

[Shri K. C Reddy]

G S R 39, dated the 10th January, 1959 [Placed in Library, See No LT-1510/59]

**COMPANIES (ISSUE OF CERTIFICATE)
RULES**

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, copy of the Companies (Issue of Share Certificates) Rules, 1959, published in Notification No G S R 798 dated the 11th July, 1959 [Placed in Library, See No. LT-1511/59]

AMENDMENTS TO COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES AND FORMS

The Minister of Commerce (Shri Kanungo). I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, a copy of Notification No G S R 548, dated the 9th May, 1959, making certain further amendments to the Companies (Central Government's) General Rules and Forms, 1956 [Placed in Library, See No LT-1512/59]

AMENDMENTS TO MINES RULES

The Deputy Minister of Labour (Shri Abid Ali). I beg to lay on the Table under sub-section (7) of Section 59 of the Mines Act, 1952, a copy of Notification No G S R 607 dated the 23rd May, 1959, making certain amendments to the Mines Rules, 1953 [Placed in Library, See No LT-1513/59]

RELEASE OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following communication dated the 7th August, 1959 from the Superintendent, Central Jail, Cannanore

"I may inform you that Shri K. P Kuttakrishnan Nair, Member of the Lok Sabha, who was undergoing Simple Imprisonment for 20

days in this jail from 27th July, 1959 having been convicted under Section 75 of the MCP Act in CC 2053/59 on the file of the Judicial Sub Magistrate, Kozhikode was released from this jail on 7th August, 1959 as per Government Order Rt 1440 Home, dated 6th August, 1959 remitting the unexpired portion of the sentence"

PETITION

WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

Qazi Matin (Giridih) Sir, I beg to present a petition signed by a petitioner regarding the Welfare of Scheduled Castes and Scheduled Tribes in India

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

INDIAN NATIONALS IN TIBET

Shri P. C. Borooah (Sibsagar) Sir, under Rule 197, I beg to call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon —

"The position of Indian nationals (including Ladhakhi Buddhists) in Tibet"

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Sir, according to our latest information there are 97 registered Indian traders in Yatung, Phari and Gyantse and about 2000 seasonal traders who are currently visiting Western Tibet. The Government of India, however, have no exact information about the number of Kashmiri Muslims and Ladakhi Lamas in Tibet. As far as we have been able to ascertain, there are 124 families of Kashmiri Muslims with a total number of 583 persons in the Lhasa-Shigatse area. We are also

informed by Shri Kushak Bakula that before the recent disturbances nearly 400 Lama students from Ladakh were studying in various monasteries in Tibet. There were approximately 40 Ladakhi Lamas among the refugees who came to India from Tibet. The rest are presumed to be still there.

The reason for lack of precise information about the number of Kashmiri Muslims and Ladakhi Lamas in Tibet is that previous to 1954 travel between the Ladakh region and the Tibet region of China was practically free. Traditionally hundreds of Ladakhi Buddhists used to visit the Tibetan region and join the monasteries there for their religious education. Similarly, Muslims from Ladakh also visited Tibet for trade in Shigatse, Lhasa and elsewhere. Some of these Muslim families have been resident in Tibet for more than one generation. The 1954 Agreement for the first time provided that traders travelling between India and Tibet should possess certificates issued by the local Government of the country of origin. Pilgrims were not required to carry documents of certification but were to be registered at the border check-posts by the other party and receive permits for pilgrimage. Such check-posts however existed at only a number of specified passes. People from Ladakh who travelled to Tibet by the other passes in the Western Tibet area even after 1954 did not therefore possess either traders' certificates or pilgrims' permits. There is also no question of those who had been residing in the Tibet region before 1954 and have not since come to India possessing any certificate of identification.

Instructions were issued by us after the conclusion of the 1954 Agreement that Kashmiri Muslims and other persons of Indian origin must be registered as Indian citizens under Article 8 of the Constitution. Registration under this article was, however, not obligatory and most of the traders and Lamas who were accustomed to traditional freedom of movement and

privilege of study in the Tibetan monasteries did not take the trouble of registering themselves as Indian nationals. In fact, only 21 persons in Lhasa and Shigatse have registered their names with the Indian Consulate General. The result is that the majority of the people of these categories did not possess any valid travel documents or any other document of identification.

When the recent disturbances began, a large number of persons of Indian origin expressed their desire to register themselves with the Indian Consulate General as Indian citizens. Certain difficulties were placed in their way by the local Tibetan authorities. We, therefore, took up the matter informally with the Chinese authorities in Lhasa and followed up our representation with a request in writing both in Lhasa and through our Embassy in Peking. We explained to the Chinese authorities that since these persons came to Tibet when there was no obligation on them to take out any travel paper or document of nationality it would not be fair to draw an adverse conclusion against them that they are not Indian citizens. We also pointed out that there was no obligation on these persons to register themselves as Indian nationals with our Consulate General in Lhasa.

In a note dated 17th July 1959 the Chinese Government suggested to us that these persons who had been residing in Tibet for long periods were to all intents and purposes Chinese nationals. We have instructed our Embassy in Peking to take up the matter again with the Chinese authorities and urge that persons of Indian origin from Ladakh and other parts of India, who consider themselves Indian nationals and wish to seek the advice and protection of our Consulate General, should be permitted to do so, or, in the alternative, they should be allowed to return to India. We have not yet had any final reply. Meantime, according to our information, two Indians were registered with our

[Shrimati Lakshmi Menon]

Consulate General and three other Indians who were not registered are held in custody by the Chinese authorities.

The Government of India will continue to press their views on the Chinese Government.

12-13 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that in deference to your wishes and the wishes of some Members of this House, the Government accept a discussion on the No-Day-Yet-Named Motion given notice of by Shri Khushwaqt Raj and others regarding the policy of the Government in regard to the distribution of sugar and steps to check the rise in the prices of sugar and profiteering by sugar interests.

It is proposed to have this discussion on Friday, 14th August, after the Question Hour, upto 2.30 P.M., that is, before the House takes up Private Members' Business.

As you are aware, Sir, my colleague, the Minister for Food and Agriculture, laid a statement on the Table of the House on the sugar situation on 7th August. The above proposed discussion will provide opportunity to the House to discuss that statement as well.

Shri Braj Raj Singh (Ferozabad): Are they not bringing a Government motion? You were pleased to allot five hours for that.

Mr. Speaker: When there is a No-Day-Yet-Named motion, only 2½ hours can be allowed. I cannot force the Government to do so.

श्री कुलवचन राव (खेरी) : दो घंटे का समय इस विषय के लिए बहुत ही कम होगा। उस दिन मैं ने कहा था कि कम से कम पांच घंटे का समय होना चाहिए। अगर उस दिन पांच घंटे का समय न मिल सके, तो किसी और दिन इसकगान हो जाये।

प्रध्यक्ष महोदय : इस को बढ़ाने के लिए कोई अवकाश नहीं है। इस लिये कुछ नहीं किया जा सकता है।

Shri Surendranath Dwivedy (Kendrapara): The whole idea was this. On a private motion we get 2½ hours. As you decided, we thought if it is a Government motion, we will get more time for discussion.

Shri Satya Narayan Sinha: The No-Day-Yet-Named motion was admitted by you and we have taken the earliest opportunity to provide time.

Mr. Speaker: Government is not bringing it up itself.

BUSINESS ADVISORY COMMITTEE

FORTIETH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Fortieth Report of the Business Advisory Committee presented to the House on the 10th August, 1959."

Mr. Speaker: The question is:

"That this House agrees with the Fortieth Report of the Business Advisory Committee presented to the House on the 10th August, 1959."

The motion was adopted.