

- (ii) A copy of Notification No. S.O. 3092 dated the 22nd December, 1960. [Placed in Library, See No. LT-2624/61].

AMENDMENTS TO DISPLACED PERSONS
(COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Sir, I beg to re-lay on the Table:

- (i) to re-lay on the Table a copy of each of the following Notifications making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954:—

- (a) G.S.R. 1199 dated the 8th October, 1960.
(b) G.S.R. 1341 dated the 12th November, 1960.
(c) G.S.R. 1360 dated the 19th November, 1960.
(d) G.S.R. 1404 dated the 26th November, 1960.

[Placed in Library. See No. LT-2480/60].

- (ii) to lay on the Table a copy of each of the following Notifications under Sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955:—

- (a) G. S. R. 1566 dated the 31st December, 1960.
(b) G. S. R. 53 dated the 14th January, 1960.
(c) G. S. R. 101 dated the 21st January, 1961. [Placed in Library. See No. LT-2625/60]:

SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS), 1960-61

STATEMENT

The Minister of Railways (Shri Jagjivan Ram): I beg to present a Statement showing Supplementary Demands for Grants in respect of the Budget (Railways) for 1960-61.

12.35 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

SINO-BURMESE BORDER TREATY

Shrimati Mañda Ahmed (Jorhat): 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 map attached to the Sino-Burmese Border Treaty and Government's reactions thereto.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Sir, this question relates, I take it, to this map which is attached to the recent treaty between Burma and China. It affects a certain corner of India, the North-Eastern corner, which impinges on Burma and which a little further up touches China. Three countries are involved in it. What kind of treaty two independent countries like Burma and China may make between themselves about their boundary is their concern. But where that touches our interests, naturally, it becomes our concern also.

There has been no argument about our border there, in so far as Burma is concerned. First of all our northern border has been defined, as we have often said, by natural boundaries which have been accepted by tradition, custom and practice. Our boundary runs along the high Himalayan watershed which naturally separates the Tibetan plateau from the Indian sub-continent. In the Eastern sector, this traditional boundary of India was confirmed in 1914. That is what is known as the

[Shri Jawaharlal Nehru]

Mc Mahon Line. When surveys were conducted in the implementation of the McMahon line agreement it was established as early as 1918 that the alignment met the Burma-India boundaries at a point near Talu pass; coordinates I need not mention here.

Successive Governments of India and Burma have accepted this location of the tri-junction and not as had been erroneously assumed to be five miles farther south near Diphu Pass. As early as 1957, it was noticed by the Government of India that in certain communications and published statements made by or on behalf of the Chinese Government references were made to suggest that the Chinese Government considered that the tri-junction lay not at the Talu pass but at the Diphu pass. We drew the attention of the Burmese Government to the error and the Burmese Government confirmed that the northern boundaries of India and Burma meet near the Talu pass a few miles north of the Diphu pass.

A joint committee of Burma and China met in pursuance of the agreement signed between the two countries and they conducted some surveys. As a precaution to ensure that this committee did not commit the earlier error and take any decision bilaterally in respect of the tri-junction with India, the Government of India in an informal note presented to the Burmese Government in August 1960 recalled the previous correspondence and specified the exact coordinates of the tri-junction, so that no decision was taken which might have an adverse effect on the boundaries and territories of India.

The Boundary Treaty was signed on the 1st of October, 1960 between Burma and China. In this no definite coordinates of the tri-junction had been mentioned. Thus in the treaty itself there is no mention of all this.

We were informed by the Prime Minister of Burma that the Chinese Gov-

ernment did not agree that the tri-junction lay near Talu pass, but reaffirmed that it should lie near the Diphu pass. It appears that ultimately the representatives of the Burmese and Chinese Governments agreed not to describe the precise location of the tri-junction in the treaty and left the point vague.

The House will recall that Premier U Nu in his speech before the Burmese Parliament delivered on the 5th December, 1960 suggested that the actual tri-junction could not be determined until the boundary question between India and China was settled and therefore had been purposely left undetermined. It was, however, explained by him that the Burmese and Chinese Governments had to indicate the tri-junction in the maps attached to the Treaty and for the purpose of the maps Diphu pass was taken as the meeting point between the western extremity of the Burmese-Chinese boundary and the eastern extremity of India-China boundary.

Premier U Nu, in his speech, added that should the agreed boundary between China and India meet the Burmese boundary not at the Diphu Pass, but at some other point, not only will the specific geographical location of that point have to be entered into the treaty but the map also will naturally have to be altered. The Burmese Government argued that because of the difference of views as regards the exact location of the tri-junction, the agreement which had been reached on all other points could not remain unsigned and the Burmese Government were obliged to accept the Chinese contention as far as the cartographic delineation was concerned. We appreciate that the exact location has not been specified but this vague mention and the fact that the treaty map showed the line as starting from Diphu Pass, five miles south of the watershed is likely to have prejudicial effect on 75 square miles of Indian territory. The Government of India, therefore, in notes presented to the

Chinese and the Burmese Governments at the end of December, 1960, made clear once again the exact co-ordinates of the tri-junction stating that the traditional boundary running along the Himalayan watershed passed through the point near Talu Pass and not the Diphu Pass which had been shown at the western extremity in the maps attached to the treaty. The Government of India could not recognise the erroneous depiction of the tri-junction since it has an adverse implication on the territorial integrity of India.

Shri Tyagi (Dehra Dun): Who has got physical possession of that area? I want to know, are we in physical possession of that area which has been shown in that map or we have left it as it is, I can well understand attempts made by the Minister of External Affairs to safeguard that area. May I know if we are actually in physical possession of that area or not?

Shri Jawaharlal Nehru: It is rather difficult to answer that question, because the area is highly mountainous. Nobody is apparently sitting there. They may come and go. It is not an area where anybody holds physical possession.

Shri Tyagi: Seeing to the danger, have we taken precautions to see that we are not deprived of that area ultimately? Have we taken any precautions to safeguard that area?

Shri Jawaharlal Nehru: So far as we are concerned, we are in possession.

Shri Tyagi: That is all I want.

Shri Jawaharlal Nehru: If we send any orders, they are received there.

Shri Braj Raj Singh (Firozabad): The country is entitled to know clearly whether the area which has been shown there is in our possession.

Mr. Speaker: That is what he said.

Shri Jawaharlal Nehru: It is within our administrative area. It is as much in our possession as any other. As I pointed out, possession does not take effect from day to day. It is obviously in our possession.

Shri Hem Barua (Gauhati): In view of the fact that the map attached to the treaty shows a dig in to the extent of five miles into the McMahon line, may I know whether the attention of the Government has been drawn to the pithy statement of U Nu, the Burmese Prime Minister that before the signing of the treaty, it was asked of the Government of India to clarify its position, but the Government of India, on this issue, was silent. Why it is that the Government of India chose silence to be the better part of wisdom and valour at that particular moment?

Shri Jawaharlal Nehru: I do not know to what the hon. Member is referring.

Mr. Speaker: He says that the Prime Minister was asked about this and the Prime Minister was silent.

Shri Jawaharlal Nehru: That is what I am saying. I do not understand the statement because a number of communications have gone. I had myself personally talked to U Nu about this question. How silence comes into the picture, I do not know, and at what stage.

Shri Hem Barua: May I know whether a protest was made by the Government of India after the treaty was signed? It is after that that U Nu came with that pithy statement. (Interruption).

Mr. Speaker: Order, order.

Shri D. C. Sharma (Gurdaspur): On a point of order, Sir, it has not been the custom with this House to permit Members to ask supplementary questions on Calling

[Shri D. C. Sharma]

attention statements. That has not been the practice.

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: I am sorry, I have just given the dates. We have been continuously drawing attention to this matter. In August last, four months before the treaty was signed, we drew the attention, again, of the Burmese Government. Before the treaty was signed, we discussed it with them and after, of course, also.

12.50 hrs.

CORRECTION OF ANSWER TO SHORT NOTICE QUESTION NO. 11

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): While dealing with the Shore Notice Question No. 11 regarding the visit of journalists to Nagaland which was answered in the Lok Sabha on the 23rd December, 1960, the Prime Minister stated *inter alia* that on one occasion on the 19th December, 1960, the hostiles fired at Dr. Imkongliba Ao's house and he was slightly injured. This information was based on a report received from the local authorities. On further verification by them, it has been ascertained that Dr. Imkongliba Ao was not injured. His small daughter, however, received a slight bruise when a bullet grazed her hand.

2. The last sentence in the reply to part (e) of the Question should, therefore, be amended to read as follows:

"His daughter received a slight bruise from a bullet which grazed her hand".

12.52 hrs.

RAILWAY BUDGET—1961-62

The Minister of Railways (Shri Jagjivan Ram): Mr. Speaker, Sir, I

rise to place before the House the estimates of receipts and expenditure of the Indian Railways for the year 1961-62.

Accounts of 1959-60

2. I shall first deal with the accounts of last year (1959-60). The Gross Traffic Receipts amounted to Rs. 422.33 crores—a very close approximation to the Revised Estimate of Rs. 422.03 crores. The Ordinary Working Expenses were Rs. 289.52 crores, effecting a saving of Rs. 2.40 crores from the Revised Estimate of Rs. 291.92 crores. After taking into account contribution to the Depreciation Reserve Fund, net Miscellaneous Expenditure and payment of Dividend to General Revenues, the surplus for credit to the Development Fund came to Rs. 20.12 crores, as compared with the Revised Estimate figure of Rs. 14.75 crores. A more correct view to take of the surplus, however, would be that it was only about Rs. 12 crores, as payments to the extent of about Rs. 8.5 crores pertaining to 1959-60, in implementation of the Pay Commission's recommendations, are being made only in 1960-61.

Revised Estimates for 1960-61

3. The improved traffic trend under 'Passengers', which was noticed towards the close of 1958-59 and throughout 1959-60, has continued in the current year. The Revised Estimate for Passenger Earnings has now been placed at Rs. 130.97 crores, against Rs. 125.50 crores in the Budget. Increases of about Rs. 2 crores, crores are also anticipated under 'other Coaching Earnings', based on current trends, and of Rs. 1.33 crores under 'Sundries'—the latter due largely to expansion of departmental catering. As regards 'Goods', additional earnings of Rs. 41 crores over the earnings for 1959-60 had been budgetted. But the present assessment is that, for various reasons