will just take a few minutes more. I am trying to hurry as fast as possible. How will this compensation work out for the refugees who are in the colonies? They will receive property, but they won't have the full title or ownership. I can understand that in the case of evacuee property, there is difficulty about extinguishing the title of the evacuees. For that negotiations have been going on. Negotiations were started at the time of Mr. K. C. Neogy. Then came Mr. Gopalaswami Ayyangar. He has vanished, he has left this world, but the negotiations are still going on. Then there was Mr. Mohanlal Saksena carrying on the negotiations. We do

[Shrimati Sucheta Kripalani]

not see him here nowadays, he is relegated to the Back Benches. Now there is Mr. Ajit Prasad Jain carrying on the negotiations and I think even he has despaired of it and has passed on the baby to the Prime Minister. A few months back the Prime Minister with his Adviser, Mr. Mehr Chand Khanna, went and carried on negotiations. I am told they were looked after very well by the Pakistan Government. But nothing came out of the negotiations. We heard that there would be a conference in September; it was postponed to November. Eternally it is being postponed. I think it would be much more self-respecting to accept the position that all these negotiations are not going to yield anything.

Dr. Lanka Sundaram: May I interrupt the hon. lady Member? What about the assets and securities with the refugee banks?

Shrimati Sucheta Kripalani: I have already mentioned that. Anyway there is no time now. It would be better, I think, once for all to accept the position that the negotiations won't yield any result.

Mr. Gidwani told us that 11 letters—I do not know if that is the correct number—had been sent to Pakistan, by our Prime Minister but no letters came this side. Let us finish the negotiation. Let us extinguish the title. Let us have the property and distribute it among the refugees. Of course, I appreciate the difficulty about title with regard to evacuee property, because the title cannot be extinguished till they come to this decision. But even in the case of Government property, the houses that the Government have built and given to the refugees, there also they are not being given full ownership. The refugees have the pleasure of paying taxes, they have the pleasure of repairing the houses, but they cannot mortgage or sell the houses. That means their ownership is artificial or

imaginary. They have no real ownership. They cannot raise funds over the houses. Therefore, it is nothing substantial that they are getting. Perhaps the hon. Minister will say that he does not want to introduce the principle of discrimination because those who get property out of the evacuee pool won't have full title and those who get from the Government property will have full title. I would say that the principle of discrimination is already in existence. Cash payments were made. They were not made in the shape of non-negotiable bonds; they were paid in full ownership to these people. Therefore, I think there would be no harm if the refugees are given full ownership over the Government property that they will receive.

In conclusion, I would like to say that though I have criticised the scheme, it is done in no spirit of criticism. It is done in a spirit of finding a solution to a problem that concerns us all. We have never treated the refugee problem as a party question. We all want to see that this issue, this problem of compensation, is settled in a manner which is satisfactory to the people concerned and which is good for the country. Therefore, I would make this suggestion to the hon. the Rehabilitation Minister that a Committee of the Parliament be appointed representative of all viewpoints and that Committee may be associated with this work of giving compensation almost very closely, almost day to day, so that from time to time we can advise the Govt. properly regarding the implementation and the implications of this scheme.

श्री अलगूराय शास्त्री (जिला आजमगढ़,—
पूर्व व जिला बलिया—उत्तर प्रदेश): श्रीमान् जी,
मैं इस से पहले कि माननीय मंत्री जी साहब
कुछ कहें, एक सुझाव उन को देना चाहता हूँ
कि ११ खतों का जवाब तो नहीं आया, अब

१२वां खत और चला जाय जिस में यह लिखा हो :

“मिटने वाला मिट गया, फिर सलाम भ्राया तो क्या ?

दिल के मिट जाने के बाद, उन का पयाम भ्राया तो क्या ?”

Shri Nand Lal Sharma (Sikar): Mr. Chairman, in view of the importance of the question, I propose that the discussion may be extended.

Mr. Chairman: I think it would not be proper for any hon. Member to say anything now. Let the hon. Minister have at least 15 minutes, to reply. That would be more useful from the point of view of the debate.

Shri Nand Lal Sharma: The discussion may be extended.

Mr. Chairman: It cannot be extended. The hon. Minister.

Shri A. P. Jain: Mr. Chairman, Sir, I welcome this opportunity of saying a few words about this interim compensation scheme. No one is more conscious than I that the time allotted for the discussion of this very important problem is too inadequate. I wish it were possible to allot more time so that a more comprehensive debate could take place.

In working out this scheme of compensation at all the stages, it has been my desire to have the cooperation of the displaced persons. The Bakshi Tek Chand Committee consisting purely of displaced persons was appointed for that purpose; and I am glad to record a vote of thanks for that Committee which has made a very valuable contribution.

Before I proceed further, I would like the House to understand the position in which the Minister stands with regard to the scheme for compensation. On the one side there are the assets; on the other there are the verified claims. Now, with regard to the assets, they are made up of two parts—(1) the evacuee property and

(2) the contribution made by the Government in the form of houses built or other properties built and loans advanced to the displaced persons. These two constitute the total assets which are going to be distributed against the verified claims. Here I might correct certain figures which were given by my friend Mr. Choitram Gidwani. The total number of verified claims, including claims for agricultural land, is about 3,90,000. Out of these, 2 lakhs are claims for urban properties. A little less than 1,50,000 are claims for rural properties, housing and others, and a little more than 40,000 are claims for agricultural land, out of which 10,000 are purely for agricultural land and about 30,000 are for agricultural land and rural houses. Today, I stand in the position of a trustee. On the one hand I am being entrusted with a certain amount of assets and those assets are to be distributed between the displaced persons according to a certain proportion and that proportion is to be established by the amount of the verified claims. So far as verified claims are concerned, we have done our best, but if one were to ask me whether I can say that every individual claim has been verified with absolute correctness, I would plainly say “No”. There have been mistakes here and there but by and large, looking from the social point of view, they establish a just and fair parity in between the refugees.

Shrimati Sucheta Kripalani referred to some claims which have remained unverified. I wish to inform the House that I have already taken steps to introduce a Bill during this session of Parliament, under which claims which had remained unverified or claims which were verified *ex parte* and about which requests have been received, in response to the notifications, for a re-examination, will be verified. Besides the pending revisions, revision petitions against some other claims will also be entertained. I also propose to introduce in that Bill a clause whereby certain very hard types of cases may be re-examined in which mistakes may have

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occurred, but I want to make it clear that any re-opening of claims on any large scale will mean further delay in and postponement of the scheme. Therefore, the Bill which I propose to introduce will be confined to well-defined categories who are deserving of relief so far as these verifications are concerned.

Several suggestions have been made with regard to rural houses, rents, and several other things. The question of the distribution of this property in between the various claimants is a question in between the refugees. If I am recovering any rent today, that goes to the pool and not to the Government coffers. If the decision not to verify the rural houses of certain classes of people was taken, it was done because there was a good justification for it. If I pay something more, than what is due to one displaced person, that comes from another displaced person's pocket. I will illustrate it further with the example of rural houses. Prior to the quasi-permanent settlement in the Punjab and PEPSU, there had been a settlement between India and Pakistan with regard to agricultural lands and all the rural houses situated in the West Punjab and lands and houses in the East Punjab and PEPSU. All the agricultural land in the West Punjab and all the rural houses of less than Rs. 20,000 in value were lumped together. All the agricultural land in East Punjab and PEPSU and all the rural houses excepting those of more than Rs. 20,000, were also lumped together. Against not only the agricultural land but also the rural houses left in the West Punjab, the agricultural land in East Punjab and PEPSU and the rural houses except of the value of more Rs. 20,000, have been distributed according to certain well-laid down principles. Now, what happens if we entertain claims for the rural houses over again? The man who has received compensation for rural houses once, will receive compensation over again. Again, if we look into the amount of the agricultural land and the rural houses on

either side, we find that the proportion of those kinds of property in India is much larger than the proportion of the urban property as compared to the respective properties left on the other side. For instance, a person who has left ten acres of land on the other side has received $7\frac{1}{2}$ acres of land on this side, and that is after taking into account not only the area but the quality of land—whether it was irrigated or not, whether it was in the proximity of a big city or otherwise, and all other advantages. All the lands on either side were reduced into standard acres, and to a holder of 10 acres on the other side, $7\frac{1}{2}$ acres have been allotted. I am taking up a purely hypothetical figure, but let us assume for the purpose of this discussion that the value of an acre is Rs. 500. Then a person who has left ten acres of land will be entitled to a verified claim of Rs. 5,000 and as against this, he has received Rs. 3,750 already. What does an urban claimant of Rs. 5,000 receive, under the interim scheme? About Rs. 2,300 and I am doubtful whether even under the final scheme, his compensation will go up to Rs. 3,750. So, it is abundantly clear that the agriculturist, the rural man, has received a much larger compensation than the urban man is likely to receive. If you verify the claims for the rural houses over again, the compensation must come from the available assets and somebody will lose in order that this man may gain. Whether there is any justification for that is a question to consider. So far as I am concerned, I have spent considerable time and I have no doubt that there is no case for the verification of the rural houses of a value of less than Rs. 20,000 or Rs. 10,000. Even in assessing house of more than Rs. 10,000 in some cases, we made some concession.

A question has been raised with regard to the wholesale suspension of the recovery of rents. We have in the first category invited applications from about 50,000 persons. In respect of these persons, rents have been suspended from the 1st November, and instructions have been issued. In the

next category, I propose to take up every person who is living either in an evacuee house or in a Government-built house. I propose to fix another similar date after which rents of these classes will also be suspended. There may be a difference of a few months between the first suspension and the second suspension. It is not great. It is not the greed for money that impels me to fix two different dates. It is the administrative difficulty which stands in the way of suspending all rent-recoveries at once. How do we forego the rents? First, a person must hold a verified claim. Then he puts in an application for the payment of compensation. It is a big application in which he has to give a large number of detailed information. We have to find out whether he is living in an evacuee property or in a Government-built house, and then, in each particular case, we issue a chit saying, hereafter you would not have to pay. But if I make an announcement that no rents will be recovered from the inmates of the evacuee property or Government-built house, two other classes of persons to whom the benefit is not intended to extend come into the picture. There are non-claimants. As they are refugees, I am prepared to show them some concession. Then there are a large number of non-refugees. They are local persons. About one lakh of evacuee property is in their possession, and particularly the big properties are in the possession of the 'locals'. So, there are these difficulties. If hon. Members here can give me a practicable scheme whereby I can expedite rent relief to other residents of Government property and evacuee property, I am quite prepared to consider that.

One another important point was raised by Shrimati Sucheta Kripalani: that is about the values of government-built properties. She said that land in Rajendranagar was bought at a comparatively cheaper rate and the value of that property has now enhanced. That is a fact—an absolute fact. I tried to verify that. There were fifty, or sixty plots which were resumed. We called for tenders for

them. In some cases the value went up by 200 per cent.; in other cases by 100 per cent. and in some cases by 80 per cent. This question again has to be looked upon from the point of view of the equities in between the displaced persons. If I value a house in, say, Kalkaji, at the same rate as I value a similar house in Rajendranagar, the displaced person who gets Rajendranagar house gets a far more valuable property, as compared to the man in Kalkaji. Now, what is my duty? Shall it be fair if I give more valuable property to one refugee because by accident he happened to be living in Rajendranagar and a less valuable property to another refugee because he happens to live in Kalkaji?

Shri Nand Lal Sharma: Is the hon. Minister going to compensate the residents of Kalkaji in that respect?

Shri A. P. Jain: Yes, certainly. Supposing a tenement of type A is valued at Rs. 5,000 in Kalkaji. It will be valued at say Rs. 8,000 in Rajendranagar. Both of them will have to be brought on a parity basis. As I said, my position is that of a trustee. I have to do justice between the displaced persons and I will not be discharging my duties honestly, if I favour one, or if I give undue advantage to one, as compared to the other.

There is not much time at my disposal. Shrimati Sucheta Kripalani suggested that I must associate a committee of this House with the implementation of the scheme. I am quite prepared to accept the suggestion. It may be a committee purely of Members of Parliament, or some outsiders may be associated with it. I am anxious that, so far as the implementation of the scheme is concerned, I must associate as much of the public and the refugee opinion as possible.

Shri Gidwani: What about the remaining who do not come in either category?

Shri A. P. Jain: The position is this. This interim compensation scheme has been conceived in such a

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manner that it would be easily merged in the final compensation scheme. Now, there are two possibilities. It is my desire to introduce the final compensation scheme at the earliest possible date, even before the final scheme is completed. Assuming that I do not succeed. First, we have invited applications of about 50,000 persons. The second category would be applications from persons who are living in government-built properties or evacuee houses. The rest of persons will come in the third batch. If, on the other hand, as I hope, the interim compensation scheme is merged in the final scheme, in that case no difficulty arises and we begin to implement the final scheme. Assume that all the 4 lakhs of applications come at once. We cannot decide all those applications in a week or month or in a year. That will have to be done gradually. On the other hand, if we invite a large number of applications at once the pressure upon the staff will be too heavy. It is not a question of recruiting a few clerks. It is a question of examining each case intelligently, fairly and honestly so that there may not be any injustice in between the displaced persons.

One word more. I got about 1,265 applications scrutinised. I find that

there are quite a number of mis-descriptions, quite a number of concealments which make our task very difficult. Out of 1,265 applications that were examined no less than 388 persons failed to disclose that they were living in government-built or in evacuee houses. From the addresses which they gave we could trace that they were living in such property. If things of that kind occur any difficulty is multiplied, manifold. I request everybody particularly the displaced persons that if they want, as they do, that the implementation of this scheme should be expedited, they should send full and complete applications disclosing all information and particulars.

The question of the implementation of this scheme with speed depends upon the co-operation that we get from the displaced persons. I am very glad to find from the tone and tenor of this debate that there is ample goodwill for this scheme. Maybe it is defective in one respect or the other. It is almost impossible to make a perfect scheme. But I do hope that with their co-operation we shall be able to do something for the displaced persons.

The House then adjourned till Half Past One of the Clock on Thursday, the 17th December, 1953.
