Shri Alagesan: I beg to move: "That the Bill, as amended, be pased."

Mr. Speaker: The question is:

"That the Bill, as amended, be

The motion was adopted.

MOTIONS RE. DISPLACED PER-SONS (COMPENSATION AND REHABILITATION) RULES.

Mr. Speaker: The House will now take up consideration of the motions relating to the modification of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, for which 3 hours have been allotted.

is Pundit Thakur Das Bhargava moving his motions?

Pandit Theker Das Bhargava (Gurgaon): May I submit this for your consideration? Since the hon. Minister wants to substitute a rulethere was a previous rule passed by this House and he wants to substitute another rule for that rulelet us know what are his reasons. Without knowing those reasons how can we, from our own brains, evolve those reasons and begin to speak on them? It is just likely that the hon. Minister may carry conviction to the House. I would request you just to ask the hon. Minister kindly to explain the reasons for which he wants to substitute this new rule before you call upon me.

The Minister of Legal Affairs (Shri Pataskar): Though I am not the Minister in charge of this, I would like to point out this. I find that this rule relates to some calculations in respect of a joint Hindu family. If I can hear the hon. Member who has objection to the modification proposed, I might advise the hon. Minister in charge as to what should be done or whether it should be amended at all.

Displaced Persons 3206 (Compensation and Rehabilitation) Rules

Pandit Thakur Das Bhargava: I am not going to argue with the hon. Minister who is not in charge of the Bill. I want to know the reasons. If he carries conviction with the House, we may not object.

Mr. Speaker: The hon, Minister of Rehabilitation.

Shri K. K. Basu (Diamond Ha"bour): The rules have already been in force for some time; why not you work them out?

पुनवांस मंत्री (भी सेहर चन्द चन्ना): जनावे सदर, पिछले साल सितम्बर के महीने में जो हमारे कंपेंसेशन (प्रतिकर) के रूल्स हैं वह इस हाउस में पास हुए थे। उसके मुताबिक बहुत से कंसेशन दिये गए थे। एक कंसेशन (रियायत) जो दिया गया था वह हिन्दू सान्दान मध्तर्का के मुताल्लिक भी था।

Dr. Rama Rao (Kakinada): May I point out to the hon. Minister that we would also like to know the reasons why the hon. Minister wants to change the rule?

Shri Mehr Chand Khanna: I am coming to that.

्रेची ज्ञी० घ० देझपांडे (गुना): वह पुरुतको नहीं समझते हैं । म्राप हिन्दी बोलिये।

Mr. Speaker: The hon. Member wants that the Minister may speak in Hindi.

की मैहर बन्द सभाः मैं हिन्दी बोलने **की को**शिश करूंगा।

तो उस बक्त यह फैसला हुआ या कि मगर हो सके तो जो ज्वायेंट हिन्दू फैमिलीज (संयुक्त हिन्दू परिवार) हैं उनको कुछ क डुछ कंसेप्रान (रियायट) देदिया जल्ले क्रममें जो हमने मंगवाये यह वह प्रापर्धी के लिये थे मौर उस

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Rehabilitation) Rules to in clause (b), none of the minimum number of four members-

Displaced Persons

(Compensation and

(i) is less than 18 years of age; or

(ii) is lineally descended from another member or along with another member is lineally descended from any other living member......"

तो हमने यह दो चीजें की थीं। एक तो यह कि जो नाबालिग है यानी १८ बरस से कम है दूसरा जो लीनियल डिसेंडेंट है। अगर बाप जिन्दा है ग्रौर उसका एक बेटा है या दो है तो हमारे मुताबिक उसको कुछ फालतू नहीं मिल सकता था। लेकिन अगर एक बाप मर चुका है और उसके दो बेटे हैं तो हमने फैसला किया कि उनको दो शेयर देंगे श्रीर ग्रगर चार से ज्यादा हैं तो उनको तीन क्षेयर देंगे। तो जो बड़े-बड़े खानदान वहां से माए हैं भौर १ म्लास के नीचे हैं या १ म्लास तक जिनके क्लेम हैं उनके बारे में हमने यह फैसला किया कि बजाय ५०,००० रुपये के दो लाख तक दे दिया जाए । मेरे भाई ग्रींचत राम जी इस के खिलाफ थे । उनका कहना था कि यह हमें सोशलिस्टिक पैटर्न ग्राफ सोसाइटी (समाज की समाजवादी व्यवस्था) की तरफ नहीं ले जाता है मौर उन्होंने कहा याकि किसी को तो ग्राप दो लाख दें **गौ**र किसी को बहुत ही कम।लेकिन हमने यह फैसला किया कि अगर दो भाई हैं ग्रौर उनकी जायदाद ३६ लाख रुपये की है तो हम बजाय ४०,००० की लिमिट के हम उनको बजाय दो लाख की लिमिट के चार लाख देंगे ग्रौर दोनों भाइयों को हम दो दो लाइस दें देंगे। फिर हम भागे चले। भगर चार भाई हैं भौर ४४ लाख से ज्यादा की जायदाद है, हमारे पास बहुत से भादमी ऐसे हैं जिनका क्लेम **⊻०−**४० लाख ग्रौर एक-एक करोड़ है

प्रापर्टी के लिये एक स्केल मुंबरेर होना था उसके मुताधिक क्लेम मिलने थे। सन १९४४ में जो इंटेरिम कंपेंसेशन स्कीम (ग्रन्तरिम क्षतिपूर्ति योजना) चलाई गई षी उसके नीचे यह नहीं था कि अगर पाकिस्तान में एक बाप है, दो बेटे हैं, तीन भाई हैं तो उनको कुछ ज्यादा मिलेगा। उनका जो क्लेम था उस क्लेम के मुताबिक इंटेरिम कंपेंसेशन स्कीम के नीचे ५०,००० रु० तक की सीर्लिंग (ग्रन्तिम सीमा) थी झौर ६,००० ६० तक नकद था। यह कहीं भी नहीं था कि ग्रगर उसके दो या तीन बेटे हैं, या एक या दो भाई हैं तो उनको फालतू रुपया मिलेगा । हमारे सामने यह सवाल ग्राया कि यह किसी हद तक ग्रन्याय है ग्रौर खास कर उन लोगों के लिये जो कि बड़ी बड़ी जायदाद छोड़ कर आये हैं। इस तरह से उनको बहत कम मिलेगा क्योंकि इंटेरिम कंपें-सेशन स्कीम में सिर्फ ४०,००० रु० की सिमिट थी। मैंने सोचा कि कुछ न कुछ रियायत करनी चाहिये और उस रियायत के लिये हमने रूल १९ बनाया, जिस रूल में यह साफ तौर पर वाजेह किया गया **ह**:

"19 (2) Where a joint family consists of—

(a) two or three members entitled to claim partition, the compensation payable to such family shall be computed by dividing the verified claim into two equal shares and calculating the compensation separately on each such share:"

(बी) के नीचे फोर झौर मोर मेम्बर्स हैं। लेकिन धागे एक फैसला किया गया है वह यह है कि कौन एक्स्क्लुड (ग्रपर्वाजत) होगा :

"Provided that in the case referred to in clause (a) none of the members and in the case referred [श्री मेहर चन्द खन्ना]

या इससे भी ज्यावा है, तो हमने बह फैसला किया कि उनके तीन हिस्से बना ंदेंगे श्रौर उनको छः लाख तक दे देंगे। थह हमारा ही फैसला नहीं था बल्कि इस हाउस का फैसला था। बल्कि यह भी हुन्रायांकि चुंकि हम तीन हिस्से कर रहे थे तो यह कहा गया कि कैश लिमिट जो ५,००० की है वह भी दो हिस्सों पर १६,००० ग्रौर तोन हिस्सों पर २४,००० अकी हो जाए। ग्रब जब हमने इस पर **अप्रमल दरामद करना शुरू किया तो वे** भाई जो कि मेरे साथ सहमत थे उन्होंने कुछ एतराज उठाया । उन्होंने कहा कि यह करो कि जो भाई हैं उनके केस में आगर पहले भाई के दो बेटे हैं तो उनके दो हिस्से कर दो ग्रौँर दूसरा भाई ग्रगर जिन्दा है श्रौर श्रागे उसके तीन बेटे हैं तो उनको फिर एक म्रौर तीन मिला कर =चार करके उनके तीन हिस्से कर दो आगैर एक, दो या तीन हैं तो उनके दो fहस्से कर दो।मैंने कहा कि रूल में -यह साफ वाजया है कि जो लीनियली इंडिसेंडेंट है और माइनर (ग्रवयस्क) है हम उसको कंसिडर नहीं कर सकते । इसी के आधार पर मने इंस्ट्रक्शंस (ग्रन्देश) भी ईश कर दीं। मैंने ला मिनिस्टरी (विधि मंत्रालय) से भी सलाह ली ग्रौर फाइनेंस र्बमनिस्टरी (वित्त मंत्रालय) के साथ भी -बात की और दोनों ने ही मुझे कहाकि जो तुम्हारे रूल हैं उनमें किसी किस्म को लीगल एम्बीगुग्रटी (विधि सम्बन्धी -संदिग्धता) नहीं है। मुझे बताया गया है कि जो तुम्हारी इंटेंशन (इच्छा) है वह बिल्कुल साफ है। लेकिन हमने चाहा कि इसको वजाहत के साथ ग्रापके सामने रख दिया जाए । तो मैं हाउस को यह कहना -चाहता हूं कि जो ग्रापका फैसला है वही अब भी कायम है ग्रौर हम उसको बदल नहीं रहे हैं। हम तो यही चाहते हैं कि उस फैसले को साफ अलफाज में रख

दिया जाए । एक कदम हम और झागे बड़ें । वह कदम यह है कि मान लोजिये कि तीन भाइयों में से एक भाई मर चुका है और दो भाई जिन्दा हैं। जो भाई मर चका है, मुम्किन है उसके नाबालिग बच्चे हों झौर बेवा भी हो। भव हमारे सामने सवाल ग्राया कि तुम उसके लिए क्या करोगे। तो मैंने जो एमेंडमेंट (संझोधन) पेश की है उसमें यह चीज भी रख दी है कि वह जो तीसरा भाई मर चुका है चाहे उसकी बेवा है चाहे उसके नाबासिंग बच्चे हैं उस फैमिली को भी हम एक युनिट मानेंगे For purposes of computing of compensation. ग्रौर हम उनको एक या दो या तीन युनिट जसे भी बनेंगे वह बनायेंगे। तो यह जो एमेन्डमेन्ट है वह एक क्लेरिफिकेशन है और इस मुद्दे के साथ मैं इसे ग्रापके सामने रखता हुं। तो इसका मतलब यह हन्न्याकि एक तो हम झागे कदम बढ़ाना चाहते हैं ग्रौर दूसरे जो यह कहा जाता है कि तुम्हारी गलती है, उस को मैं साफ करना चाहता हूं भौर बताना चाहता हूं कि गलती कोई नहीं है। जो लीगल पोजीशन '(विधि सम्बन्धी स्थिति)' है वह बिल्कूल साफ है ग्रौर हम उसको साफ ग्रलफाज में ला रहे हैं। मैंने कोई नई चीज नहीं को है पहले भी लोनियल डिर्सेडेंडं (कमागत सन्तति) एक्सक्ल्यडिड (ग्रपर्वाजत) है ग्रौर १० बरस के नीचे जो है वह भी एक्सक्ल्युडिड है। झब भी कोई ऐसी चीज नहीं की जा रही है जिससे कि पता लगे कि उनको हम शामिल कर रह हैं।

शुरू में एक बात की यी प्रौर वह यह कि हमने यह फैसला किया वा कि एक फैमिली जो १४ या १४ प्रगस्त १९४७ को पाकिस्तान में यी प्रौर मुम्किन हैउस वक्त उसके १०,११ या १२ बरस तक के बच्चे हीं प्रौर प्रव

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उसे हिन्दूस्तान में ग्राए हुए सात ग्राठ बरस हो चुके हैं तो क्या कम्पलैक्शन या केरेक्टर उस फैमली का लें. १४-१४ मगस्त १९४७ को लें या किसी भौर तारीख में । तो वहां भी हमने एडवांस-मेंट (प्रगति) की है मौर एक खास तारीस २६ या २७ सितम्बर मकरेंर की है। मेरे एक दोस्त ने एक एमेंडमेंट दी है ग्रौर कहा है कि कोई खास तारीख मुकरेंर न करो। झगर कोई तारीख मकर्रेर न हो तो इसका मतलब यह होगा कि लोग १८ बरस की उम्र के होते जायेंगे ग्रीर जैसे-जैसे वे बढते जायेंगे बैसे-वैसे हिस्से भी बढते जाएंगे। तो साहब इस चीज को तो नहीं माना লা सकता धौर हमें कहीं न कहीं तो डेफि-निट (निश्चित) होना ही है। जब मैं उनकी तकरीर सनगा तो मैं जवाब भी दंगा और यह जाहिर करूंगा कि हमने इस कम्पेसेशन स्कीम में कितने कहां कंसेशन दिए हैं भौर हमने क्या क्या की है। पंडित (प्रगति) ए*ड*वांसमेंट ठाकूर दास भागव जी ने एमेंडमेंट (संशो-धन) तो दे दी है लेकिन उसका क्या भसर होगा, यह जान लेना भी जरूरी है। फर्ज कीजिये कि मापकी एमेंडमेंट मान ली जाती है श्रौर हाउस को झस्तियार है कि वह उसे मान ले । जब क्लेम बेरिफाई (सत्यापित) किए गए उसमें तो जो क्लेम देने वाला था वह कर्ता हो, चाहे फैमिली कोलेटरल (संपाब्विक) थी, क्लेम दे दिए । उस कलेम में न तो बच्चों की उम्प्र का कोई जिक है और न ही बब्बों के नाम दिए हुए हैं। भगर भाज उनकी यह एमेंडमेंट मान ली जाए कि जो लीनियल डिसेंडेंट है पहले बाप के दो बेटे हैं, उनके दो हिस्से करने पड़ेंगे, फिर कोई बड़े दिवान साहब हों मेरी तरह से बड़े धनाढय, बडे पैसे छोड़ कर माए हों, उसके मांगे जो बेटे हे उनके हिस्से बनाने पड़ेंगे भौर इसी तरह में ग्रौर काम करना पड़ेगा । 420 L.S.D.

तो चार पांच लाख क्लेम मेरे पास हैं मौर हर क्लेम को मुझे नए सिरे से स्रोलना पड़ेगा झौर हर एक क्लेम को देखना पड़ेगा कि फलां साहब के कितने बच्चे हैं ग्रीर फलां साहब के कितने हैं। जिस कम्पेंसेशन स्कीम को म्राज हम चला रहे हैं, उसमें हम कुछ आगे बढ़े हैं और कुछ काम हन्ना है। यब घगर यह मान लिया जाए तो तमाम स्कीम बन्द हो जाएगी और हम को नए सिरेसे देखना पडेगा। इस भाई के कितने बेटे हैं, उनकी जब पाकिस्तान से म्राए य तो क्या उम्प्र थी ग्रौर अब क्लेम दिया तो क्या उम्प्र थी और माज क्या उम्र है मौर एक-एक फैमिली के कितने मैम्बर हैं ग्रौर हर एक का हमें हिसाब देखना पडेगा। इस सबका नतीजा यह होगा कि जो भी स्कीम है वह वहीं की वहीं पड़ी रह जाएगी। तो यह नहीं हो सकता है। इसका कारण यह भी है कि हमने कर्म्पेसेशन स्कीम को कोरिलेट (सम्बद्ध) किया है प्रापर्टी के साथ, एसेट्स (भ्रास्तियों) के साथ। हमारे पास इस वक्त कोई पांच लाख के करीब क्लेमेंट हैं भौर हमारे पास कोई १८५ करोड रुपये की जायदाद है। हमने कंसेशन आफटर कंसेशन भी इस स्कीम में दिए हैं । पहला कंसेशन एक स्टेज पर दिया, दूसरा दूसरी स्टेज पर ग्रौर तीसरा तीसरी स्टेज पर । तो अगर हम तमाम फाइनेंशल इम्पलीकेशंस (वित्तीय सात्पर्य) को देखें तो मेरा खयाल है कि यह कम्पेंसेशन पूल झौर ज्यादा बरडंस को सह नहीं सकेगा और मुमकिन है कि कभी न कभी किसी के सामने मुझे हाय फैलाने पडें भौर किसी की सहायता मांगनी पड़े। लेकिन भगर भाप यह चीज करते हैं कि दो लाख का क्लेम अपगर किसी का **हमा ग्रौ**र उसको ४०,००० रुपये मिलने हैं लेकिन भाप इस प्रोसेस से जिसके एक दो भाई हैं, पहले भाई के तीन बेटे हैं, बढाकर बजाय ४०.००० से झाप ६०,०००

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यहां पर मैं यह द्यर्ज कर दुं कि मैं रेफ्युजीज के दर्द को ज्यादा जानता हूं। मुझे मालूम है कि इससे क्या फायदा होना है घौर क्या नक्सान होना है। यह बात भ्रलाहिदा है कि जब इन्सान मिनिस्टर की कूर्सी पर बैठ जाता है, तो उसको कई बातें सूननी पडती हैं, लेकिन **ग्र**गर कोई गैर-रेफ्यजी, जिसको यह मालम नहीं कि शरणार्थी की तक्लीफात क्या होती हैं, किन हालात में वह यहां माया भौर किन हालात में उसने मयाम गुजारे हैं, यह कहे कि मेरी निस्वत उसको क्षरणार्थी से ज्यादा हमदर्दी है, तो मैं यह बात किसी भी हालत में मानने के लिए तैयार नहीं हं। यह बात अलाहिदा है कि इन्सान किसी ख्याल से एक बात कहे, दूसरी कहे, तीसरी कहे----यह तो होताही रहता है ग्रीर यह तो होना है। हर एक मेम्बर का हक है जम्हरियत में कि वह ग्रपना नुक्ता-ए-नजर यहां पर रखे----फिर वह इस तरफ़ बैठा हो या उस तरफ़ मुझे उस पर कोई एतराज नहीं है, लेकिन मैं यह कभी भी एक्सेप्ट नहीं कर सकता भौर नही करने के लिए तैयार हं कि किसी भाई को शरणार्थी के साथ मुझ से ज्यादा हमदर्दी है।

श्री दी॰ च॰ झर्मा (होशियारपुर): मापके पास करने की ताकत है और हमारे पास भिक्तें बोलने की ताकत है, इसलिए हम बोलते हैं।

श्वी मेहरधन्द खन्नाः श्रगर साहिवे सदर मुझे दो तीन मिनट धौर दें, तो मैं पोजीशन साफ कर दूं कि हमारे पास कितनी ताकत है ग्रोरहमने क्या किया है।

पहले यहां इन्टैरिम कम्पेन्सेशन स्कीम (म्रन्तरिम प्रतिकर योजना) रायज थी म्रीर मैं ने २७ जून, १९४४ को फाइनल कम्पेन्सेशन स्कीम एनाउन्स (घोषणा)

[श्री मेहर चन्द खन्ना]

या ७०,००० दिलाना चाहते हैं तो मैं यह कह सकता हुं कि इस स्कीम में उनको यह नहीं मिल सकता है । नतीजा यह होगा कि ग्रापको कम्पैन्सेशन स्कीम को सस्पेंड करना पडेगा ग्रौर तमाम स्केल को रिवाइज करना पडेगा ग्रौर देखना पडेगा कि जिस स्केल के मताबिक म्रापने यह चीज की है, उसकी फाइने-न्शिवल इम्पलीकेशन्ज क्या हैं। मैं मर्ज करना चाहता हूं कि हमारा मोटिव (भगिप्राय) साफ है, सिन्सीयर (सद्भाव-पूर्ण है, स्टेटफावंड (सीघा) मौर मानेस्ट (सत्यनिष्ठ) है। हम कोई ऐसी बात नहीं कर रहे हैं, जो कि गलत ही। हम बही कर रहे हैं, जो कि हाउस ने पहले मन्जुर किया है।लेकिन ग्रगर पंडित ठाकुर दास भागव के ग्रमेंडमेंट को. जिसका जिक श्री ढी० सी० शर्माने भी किया है. मन्जर किया जाता है. तो कम से कम मौजुदा हालात में बहुत सी फ़ाइने-न्त्रियल भौर एडमिनिस्टेटिव (प्रशासनिक डिफीकल्टीज (कठिनाइयां) ग्राने का मन्देशा है। बाकी हाउस की मर्जी है। जब बक्त स्रायगा, तो मैं देखंगा भौर फिर एडवाइस (परामर्श) करूंगा। इस वक्त पोजीशन यह है कि दो करोड़ रुपए हर महीने लोगों को बतौर कर्म्पन्सेशन मिल रहा है । हमारा टारगेट उस रकम को तीन करोड़ रुपए तक ले जाने का है यानी कम से कम मेरा मुद्दा यह है कि दस लाख रुपए रोजाना ग्ररबन (नागरिक) कम्पैन्सेशन रेफयुजीज (प्रतिकर) (शरणार्थियों) को मिले ग्रौर ग्रनकरीब ही मैं उसको पूरा करूंगा । इस भ्रमेंडमेंट को मन्जुर करने का नतीजा यह होगा कि यह सब काम रुक जायगा । मैं श्रर्ज करना चाहता हूं कि यह हमारा मुद्दा था। ऐसी कोई बात नहीं है कि हमने रेफयजीज को जो कूछ दिया है, उसको हम वापिस लेता चाहते हैं।

की । उस स्कीम में हम ने क्या किया ? पहली बात तो हमने यह की कि जो भाई मगस्त १९४२ के बाद हिन्दस्तान में ग्राए थे और म्रन्डर दि एक्ट (माधिनियम अधीन) कोई कम्पेन्सेशन का क्लेम फाइल नहीं कर सकते थे. हमने उनको क्लेम फाइल करने की इजाजत दी ग्रौर कहा कि हम उनको रीहैंबिलिटेशन ग्रान्ट (पूनर्वास ग्रनुदान) देंगे।

दूसरी बात हमने यह की कि जो बहत से भाई-बहिन हिन्द्स्तान में थे, जिनमें कूछ भ्रनपढ़ थे, बेवायें थीं भौर यतीम बच्चे वगैरह थे, ग्रौर इस लिए वक्त पर ध्रपने क्लेम फाइल नहीं कर सके थे, उनको काननन कम्पेन्सेशन हासिल करने का कोई हक नहीं था। हमने भ्रपनी फाइनल कम्पेन्सेशन स्कीम (ग्रन्तिम प्रतिकर योजना) में इजाजत दी कि भगर उनके पास वैलिड प्रफ (मान्य प्रमाण) हो, तो वह कम्पेन्सेशन क्लेम (प्रति-कर दावा) फाइल कर सकते हैं। हमारे श्री ग्रचितराम गौर कुछ दूसरे भाइयों को बडा डर था कि लोग डाकूमेंटरी प्रक नहीं दे सकेंगे भौर बड़ा जुल्म हो जायगा । मैं मानरेबल मेम्बर की इत्तिला के लिए मर्ज करना चाहता हं कि चालीस हजार लोगों ने रीहैबिलिटेशन ग्रान्ट के लिए दरस्वास्तें दी हैं। पहला नम्बर साढे चार लाख था ग्रौर चालीस हजार भौर स्नादमियों ने एप्लीकेशन्ज ंदीं।

5 P.M.

Shri Gidwani (Thana); How many have been rejected?

Shri Mehr Chand Khanna: The time for rejection has not come yet. I say that forty thousand applications have been received and they are under consideration. They will be considered on merit and if we find that there is legitimate proof, they will be accepted. But, my friend must realise that out of fifty lakhs of dispaced persons who have come from West Pakistan, if you

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divide them into ten lakh families. nearly five lakhs have applied for lands under the rural scheme and more than five lakhs have applied under the urban scheme. Nearly. ten lakhs applications have been received under both the rural and urban schemes for the payment of compensation. I can assure my friend, Dr. Gidwani, that hardly any person has been left out and the implication is that practically every person who has come from Pakistan either owns urban property or rural property.

Shri Gidwani: How many nonclaimants are there? There are forty or fifty per cent of this number-nonclaimants

बी मेहर बन्द बन्ना : तीसरी बात मैंने यह की कि जो स्माल लैंड एलाटी थे. चाहे उन्होंने लैंड ग्रलाटमेंट एक्सेप्ट नहीं की थी भौर चाहे उनकी लैंड कैन्सल हो गई थी. हमने उनको इजाजत दी कि वे रीहैविलिटेशन ग्रान्ट के लिए एप्लाई कर सकते हैं। हमने फैसला किया था कि रूरल हाउसेज की प्राइस ४० परसेंट होगी. लेकिन हमने कहा कि हम उसको १०० परसेंट करेंगे, फूल रेट पर एक्सेप्ट करेंगे । हम भौर भागे बढे । पहले वैस्। माफ स्टैंडर्ड एकड ३४० रुपए थी।

Shri V. G. Deshpande: Are all these relevant to these rules?

Shri Mehr Chand Khanna; Yes, Sir; they are very relevant. Objection has been taken to the scheme and I want the hon. Members to refresh their memories a little.

Mr. Speaker: Objection has been raised to the more important one; the question was how this rule was necessitated. Emphasis should be on this. General rules relating to compensation are there but if concentration could be made on this, particular rule, that will be better.

Shri Mehr Chand Khanna: I have done so. Shri D. C. Sharma raised a point and I thought I should reply to that.

Mr. Speaker: That is unnecessary.

Pandit Thakur Das Bhargavs: He has already said all he wanted to say; let him have his full say. In that case, we should be given an opportunity also to rebut what he said and what he says.

भी मेहर चन्द खल्नाः मैं प्रउंकर रहा था कि स्टैडर्ड एकड़ की कीमत ३४० रुपए थी। हमने उसको ४४० रुपए कर दिया। नान-म्लेमेन्ट्स को जायदाद खरीदने का कोई हक नहीं था। हमने उनको हक दिया कि वे म्लेमेंट्स की तरह इन्स्टालमेंट बेसिस पर मायदाद खरीद सकते हैं।

फिर सितम्बर, १९४४ में ग्रापके सामने डिस्कशन के लिए रूल्ज प्राए मौर वह सैकंड स्टेज है। हमने एलाटमेंट (यंटन) की लिमिट (सीमा) को पांच हजार से बढ़ा कर दस हबार कर दिया। दुकानों को हमने लिमिट ग्राफ़ एलाटेबिलिटी (बंटन) में शामिल किया, जब कि पहले वे शामिल नहीं थीं। उसकी लिमिट भी दस हजार कर दी।

पहले कैंश कैंटेगरीज (नकद सम्बन्धी श्रेणियां) सिर्फदो चार पांच जुमरों पर लिमिटिड यीं---चाहे वह मेनटेनेन्स एलाउन्स (संधारण भत्ता) लेने वाले थे। श्रीर चाहे होम्ज (ग्राश्रमों) ग्रौर इन्फ़र्मरीज (ग्रपा-हज) में रहने वाले थे। हमने इन लोगों को कैश दिया----जो ग्रौरतें बाद-अजां विडो (विघवा) हईं, कैन्सर के मरीज, जिन भाइयों की उम्र ६५ साल से ज्यादा है, वे स्टुडेट्स (छात्र) जिनके भ्रपने नाम पर क्लेम हैं ग्रौर वे लोग, जो कि पागल हैं। हमने वह सितम्बर, १९४४ में किया। इस स्कीम के दौरान में भी हम आगे बढते रहे। हमारे प.स न कोई रिकार्ड या ग्रौर न कोई फ़ाइल थी। यह मिनिस्ट्री ही मारजी है। हमारे सामने जो नया केस आया, हमने उसके बारे में फैसला किया । हमारे सामने जब डिजविन्ग केस (प्रतिकर योग्य मामले) माए, तो हमने भौर कन्सेशम्ज दीं । हमने यह फैसला किया कि जिन मां-बाप के बच्चे फारेन कन्दीज (विदेश) में तालीम हासिल कर रहे हैं, उनको स्पेशल कैटेगरी (विशेष श्रेणी) दी जाय । हमने यह भी फैसला किया कि जिनके बच्चे किसी टैक्नालोजिकल इंस्टीच्यट (ग्रौद्योगिक संस्वा), मेडिकल कालिज, नेशनल डिफेन्स एकैडिमी (राष्टीय प्रतिरक्षा मकादमी), पना में पबते हैं, उनको भी प्रायर्टी (प्राय-मिकता) दी जाय। ग्रौर सबसे बड़ी बात हमने यह की कि राजस्थान श्रौर भ्रलवर में सासकर और दूसरी स्टेट्स में ग्रमुमन उन भाइयों को, जिनको कि पंजाब की तरह एलाटमेंट नहीं हग्रा था, चाहे वह क्वासी परमार्नेट बेसिस (ग्रर्ड स्थायी ग्राघार) पर हो या परमानेंट बेसिस (स्वायी आधार) पर हो, यह रियायत दी है कि वे ग्रपना रुपमा चार बरस के बजाय १४ बरस में ग्रदा करें। ऐसे लोगों का नम्बर ६०.००० के करीब है। हमने उनको यह भी इजाजत दी कि म्रगर उनके कोई पहले क्लेम थे जो कि रिजेक्ट (रद) हो चुके हैं, उनको भी हम कंसीडर करेंगे भौर उनके लिए भी उनको केडिट देंगे हमने उनको फुड लोग्स के लिए रूपया दिया तमाथाजो करीब ३५ लाख था। हमने कैसला किया है कि हम उन गरीब भाइयों को यह भी माफ कर देंगे। तो मैं यह बतला रहा था कि हमसे जितना भी हो सका है हमने भागे बढने की कोशिश की है। लेकिन माज हालत यह है कि मुझ से कहा जाता है कि साहब कम्पेन्सेशन नहीं मिल रहा है, लोगों को तकलीफ हो रही है, उनकी हालत बहुत बुरी है। ग्राज हमारी हालत यह है कि ग्रापके रूल पास हुए कोई दस या ११ महीने होते हैं। हमने इस वक्त तक यानी ३१ जुलाई सन् १९४६ तक एक लाख १७ हजार ग्रादमियों को कम्पेनसेशन दिया है और वह रकम करीब ३४ करोड रुपये की है। लेकिन आप यह सूनकर हैरान होंगे कि कहा जाता है कि भाष जुल्म करते हैं, लोगों से बकाया काटते हैं, उनको मकान बेचते हैं झौर किसी माई को

कैश नहीं देते। लेकिन मैं मापको बतलाना चाहता हं कि इस ३५ करोड़ में से २० या २२ करोड रुपया नकद है और बकाया जो है वह एडजस्टमेंट है ग्रौर पांच या ६ करोड को बेची हई जायदाद है। इसके भ्रलावा हमने २०,६०० बहिन भाइयों को जमीन ख्लाट की है। यह अमीन पंजाब और पैप्स की नहीं है। पंजाब भीर पेप्स में तो हमने २,२०,००० बहिन-भाइयों को जमीन एलाट की है जो कि तकरीबन १६ या १७ लाख स्टेंडर्ड एकड़ है भौर जिसको कीमत साढे चार सौ फी स्टैंडई एकड के हिसाब से ७० मा ७२ करोड़ बलती है। यह स्कीम १५ ग्रगस्त को शुरू हुई थी श्रौर ग्रभी दूसरा १५ प्रगस्त नहीं आया है। इस मर्से में हमने २,२०,००० लोगों को परमार्नेट एलाटमेंट दिये हैं, जो कि १६ या १७ लाख स्टेंडर्ड एकड जमीन होती है ग्रौर जिसको कीमत ७० या ७२ करोड बनती है, एक लाख १७ हजार ग्रादमियों को कम्पेन्सेशन दिया है और २०.६०० लोगों को जमीन दी है। इस वक्त तक हमने १०५ से ११० करोड़ के करीब कम्पेनसेजन ग्रदा किया है। यह ग्रलग बात है कि किसी के दिल में कुछ वाकयात हों, कूछ जजबात हों, कूछ सायन्दा की तकली-कात हों, उनसे मेरा कोई ताल्लक नहीं है। हर भाई को ग्रस्तियार है कि वह जो चीज चाहे करे। ग्राखिर मैं भी रिहैबिलिटेशन बाहता हं, ग्रीर भाई भी चाह सकते हैं। इसमें में क्या इन्कार कर सकता हूं। लेकिन यह मैं ग्रजं करना चाहता हूं कि यह इस मिनिस्टी श्रीर इस गवर्नमेंट का रिकार्ड है कि इस गवर्नमेंट ने रिहैबिलिटेशन भौर रिलीफ के लिए सौ नहीं, दो सौ नहीं बल्कि तीन सौ करोड़ के करीब रुपगा दिया है। मेरी मिनिस्टी का बजट झाज ३३ करोड़ रुपया है जो करीब ४० या ४२ करोड़ के कम्पेनसेशन के बजट के ग्रलाबा है। गवर्नमेंट मे रिफ्युजीज के साम जो बायदे किये थे उनसे वह मुनहकरफ द्वोने वाली नहीं है। प्रगर कोई चांद को हाब से खिपाना चाहेतो वह नहीं छिप सकता, , इस्री तरह से अगर इस मिनिस्ट्रि पर कोई दाग लगाना चाहेतो वह नहीं लगा सकता।

Mr. Speaker: We shall now take up the motions relating to modification of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. Let there be no two discussions over this matter. Hon. Members who have tabled motions may move them now and speak.

Pandit Thakur Das Bhargava: I am moving both my motions and if you don't mind, Sir, Shri D. C. Sharma may also be allowed to move his motion so that all may be considered together.

Mr. Speaker: There is a joint motion in the name of both Pandit Thakur Das Bhargava and Shri D. C. Sharma, and there are some motions exclusively in the name of Pandit Thakur Das Bhargava.

Pandit Thakur Das Bhagava: The motions I gave notice of were all in my name. I would like to move all my motions.

Shri D. C. Sharma: I also would like to move my motion No 4.

Pandit Thakur Das Bhargava: I beg to move:

(i) 'This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in sub-rule (2) of rule 19 of the Displaced Persons (Compensation and Reha-

bilitation) Rules 1955 as further amended by the Notification No. SRO 1161 dated the 30th April, 1956, laid on the Table on the 21st July, 1956, namely:

omit "on the 26th September, 1955 (hereinafter referred to as the relevant date)".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.' [Pandit Thakur Dass Bhargava]

(ii) "This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in sub-rule (3) of rule 19 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 as further amended by the Notification No. SRO 1161 dated the 30th April, 1956, laid on the Table on the 21st July, 1956, namely:--

omit clause (a) (ii).

This House recommends to Rajya Sabha that Rajy Sabha do concur in the said resolution.'

(iii) 'This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in sub-rule (3) of rule 19 of the Displaced Persons (Compensation and Rehabilitation Rules, 1955 as further amended by the Notification No. SRO 1161 dated the 30th April, 1956, laid on the Table on the 21st July, 1956, namely:--

omit clause (b).

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.'

Shri D. C. Sharma: I beg to move:

'This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in sub-rule (3) of rule 19 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, as further amended by the Notification No. SRO 1161 dated the 30th April, 1956, laid on the Table on the 21st July, 1956, namely:--

after clause (b), insert-

"(b) a person who on the relevant date was the mother of a deceased member of the Joint Family shall be included;"

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.'

Pandit Thakur Das Bhargava: I beg to move:

(1) 'This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in sub-rule (3) of rule 19 of the Displaced Persons (Compensation anđ Rehablitation) Rules, 1955, as further amended by the Notification No. SRO 1161 dated the 30th April, 1956, laid on the Table onthe 21st July, 1956, namely:---

after clause (c), add---

"(d) where the deceased member has left no sons but only a widow such widow shall be regarded for the purposes of this rule as one member of the family."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.'

(ii) 'This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the following amendment be made in rule 19 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 as further amended by the Notification No. SRO. 1161 dated the 30th April, 1956, laid on the Table on the 21st July, 1956, namely:

after the Explanation, add:

"Explanation II.—For the purpose of this rule in the case of every undivided Hindu family governed by Mitakshara law a son or grandson and in the absence of sons and grandsons, the widow referred to above in thisrule shall be deemed to be entitled to claim partition of the coparcenary property against his father or grand-father or other members of the family as the case may be notwithstanding any text of Hindu Law or custom to the contrary."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.'

(iii) "This House resolves that in pursuance of sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act. 1954. for the amendments to Rule 19 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 made by the Notification No. SRO 1161 dated the 30th April. 1956, laid on the Table on the 21st July, 1956, the following be substituted, namely:---

(1) In the proviso to sub-rule (2) of rule 19 for "that in the case referred to in clause (a) none of the members" substitute:

"that in the case referred to in clause (a) none of the minimum number of two members and in the case of these members of them"

(2) In the proviso to sub-rule 19, in part (i), after "is" insert "or are"

(3) After sub-rule (2A) of rule 19, insert:

"(2B) Where a deceased member of the joint family entitled to claim partition has left sons all of whom are less than 13 years of age such sons shall together be reckoned as one member of the family and where the deceased member has left no sons but only a widow such widow shall be regarded for the purposes of this rule, as one member of the family "

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

Mr. Speaker: Now, all these motions are before the House. May I have

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an idea as to who are all the hon. Members who would like to speak on this subject?

There are in all six Members. Has Bengal nothing to do with this?

Some Hon. Members: No. Sir.

Shrimati Renn Chakravartty (Basirhat): We will just listen and learn.

पंडित ठाकुर दास भार्गव : जनाब स्पीकर साहब, मिनिस्टर साहब ने इस तरह की बातें करके एक तरह से यह कोशिश की है कि इस सारे मामले पर smoke screen यानी पर्दा डाल दिया जाये। उन्होंने इस तरह से शुरू किया है कि मेरे डिपार्टमेंट (विभाग) ने यह किया और गवर्नमेंट (सरकार) ने यह किया और वह दुनिया को दिखलाना चाहत हैं कि हमने इतना काम कर दिया है श्रौर गो कि हमारा श्रमेंडमेंट गलत है फिर भी हमको वोट दे दो क्योंकि हमने बहुत कुछ किया है। यह एपरोच दूरस्त नहीं है इस तरह की बातें करके उन्होंने एक कंटेंशस (विवादास्पद) मामला हाउस के सामने रख दिया है जो कि इस वक्त आपके सामने जेर बहस नहीं है। यहां पर जेर बहस तो रूल्स हैं। लेकिन मेरे लायक दोस्त ने ऐसी बातें कह दी हैं कि अगर मुझे ६ घंटे का वक्त दिया जाये तो मैं इस डिपार्टमेंट की कलई खोल कर रख दूं।मैं म्रापको बतलाना चाहता हं कि इस डिपार्टमेंट के बराबर इल्लीगल (भ्रवैघ) कोई दूसरा डिपार्टमेंट नहीं है। इस डिपार्टमेंट ने रिफ्यूजीज को फायदा पहुंचाने के बजाय ऐसी चीजें की हैं कि जिनसे हमको शर्म माती है ग्रौर रिफ्युजीज संतुष्ट नहीं हैं, यह कहना कि हमन सारे वायदे पूरे किये हैं गलत बात है। ग्रगर मझे बक्त दिया जाये तो मैं इन सारी बातों का जवाद दे सकता हं।

पंडित ठाकुर दास भार्भव]

लेकिन पेश्तर इसके कि मैं अपसली मसले पर धाऊं मैं धापकी तवज्जह दो तीन बातों की तरफ दिलाना चाहता हं। मेरे लायक दोस्त का कंटेंशन (विचार) मह है कि जो रूल हमने पास किया था हम उसको चेंज नहीं करना चाहते? ग्रमल में रूल १९ को जिसको हमने पास किया था उसको ग्रपरूट करने की कोशिश्व की गयी है। यह कहना कि जो रूल प्रव हैं ग्रौर जो पहले थे उनमें कोई फर्क नहीं है, उनका मतलब एक ही है। या झठ को सच बतलाना यह ऐसी गलत बात है जैसे कि दिन को रात कहना । मुझे अफसोस है कि मझे ऐसे सस्त घल्फाज इस्तैमाल करने पड रहे हैं। मैं इस बात को मानता हूं कि श्री खन्ना के दिल में रिफ्यजीज के लिए दर्द है। मैंने इस बात से कभी इन्कार नहीं किया । लेकिन मैं इतना कहना चाहता हं कि दफा १६ को न वह पहले समझे थे, न श्रव समझे हैं और न कभी समझेंगे। जो इतनी साफ चीज है उसके लिए वह कहते हैं कि जो रूलुस में पहले थी वही चीज पाब भी है। ऐसा कहना तो किसी सच्ची बात को झुठलाने के बराबर है। ग्रीर ऐसा कहना या करना किसी तरह वाजिब नहीं है।

जनाब वाला, मैं इस चीज पर मी भाऊंगा ग्रौर यह क्लेम करूंगा कि यहां पर हम्परे ला मिनिस्टर (विधि-मंत्री) ग्राहब बैठे हुए हैं ग्रौर जनाब वाला इस हाउस के अन्दर सबसे बड़े कानूनदां हैं। मैं जनाब की खिदमत में प्रपील करूंगा कि प्राप उस सक्सन को पहले पढ़ ने जो कि पहले पास किया था ग्रौर उसको जी पढ़ लें जो कि ग्राज मिनिस्टर साहब रख रहे हैं। मैं ग्रापके फ्रैसले पर ग्रौर सीयल मफेअर्स मिनिस्टर (विधि-कार्य-मंत्री) के फैसले पर इस्टफा करूंगा।

मैं हर्गिज नहीं कहूंगा कि जो फैसला मापने किया है उसे मैं गलत समझता हूं।

इसके बाद में जनाब की इजाजत से उन चन्द बालों का जवाब दुंगा जो हमारे मिनिस्टर साहब ने कहीं। वह यह कहते हैं कि गवर्नमेंट ने बहुत काम किया है। किसको इल्कार है? मैं उन लोगों में से हं जो हमेशा कहते रहे हैं कि जो कुच हमारी गधर्नमेंट ने रिप्पाजीज के बास्ते किया वह दुनिया की किसी गवर्नमेंट ने नहीं किया, घोर यह क्लेम बिल्कूल दूरस्त है। लकिन यह कहना कि जिस तरह से मिनिस्टी ने काम किया है. वह दूक्स्त था, यह मानने के लिये मैं तैयार नहीं हूं। इस मिनिस्ट्री ने जो कानून पास कराये न वह सब दुरस्त थे मौर न उन पर ग्रमल करने में मिनिस्टरी ने ठीक काम किया। मैं यह बातें ग्राज श्रजं नहीं कर रहा हूं, १२ सितम्बर ४४ को यह बात मिनिस्टर साहब की मैंने सिदमत में ग्रार्ज की थी। मैंने बहत सी बातें उस वक्त बतलाई थीं, लेकिन एक का भी जवाब हमारे खन्ना साहब ने नहीं दिया था। मेरे पास वक्त नहीं कि मैं सारी बातों को यहां दोहराऊं कि किस तरह मिनिस्ट्री ने ग्रपने बनाये <u>ह</u>ए कानून को भी तौडा। मैंने उस वक्त कहा या कि श्री जैन ने इस मामले में सिर्फ चोरी की, लेकिन खन्ना साहब तो हमारे ऊपर डाका मारते हैं। मैं खुले म्रल्फाज में कहंगा कि जो कूछ मैंने उस वक्त कहा या वह बिल्कूल दुरुस्त है, मैं नहीं चाहता था कि मैं इस डिपार्टमेंट.....

Mr. Speaker: I am afraid those words do not seem to be parliamentary.

Pandit Thakur Das Bhargava: They are quite parliamentary. If you will book into the context, you will see that they are quite parliamentary. They

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in मैं म्राप का भी मक्कूर हूं सौर प्रापक ey डिपार्टमेंट का भी मक्कूर हूं, लेकिन म्राप का यह क्लेम करना कि म्रापने इस तरह e): से सेवा की है,जिसकी ग्राप शेखी बचारसे धर हैं इस क्लेम को मैं मानने के लिये सैयार

नहीं है।

ग्राप्ती ग्रापने जिन्त किया कि चन्द भादमियों को आपने जमीन दी है। इससे उनके साथ कोई खास रियायत नहीं हई है। जरा मलाहजा फरमाइये क्या रियायत की गई। Interim sch me के सफे १ पर श्री ग्रजीत प्रसाद ने जिक किया है कि एक लाख लोगों ने जमीन नहीं ली जो उनको allot हुई। ऐसे लोग ग्राये थे जिन्हें चार एकड़ या उससे कम जमीन ऐलाट की गई।लेकिन चंकि चार एकड बहत कम जमीन होती है बहत से म्रादमियों ने ली नहीं। ऐलाट तो कर दी गई. लेकिन लोगों ने कव्जा भी नहीं कियान बहुत सों को एलाटर्मेंट का पता लगा । बहतों ने दर्स्वास्तें दीं कि ऐलाटमेंट कैंसल कर दिया जायें क्योंकि चार एकड़ के ऐलाटमेंट का मतलब यह था कि ग्रगर किसी का मकान दस हजार से कम का या तो श्रापके बनाये हए कानन के मुताबिक उसको मुद्यावजे की दर्स्वास्तें देने का हक नहीं था। नतीजा यह हुआ। कि जिस को चार एकड़ एलाट हुई वह १० हजार की कीमत या इससे कम कीमत वाले मकान के मुग्रावजे से महरूम हो गया और चार एकड तो मिली ही नहीं हमने हजारों कोशिशें कीं चार एकड़ वालों को जिनको कुछ नहीं मिला उनके ऊपर ग्राप मेहर-बानी करें. उनकी फेहरिस्त निकलवाइये, उनके मकानों का क्लेम तो मुकर्रर कीजिये, लेकिन किसी एक के मकान का क्लेम नहीं लिया गया । Again it sem as if he threw out crumbs from his

never objected to them then and in effect they have accepted them. They never replied to them.

Shri Ramchandra Reddi (Nellore): What is the English translation of it?

Mir. Speaker: One is, 'committed theft' and the other is 'committed dacoity'.

Pandit Thakur Das Bhargava: They are legal phrases. One has given more injury than the other. I make bold to say that so far as the sons and grandsons in a Hindu undibided family are concerned, with respect to their rights, nothing short of dacoity is taking place today in this House. I still maintain that; I will prove it to you. I will prove it to you to the extent of 100 per cent. What Shri Mehr Chand Khanna wants to do is nothing short of dacoity, even in respect of the rights of the sons and grandsons, In this House.

क्षन्नासाहब ने बहुत जोर से कहा कि उन्होंने ७२ करोड़ की जायदाद पंजाब वालों को दे दी, हमने इतने मादमियों को घरों में बसा दिया, हमने पांच हजार वाली जायदाद की जगह दस हजार की जायदाद allotablः कर दी। मैं कहना चाहता हं कि ग्रापने ४,००० से ४,००१ नहीं किया, जब पब्लिक ने खुब झगड़ा किया, म्रौर यहां म्रा कर हाउस में हाय हाय मची तब आपने दस हजार की रकम बढाई थी झाप्स की। झापने कमी भी श्रपनी खुशी से ग्रेस के साथ कोई चीज नहीं की। जब घड़ा-घड़ एजिटेशन हए, लोयों ने सत्याग्रह करना सुरू कर दिया, जब लालटेन, व मभ्रभल लंकर मिनिस्टर साहब को रोशनी दिखाने सोम उनके बर गए तब भ्रापने तरमीम कर दी। लेकिन मैं फिर मी माप को <u>म</u>ुबारकबाद देता हं कि ग्रापने तरमीम तो की । जिस कदर ग्रापने सिदमत की रिक्मुजीज की उसे मैं कम करके दिखाना नहीं चाहता

इसी तरह की बीसों बातें बता सकता हूं कि किस तरह की ग्रंघेर गरदी की गई है—-

Mr. Speaker: May I suggest that the hon. Member may first of all dispose of his amendments to the rules. Then he can enter upon a general discussion?

Pandit Thakur Das Bhargava: I shall obey.

Mr. Speaker: It is not a question of obeying.

Pandit Thakur Das Bhargava: τ agree to your suggestion. The Minister made a tall claim. of course, we are all beholden to him and his Ministry for what they have been able to do. But this sort of coming here and lecturing to us in the way he did is not proper or fair to this House. I know what the implications of his observations are. He says that he alone has the monopoly for all the sympathy towards the refugees and the sympathy of all those who have been working for the refugees is non-existing, they only talk specially those who are non-refugees

Shri Mehr Chand Khanna: I never said that.

Pandit Thakur Das Bhargava: I know what he has said. The implication of what he said is that those who have given amendments need not be heard seriously. I take strong objection to that. We are all doing our best for the refugees. I am not a refugee, but I am trying my best to do good to the refugees, but then, I do not take any credit for myself for doing it as it is my duty to do so.

Mr. Speaker: From what I heard, I understood the hon. Minister to say that he himself is a refugee.

Pandit Thakur Das Bhargava: He is a refugee.

[Pandit Thakur Das Bhargava] table. यह एक रूल पेश कर दिया कि

जिसके पास दो एकड से कम जमीन एलाट हई है भौर उसको जमीन नहीं मिली , उसको हम थोड़ा सा मग्रावजा देरेंगे। मैं पूछना चाहता हं कि जिस म्रादमी को चार एकड जमीन नहीं मिली. या तीन एकड निहीं मिली उनके साथ क्या इन्साफ किया गया है. क्या उसूल है कि दो से कम एकड़ वाले को तो कूछ मुग्रावजा दें लेकिन तीन या चार एकड वाले को नहीं देंगें? ऐसी मिसालें मेरे पास मौजुद हैं जिनमें एक एकड़ के १० हिस्से एलाट होने चहियें उनको बह भी न मिले तो भी १०,००० के मकान का मन्नावजा नहीं दिया गया ऐसे ग्रादमी को २४ रु० मग्रावजा मिलेगा ४५० एकड़ के हिसाब से दो दिन तो दर्स्वास्तें देने के लिये खर्च करें ग्रीर दो तीन दिन रुपया लेने की कोशिश में गजारें। २५ रु० लेने के लिये वह ५० रु० खर्च करें। यह आपने गरीब रिफ्युजियों को मन्नावजा देने का रूल बनाया है। डिपार्टमैन्ट ने one fine morning ६५०० क्लेम जमीन के एलाटमैन्ट विना रिफ्यजीज को बुलाये खारिज कर दिये। जमीन ऐलाट कर दी गई। क्लेम खारिज कर दिये हैं जमीन ऐलाट हो गई है. लेकिन सिर्फ कागजों पर ऐलाट हई । एक क्लेम मैंने देखा जिस पर लिखा हम्रा था 'ग्रर्बन' ग्रीर ऐसे ४०० क्लेम थे उनकी ग्रदम मौजदगी में सब रूरल करार देकर खारिज कर दिये गये। इस क्लेम के बारे में तो उसी तरह से हुआ है जैसे कि कहते हैं कि गैडिया फेर दिया गया। व लेम्स के बारे में इस तरह की चीजें हई हैं। इस तरह की प्रयारखी कि अगर एक ग्रादमी के पास दस मकान हों एक लाख से ज्यादा के लेकिन उनमें कोई एक २०,००० से ज्यादा मालियत का न हो तो सारा क्लेम सारिज मौर मैं Mr. Speaker: I do not think he claimed anything more. He understands the difficulties of the refugees.

Pandit Thakur Das Bhargava: We know it all.

Shri Mehr Chand Khanna: I have no hesitation in repeating that I am a refugee. I know the woes and fills of the displaced persons.

Pandit Thakur Das Bhargava: Who denies it?

Shri Mehr Chand Khanna: To say that we are oblivious of the difficulties or the pangs and sufferings of the displaced persons is not correct. I said that I, as a refugee, am not prepared to accept that charge. That is what I said. I still maintain it.

Mr. Speaker: So, what the hon. Member said about the implication is perhaps an assumption, and that is what the hon. Minister assumes.

Pandit Thakur Das Bhargava: Let him assume. I shall come to the amendments now.

Mr. Speaker: Let the amendments be disposed of first. What is the point to dispute? I am not able to follow. What was the original rule, and how has it been modified now, and what is the amendment that is sought to be made?

Pandit Thakur Das Bhargava: I might point out, by way of prelude, what rule 19 says.

Mr. Speaker: What is rule 19?

Pandit Thakur Das Bhargava: Rule 19 reads as follows:

Where a claim relates to property left by the members of an undivided Hindu family in West Pakistan (hereinafter referred to as "joint family") the following provisions shall apply—

(1) where a joint family consists of—

(a) two or three members entitled to claim partition, the compensation payable to such family

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shall be computed by dividing the verified claim into two equal shares and calculating the compen; aton separately on each such share;

(b) four or more members entitled to claim partition, the compensation payable to such family shall be computed by dividing the verified claim into three equal shares and calculating the compensation separately on each such share:

"Provided that in the case referred to in clause (a) none of the members and in the case referred to in clause (b), none of the minimum number of four members—

(i) is less than 18 years of age-

Then there is a semicolon and after that there is the word "or"—

(ii) is lineally descended from another member or along with another member is lineally descended from any other living member of the joint family not entitled to claim partition."

Then, there is a reference to compensation In the case of a joint family I shall read Explanation II:

"For the purposes of this rule, in the case of every Hindu undivided family governed by the Mitakshara law, a son shall be deemed to be entitled to claim partition of the co-parcenary property against his father or grand father, notwithstanding any custom to the contrary."

Before I go further, I beg of you to consider this matter from this point. In page 45 of the rules, the scale is given. If a person has got a verified claim of Rs. 4,000, he will be entitled to get a total of Rs. 2,164. But if a person has got a verified claim of Rs. 2,000, he gets Rs. 1,333. So, if a person has got a verified claim of Rs. 4,000 which is divided into two parts, instead of getting Rs. 2,164, he will get Rs. 2,666, which is two times

[Pandit Thakur Das Bhargava]

Rs. 1.333. Suppose he has got a claim of Rs. 8,000; he will get only Rs. 3.516. If this claim of Rs. 8.000 is divided into two parts of Rs. 4,000 each, the person will got twice as much as Rs. 2,164, i.e., he will get Rs. 4.328, which is much more. Similarly, if a claim of Rs. 18.000 is divided into three parts and if compensation is calculated on the basis of Rs. 6,000 each, it comes to a much higher figure. If you look below the heading "percentage" you will find that the percentage goes on decreasing as the amount of the claim increases. Also, if the claim is divided into two or three parts, he will get much more.

Mr. Speaker: The compensation will be less if the number of people is less.

Pandit Thakur Das Bhargava: In certain circumstances, an undivided Hindu family might get the benefit of this rule, if his claim is divided into two or three parts. Along with this, kindly read this rule.

With your permission, I will just give the circumstances which led to the evolution of this rule. When the Compensation Act, 1954, was on the anvil of this House, this House appointed a Select Committee with myself as the Chairman. In that Select Committee, the question cropped up that the joint family was much greater than an individual, and just as in the case of the Finance Act. namely, having different rules for income-tax. similarly we might give some sort of a concession to the joint Hindu family as opposed to an individual. At that time, Shri Ajit Prasad said that that question need not be pressed, as he would appoint a committee to decide it subsequently. When the Select Commit-House. tee motion was before this Shrimati Sucheta Kripalani gave notice of a motion to this effect that each member of an undivided Hindu family should be treated as separate as if there was a natural partition, as

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in the Estate Duty Act or the Hindu Succession Act. When she gave notice of this amendment, Shri Ajit Prasad in reply said that he was not going to accept the amendment, but would do something on the lines of the Finance Act for income-tax by way of relief to the Joint Hindu Family. I stood up and said that I was not satisfied, because, after all, incometax is a matter of getting monev from the people, whereas here you are giving something by way of compensation, and therefore, the advantage to the joint Hindu family should be much more than what is given in the Income-tax Act. The discussion closed, and the amendment was not accepted. Then, . committee was appointed by hon. Shri Khanna. According to a particular section in the Act, an advisory board was to be appointed and the policy had to be decided by the Rehabilitation Department in consultation with that board. Hon, Shri Khannaji appointed some of us to the board with Doctor Bakshi Tek Chand Ji as the President. Myself. Shrimati Sucheta Kripalani and some others were members.

Shri Mehr Chand Khanna: The hon. Member is still in that committee.

Pandit Thakur Dag Bhargava: Unfortunately I am still a member; it is only because I respected you very much, which you do not realise in your heart of hearts. But for my respect and very great regard for you, I must have resigned before long.

As far as the joint family is concerned, it is idle to contend that they are out for giving concessions. If you make rules for the joint family, there is no concession given; their claims stand on matters of justice. Where is the concession you are giving? "The whole is greater than the part" is an axiom of Euclid; it is not giving any sort of compensation. The Hindu joint family has not been treated fairly in regard to income tax for the last hundred years; it all depends upon the times. If the times are better, the joint family which has been respected to an extent will get more. But the hon. Minister suggests as if he is responsible for manna dropping from the heaven for the joint Hindu family.

Shri Mehr Chand Khanna: What I said was that it was a distinct improvement on the interim scheme. That is what I said.

Pandit Thakur Dag Bhargava: I have noted down your words. But, I accept what you say. I am not a man to say "no" to you.

Whatever the hon. Minister has done, he has done injustice to us. We all stood for it and so, justice was done in a very small measure. We accepted it and we still stand by it and we are not claiming more. After that board was appointed, it was at their suggestion that rule 19 was made. Now my friend's contention is that the whole work will be stopped; that heavens are bound to fall and no compensation will be paid hereafter there will be a stalemate if "sons and grandsons are also reckoned as members." In fact all these things were said even when we framed the rule. When we submitted the report, we referred to all these matters which are now being entreated In spite of these objections the Board recommended that such rules be made and the Ministry accepted it and the House accepted the rule.

Shri Mehr Chand Khanna: Where is the difference?

Shri Thakur Das Bhargava: There is no difference between me and you; the only difference is in our intelligence.

Shri Mehr Chand Khanns: Read rule 19 and tell me the difference.

Pandit Thakur Das Bhargava: I am not so vain as to think that I know much more than you; but supposing for a moment I convince you that there is a world of difference, will you agree to withdraw this rule? To me the difference is absolutely clear and I can only say that none is so blind as those who would not see.

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Mr. Speaker: I thought it was the function of the hon. Member to convince this House.

Pandit Thakur Dag Bhargava: I am convincing the House and the hon Minister himself. Kindly see the words in rule 19. The words are there.

Mr. Speaker: What is the difference between the old and new rule? How does it affect it now? That is the main point for consideration.

Pandit Thakur Das Bhargava: Kind-'y see rule 19.

Mr. Speaker: I will put one question to the hon Minister. Originally some persons were not excluded. Persons who are excluded from the benefit of it would not be counted as members of the family, as I understand the amended rule. What will be the share in terms of a family whose total compensation claim is Rs. 4,000, Rs. 8,000 and Rs. 20,000? How much each man will get? Fandit Bhargava pointed out inree cases where under the existing rule and the previous rule there will be difference. If Rs. 4,000 is divided by two, both will get Rs. 2,000. One shall get a smaller proportion. As the compensation amount increases, the percentage becomes less and, therefore, if it is divided, the sum total of those people who get that will increase. It will be much more than the total amount if it is only one. He feels that if exclusion takes place it would not benefit them.

Shri Mehr Chand Khanna: He may be asked to state who have been excluded now and who were not excluded before.

Mr. Speaker: If there is no difference then what is the need, for this amendment. The question is put to Pandit Bhargava that he has to show what is the difference. Is it not open to the House to ask the hon. Minister that if there is no difference between the old and new rules whether this is merely for the purpose of phraseology? After all, we are not masters of Engish

Displaced Persons 3238 (Compensation and Rehabilitation) Rules

[Mr. Speaker]

language. Why should this House's time be taken away for merely recasting a rule this way or that way? If something has happened about its interpretation and the court has interpreted it contrary to the intentions of the Government, it will have to be set right. Or, if in practice there is some difficulty and the Government now finds that there must be a change. then that is a different thing. If neither the one nor the other takes place, why should the time of the House be taken away like this? There is no substantial difference between the two.

Shri Pataskar: I have tried to understand it. I am not concerned with the merits of the scheme one way or the other.

Mr Speaker: What exactly is the difference?

Shri Pataskar: I was trying to find out what is the difference between the rule as it stands now and the rule as it is proposed to be amended in substance and on that point I really wanted to hear the objections of my hon. friend.....

Mr. Speaker: It is not a question of objection. The hon. Minister wants to bring out.....

Shri Pataskar: The difference is this:

Mr. Speaker: How does it make a difference?

Shri Pataskar: Let us concentrate on the amendment. There is a subrule (2). It remains as it is. There is no change made. Then, what is proposed to be done is to insert:

"Notwithstanding anything contained in sub-rule (2), where a deceased member of a Joint Hindu Family has left sons all of whom are less than eighteen years of age, such sons shall, for the purpose of compensation be reckoned a_5 one member of the family."

That is, of course, a clarification or whatever you call it. The result of it will be this. It says: "Notwithstanding anything contained in subrule (2), where a deceased member of a Joint Hindu family has left sons all of whom are less than eighteen years of age " Supposing there are two brothers in a joint Hindu family and one of them is dead and has left sons all of whom are less than 18 vears-as you will find in rule 2. two or three members are entitled to claim partition and members who are less than 18 years of age are minorswhat is sought to be done is-of course, whether it is justified or not. I am not going to argue-that all sons who are less than 18 years of age are taken as one member for the purpose of compensation. Even if there are three sons they will get only one share.

Pandit Thakur Das Bhargava: Only minor sons. So far as major sons are concerned, he has excluded them altogether. You also don't seem to understand. It is absolutely clear.

Shri Pataskar: I am hearing both the hon. Member and the hon. Minister. Both of them are familiar with the history of this. I think at least there is no fault with my understanding because, after all. I do not understand the problems as much as they know. I was trying to intervene and I am very anxious to hear the hon. Member because, as compared to the hon. Minister in charge, the hon. Member here is, I think, an eminent lawyer and I really could assure him that whatever be the lacuna in the drafting or in the language, apart from making the intention clear

Mr. Speaker: May I draw the attention of the hon. Minister to the rule as printed? There is this proviso (2) to rule 19. Rule 18 is common to them. I find in the new rule some persons are excluded. In the old rule, category (ii) is:

"is lineally descended from another member or along with another member is lineally descended from any other living member of the joint family not entitled to claim partition "

Now, in the new amended rule "not entitled to claim partition" has been changed into "entitled to claim partition". That is the amendment. If there is a woman or somebody's daughter, the son of that lady is not entitled to claim partition: the son's son-may be before the Sarda Act. she might have been married before the age of 18 and she might have had son—is not entitled to 9 laim partition. If man has а who are below the of 2002 age 18, they cannot be counted. Now "not" is sought to be removed in category (ii). That word does not find a place in the amended rule. Therefore, if there is a son, an adult son, in a joint Hindu family and the son and father are both alive, both are not treated as two members but treated as one member. That is the specific difference between the one and the other. Therefore, that makes a world of difference in this case.

Pandit Thakur Das Bhargava: May I add something more? Yesterday I spent six hours in finding out what difference it makes, and how the Finance Ministry also changed this rule. I will take some time to explain it.

Mr. Speaker: May I request the hon. Minister to enlighten us? If he really did not want to make any substantial difference, why not we restore "not" there?

Shri Pataskar: Where is the "not"? I have got a copy.

Mr. Speaker: In the printed rule, rule 19, sub-clause (2), in the proviso, in item (ii), the old rule says:

"is lineally descended from another member or along with another member is lineally descended from any other living member of the joint family not entitled to claim partition".

Now the language is changed. The new rule says:

"the following persons shall be excluded....."

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That is the same as the previous one; no substantial variation. But in the old rule the wording is "member of the joint family not entitled to claim partition". In the new rule it is "member of the family entitled to claim partition". If there is no variation in substance of the rule, why not you retain the old rule?

Pandit Thakur Das Bhargava: May I take this.....

Mr. Speaker: Let them tell us the reason.

Pandit Thakur Das Bhargava: Under this rule 19, there are some persons in a joint family who are entitled to claim partition. There are others who are members of the joint family but who are not entitled to claim partition. Under this rule this distinction has been brought out. If you kindly see sub-section (2)(a) and (2)(b), there the words are "persons entitled to claim partition". The main point is that he wants to exclude the son. Suppose a person is alive and he has got five sons. Now he wants to treat them as one member and only entitled to 4,000 rupees whereas according to the old rule, if there is Rs. 4,000 and he has got five sons, that Rs. 4,000 will be divided into three parts. Now, by this amendment he wants to take away the right of the son and grandson and he wants to see that the son is totally excluded. whether he is a major son or a minor son when his father is alive. That is the substance of the main difference between the old and new rules.

Shri Mehr Chang Khanna: What was the original intention?

Pandit Thakur Das Bhargava: This is the original intention—much more than that. I will give you other instances. The intention is to be judged from the rule that you pass. The intention is not to be judged from what you now say was in your mind then.

Shri Mehr Chand Khanna: According to the rule that now stands without amendment, when the father was alive and the son was also alive, they were entitled to two shares.

Pandit Thakur Das Bhargava: Most certainly yes. If the son is more than 18, of course, they are entitled to two ahares. That is exactly my submission, and there can be no other meaning so far as this rule is concerned. If there is some other meaning, I would sit at your feet and apologise. My friend is relying upon something else. He is relying upon the second proviso which he chooses to misinterpret. Kindly look into the history of the second proviso. There is a history behind it. As you know from 1929 I have been trying to see that justice is done to the Joint Hindu family. When in 1949 when Shri Matthai was here

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Shri Pataskar: Instead of any heated argument.....

Pandit Thakur Das Bhargava: No heated argument.

Mr. Speaker: Well the hon. Member will kindly resume his seat.

Shri Pataskar: I would like to seek some clarification from the hon. Member so that I might understand the precise point. Now, rule 19 is like this-I am reading the old rule:

"Provided that in the case referred to in clause (a)

-that is two or three members entitled to claim partition etc.,--

".....none of the members and in the case referred to in clause (b), none of the minimum number of four members-"

There is no difficulty so far.

"(i) is less than 18 years of age...."

So that the result is that if there is a minor in a joint family, then that minor is to be excluded.

Mr. Speaker: He will not be counted as a member.

Shri Pataskar: Yes. Let us understand one by one, so that we will understand the real difficulty. Then.

lineally decended "(ii) is from another member....."

Displaced Persons 3242 (Compensation and Rehabilitation) Rules

That means supposing there are three brothers and one brother has a son, in that family that son is a person who is lineally descended. So we do not include him.

Supposing there are three members and a son one of the brothers, according to Hindu law there are four members, but what is meant by this phraseology is that as the fourth is lineally descended from another member he shall not be counted.

"(ii) is lineally descended from another member or along with another member is lineally descended from another living member of the joint family not entitled to claim partition."

That means, supposing instead of one son, one of these three brothers has got two sons, both of them naturally are lineally descended from another member, or one of them is lineally descended along with the other from the other member. Of course, the wording is not happy, but that apart, it means that both of them will be left out of account. I think that is the interpretation of clauses (i) and (ii). They are all retained as they are, and what is tried to be added is something different. Is there any difference?

Mr. Speaker: ... "Not".

Shri Pataskar: Is there any difference with respect to the interpretation of clauses (i) and (ii) as they exist? Is that what the hon. Member wants?

Mr. Speaker: "Not entitled to claim partition" and "entitled to claim partition". Here, in (ii) towards the end, "another living member of the joint family not entitled to claim partition". What is now sought to be made is "entitled to claim partition".

Shri Pataskar: This remains as it is.

Mr. Speaker: The hon. Minister will kindly look into the amended rule.

Pandit Thakur Das Bhargava: TP you kindly allow me, I will remove his difficulty. I was submitting that there is a history behind these words "not entitled to claim partition".

Originally, in 1949 when I placed an

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than what we had wanted it to be. We had only wanted that persons who were coparceners, who were entitled to property on partition, should he treated as separate members. and not the wife, the daughter, the grandmother or the mother etc. So, in 1954, a Bill was brought in this House. and you, Sir, were presiding on that occasion....

Mr. Speaker: Leaving alone the word 'not'....

Pandit Thakur Das Bhargava: There is no question of 'not'.....

Mr. Speaker: 'Not' has no meaning, and has crept in by inadvertence, I suppose.

Pandit Thakur Das Bhargava: No; it has come in because the Finance Ministry wanted to deprive the members of Hindu undivided family of an advantage when they were unawares. Up till 1954, these words were not I have got the Finance Act there. of 1951, here, with me, for instance. These present words of the 2nd exception were not there up till 1954. It is only after 1954 that these words were put in. In 1955 and 1956, they changed this rule. In the Finance Act of 1956, the wording is 'not entitled to claim partition'.

But yet the difficulty is there. Many persons do not know that there are many persons in the Hindu joint family, who are not entitled to claim partition, such as, for instance, the three classes mentioned here, namely illegitimate sons, and persons who are suffering from congenital lunacy or leprosy. Deaf, dumb, blind and others were also previously not entitled to inheritance or to claim partition.

Mr. Sneaker: Does the hon. Member say that the words not entitled to claim partition' covers the earlier portion also?

Thakur Das Bhargava: Pandit Quite right. It covers both 'lineally descended' and 'along with another member'.

amendment before the House, the amendment was quite different, and these words were not there-"not entitled to claim partition". The words were "entitled to a share on partition". The wife is also entitled to a share on partition, the mother is also entitled, the daughter is also When I suggested this entitled. amendment to the rules in 1949. I submitted for the consideration of the House that every son had got an indivisible right to property, and if he was more than 18 years age, he must be included. The point why we did not include a minor was because there would have been a discrimination in the case of the Muslims and Christians, whereas we would be allowing a Hindu father, if he had a son, to get the benefit of the Income-tax Act. So, we said, that only persons more than 18 years of age should be included, so that they may be earning members, and those below 18 years of age were excluded.

As regards the other exceptions, the provisions were quite different, and minors of a different branch could also be benefited under these provisions. But subsequently, in 1954, the provisions were changed by a Bill brought forward by Shri C. D. Deshmukh, and as a consequence of that Act, these words, namely 'not entitled to claim partition' were substituted. For, as I have submitted, a wife and a mother were both entitled to a share on partition, and, therefore, persons came up on the basis of the amendment I suggested and which Government accepted, to claim the benefit. In 1949, the words were 'entitled to a share on partition'.

On the basis of this, a person went to the Central Board of Revenue and said I have got a wife and a minor son, and, therefore, I am entitled to have the benefit', and the Central Board of Revenue had to allow his application. Thereupon, the difficulty was seen that as a matter of fact, the whole thing had been made wider Mr. Speaker: Then, it will read 'lineally descended from another member or along with another member not entitled to claim partition'. Otherwise, if the words 'not entitled to claim partition' apply only to the latter portion...

Pandit Thakur Das Bhargava; It cannot possibly be so. I am giving the background to this which will show why it cannot be so. Kindly see the semi-colon and the word 'or' before the 2nd exception begins. Suppose one has got two adult sons, will he come under this? The second category will apply, only when he does not come in the first category.

Mr. Speaker: What will happen if joint family consists only of the brothers? The classification based on 18 years may apply to a case where there are only brothers constituting a joint family. Suppose there are two brothers in a joint family, and one is a minor; then, then family will be counted to be having only one member. So, the 18 years' classification may apply not necessarily to a case cases of father and son, but also to where - all the adults are only brothers.

Pandit Thakur Das Bhargava: You are quite right.

Up till 1954, even minor members of a Hindu joint family were entitled to the benefit of this exception. But later on, this was modified in 1955, without any Act being brought forward. They modified it, and we do not know....

Mr. Speaker: It is the rule today.

Pandit Thakur Das Bhargava: Tt is the rule today. Under the rule also, we have got the words. So, I have got no quarrel with that, because it means that there are two classes of persons now. one class entitled to claim 19 partition, and the other not entitled to claim partition. Those who аге not entitled to claim partitions are illegitimate sons, congenital lunatics etc. Even if the father is alive, those

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sons would not get anything. I am not pleading for them. My only case is that that person who comes under the previous rule, that is, before the word 'or' and the semi-colon, should not be disinherited and the sons and grandsons of a living father or grandfather should be counted as members if they are more than eighteen years of age. The rule which seeks to substitute the old rule disenfranchises them and excludes them from being reckoned separately. But now the right of that man i.e. adult son or adult grandson is sought to be taken away. I am submitting that there can be no submittingthat there can be no family-I can have no conception of a joint Hindu family-in which the son does not get his rights to property by birth. If that is true, then every son gets his right to property by birth. Then it will clearly mean that any person above 18 is entitled to get that right.

6 P.M.

A case came to me just two or three There is a father days ago. in Palwal. He has five adult sons. He tells me that whereas according to the previous rule, he will get his compensation divided into three shares and he will benefit to the extent of several thousand, now, he will get Rs. 9,000. Otherwise, he would get Rs. 12,000

Look at the amendment. He says: any person lineally descended, whose father is alive will be excluded. That is his amendment. And yet he has the temerity to claim that the meaning of both the rules is same. I will beg of you to kindly read.....

Mr. Speaker: The hon, Member may kindly continue tomorrow.

Shri Patasker: I find on reading clause 19(3)—leaving out subclause (1) and (2)—that it is not very happily worded. I should like to put in its place something which, I think, will remove many of these differences.

Pandit Thakur Das Bhargava: I have no objection to go to the hon. Minister. There is no sense of pre-tige in me. We shall discuss it. I will come wherever he likes.

Mr. Speaker: May I make a suggestion to hon. Members. There are a number of items on the agenda tomorrow. If they want to have some time, we can put this off to a later period tomorrow and get along with other items on the agenda first.

Pandit Thakur Das Bhargava: I am entirely in your hands.

Mr. Speaker: How are hon. Members disposed towards this suggestion?

Shri Pataskar: I am prepared to discuss. with hon. Members so as to have clarification. We will have a discussion tomorrow.

Mr. Speaker: Instead of taking up these rules straightway tomorrow morning soon after the Question Hour, shall we go to some other work and then come back to it? Then hon. Members will have time to talk over this matter. We can even have it day after tomorrow.

Shri Mehr Chand Khanna: That is a holiday.

Mr. Speaker: The next day.

Shri Mehr Chand Khanna: I have no objection.

Mr. Speaker: Let there be some time in between. We have enough other work.

Shri T. N. Singh (Banaras Distt.-East): We can take it up later as suits our convenience.

Mr. Speaker: Let it be put off now. We will discuss it on the 16th.

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Shrimati Renu Chakravartty: But the Business Advisory Committee had put it down here for today.

Mr. Speaker: The Business Advisory Committee does not decide priority. It only allocates time. So far as this is concerned, if hon. Members want some time to think over it, we have other work sufficient to carry us through. This will stand over till the 16th and the other items on the Order Paper will be taken one after the other.

Shri Raghavachari (Penukonda): The Bihar and West Bengal (Transfer of Territories) Bill is coming up on the 16th.

Pandit Thakur Das Bhargava: Yes, he is right.

Shri Raghavachari: Let it be discussed on the 18th or 20th. What does it matter?

Mr. Speaker: There is no urgency over this matter. This may be taken up afterwards. Let hon, Members meet and discuss it.

Pandit Thakur Das Bhargava: So far, they have not given effect to it. They are guilty of contempt of this House. They have not complied with the rule so far. The rule has so far not been changed. Yet they have not given effect to it, issued circular contrary to the rule.

Mr. Speaker: This will stand over.

Shri Mehr Chand Khanna: I think Pandit Thakur Das Bhargava is unnecessarily making an aspersion with remarks which, I feel, are not called for.

Pandit Thakur Das Bhargava: They are perfectly called for. I will say something more about it when we meet again.

Mr. Speaker: We are at the close of the evening session, and we are dispersing. We may treat it as up to -

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[Mr. Speaker]

six O'clock. Whatever is said after that is as between friends outside this House. The House will stand adjourned till 11 A.M. tomorrow.

Shri Mehr Chand Khanna: When is it coming up?

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Mr. Speaker: This will come up on some other day convenient to be notified.

6-05 р.м.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 14th August, 1956.