

Mr. Speaker: The result of the division is:

Ayes : 323.

Noes : Nil.

The 'Ayes' have it; the 'Ayes' have it.

The motion is carried and the Constitution (Twelfth Amendment) Bill, 1962, is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

13.38 hrs.

GOA, DAMAN AND DIU (ADMINISTRATION) BILL

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I beg to move:

"That the Bill to provide for the administration of the Union territory of Goa, Daman and Diu and for matters connected therewith, be taken into consideration".

This Bill is to replace the Ordinance that was issued some little time ago and it is meant to deal with the many problems that arose after this territory was taken over by the Union Government.

I do not think I need take the time of this House explaining all the various measures. It is almost exactly on the lines of the Dadra and Nagar Haveli Bill. It can be seen that it provides for the representation of Goa, Daman and Diu in Parliament. The jurisdiction of the Bombay High Court has been extended to Goa, Daman and Diu. I should like to make it clear again that this extension of the Bombay High Court is not meant as a precursor to Goa being absorbed into any other State nearby. It remains separate, but it is obvious that some High Court has to deal with it. We

could not have a High Court in Goa itself.

For the rest, this has given some authority for certain actions to be taken and the existing laws to continue.

There is an amendment to this which says, "provided any such law is not absolutely repugnant to the spirit of the Indian Constitution." That amendment is completely unnecessary, because we cannot possibly pass a law which is repugnant to the Indian Constitution. The Supreme Court would come in the way if we ourselves manage to forget that fact.

I move therefore that this Bill be taken into consideration.

Mr. Speaker: Motion moved:

"That the Bill to provide for the administration of the Union territory of Goa, Daman and Diu and for matters connected therewith, be taken into consideration."

13.41 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri H. N. Mukerjee (Calcutta-Central): I am afraid I cannot quite accord to this Bill the unqualified and happy welcome which I had registered for the earlier Bill which has just been accepted by the House. This is because I have an apprehension that Government has not applied its mind properly and has not made a serious effort to see that democratic processes are introduced in Goa in as full and comprehensive a manner as possible.

We do not approve of the proposal to make Goa a Centrally administered territory, because the country's experience of these Centrally administered territories is not particularly happy. I say that the Goan people must be given the fundamental right to govern themselves through democratic institutions in conformity with the Indian Constitution just as any other part of India. There might conceivably be some transitional arrangements, but

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they must be allowed the right to elect their own representatives to a Legislative Assembly and to manage their affairs through their own elected leadership.

We have in the Indian Union territories like the Centrally administered territories which have in some cases hardly any democratic institutions, and there are some like Tripura and Manipur which have certain forms of elected Territorial Councils, but these Councils, dominated by the Chief Commissioners who are directly responsible to the President of the Republic, have practically no powers, and are not responsible to their own electorate. This is why there has been agitation in Tripura and Manipur in favour of some sort of an elective Assembly. They want to do away with the Territorial Councils, they want an Assembly having the same status as the Assemblies in the various States of the Indian Union.

My fear is that if Goa is kept a Centrally administered territory without even the provisions which seem to apply in the case of Tripura and Manipur and is not given an elected Assembly, then the people are bound to feel dissatisfied. Already, as a matter of fact, on account of historical and other circumstances there are people who might try to fish in troubled waters. This talk about Goa having a particular entity of her own is in some respects potentially dangerous. There might be people who would like very much to fish in troubled waters, and if Government allows them an opportunity to put before the people the idea that they are not going to have representative institutions, then danger might ensue. Very soon they would come forward to express their dissatisfaction, and there might come to take place movements for the establishment of democratic institutions in Goa.

I say this because already so many of us as Members of Parliament have been sent copies of a representation

purporting to have been made by the All Goa Political Conference where the demand is put forward that there should be a separate State of Goa within the Indian Union, that it should have an executive responsible to a Legislative Assembly and so on and so forth. I do not say that straightaway we should have a separate State of Goa, but this matter has got to be kept very carefully in mind that in Goa the extension of full democratic opportunities to the people cannot very long be postponed. So, our expectation was that in this regard the Government would apply its mind much more carefully and come before Parliament with suggestions which would be more acceptable, but I fear that the way in which this Bill has been formulated does not give satisfaction to the democratic aspirations of our own people in Goa.

I take this opportunity also to point out certain aspects of the economic organisation of Goa, which are naturally linked up with the political structure that we are going to have in Goa. It was our expectation that soon after liberation the Government of India would take steps to take over the rich iron ore mines which are being run by the private interests. Those who are in the know can testify that vast profits are being made from these iron ore mines. The terms on which the Portuguese and the private owners under them agreed to supply the steel monopolies of Japan and West Germany should therefore be revised and proper prices should be charged to the steel companies which are getting the ore at very cheap rates. So, these iron ore mines should be taken over in the public sector as part of India's Five Year Plan, and there should be a scheme devised in order to utilise this iron ore for the production of the finest Indian steel. Also, a scheme should be devised to establish an iron and steel plant in South India and the profits of the vast mineral wealth of Goa and the regions nearby should accrue to the Indian Exchequer.

We know also that in Goa there are the ports of Vasco da Gama and Margao which are of high strategic importance. These ports have very good and convenient locations. A naval shipyard already exists at Vasco da Gama. It is sad however, to notice that the workers who are working in this naval shipyard have been denied their wages by the administration of Goa. I have here a paper called *Goan Post* dated 14th February, 1962, and in this paper there is printed a memorandum to the Chief Civil Administrator of Goa.

The Minister of Law (Shri A. K. Sen): Will you please give the name and date?

Shri H. N. Mukerjee: It is dated 14th February, 1962. The paper is called *Goan Post*. This memorandum purports to say that the workers in the naval shipyard have been denied their wages by the administration of Goa, and that they have had to carry on an agitation to secure arrears of their wages. It seems that the wages have not been paid to these workers from 1st December, and three months wages which had been promised to be paid by the end of February have also not been paid. The naval shipyard is due to receive from the railways and other private companies who get their repair work done at the shipyard, large sums of money, and apparently there is no reason why the workers' wages should have been withheld. The Minister may not be able to say anything about it now, but he might communicate with the Defence Ministry, and immediate steps might be taken in this matter.

There is another problem which also faces the Government and the Goan people. On the part of some people in Goa there is a demand, about which perhaps my hon. friend Shri Nath Pai can say a great deal more than I can, on the part of a certain section of the people in Goa there is a demand that

Goa should be incorporated in the State of Maharashtra since the Goans by historical tradition, language and culture are part of the Marathi people. Again, as I have just said, there are some others who say that Goa should be retained as an entirely separate State. My personal feeling is that by and large the Goans are a part of the Marathi people by tradition, language and culture. Yet we say that for the time being there cannot be any decision about Goa going to Maharashtra or remaining a separate State.

This is a matter which should be decided democratically by the people of Goa themselves. We do not want an immediate decision in this regard. But, at least, the Goan people should have the apparatus, the democratic provision so that in time—and that may not be too late—before long, the Goans may decide where they should go if they want to go into Maharashtra or any other region. This is a matter to which Government has to give some thought. If the Goans want a separate State of their own, we should have no objection. But we, certainly, do not want them to remain merely a Centrally administered puppet territory without any kind of real democratic apparatus.

I say this because the people of Goa are highly cultured, as highly educated as any other section of our people. Even under the Portuguese administration—and this is what we were told in the representations sent to us on behalf of the Goa Political Conference—they did have an apparatus, which, of course, was entirely subservient to the dictatorship of Dr. Salazar. But they did have, at least technically speaking, an apparatus through which some of them could be elected. Therefore, if the Goans should have a feeling that under our dispensation they are not getting ample opportunities for expressing themselves and realising their political being, it is rather dangerous. Besides, Goa is a very rich area of our country, with large sources of wealth, port and dock resources, minerals,

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forests and man-power to maintain and develop their own entity.

I know that the problem of language in Goa is being utilised by certain elements and they are trying to sow discord among the Goan people. There are vested interests about whom Government should be very careful. There are vested interests who formerly served the Portuguese and who are now already well entrenched in the new set-up and they would like to keep the Goan people in a state of disruption. They would try to see that the Goans are not allowed to forge democratic unity and to build a new life.

I feel also that a very large part of the people there speak the Konkani language which some maintain is nothing but a variation of the Marathi language. But the Konkani language, in spite of its being, perhaps, mainly a dialect, has such a distinct individuality of its own and it is spoken by the masses of the people there. There should be some special effort, in order to win the hearts of the people, to encourage the development of the Konkani language. Of course, Marathi would naturally get all the encouragement which is its right due.

The Portuguese language was formerly the State language. Of course, while, for some time, it may continue, it cannot possibly remain to enjoy the position which it had before liberation. This point of language has also got to be considered very carefully and very sympathetically and the interests of the people have to be kept in mind. So, we would like to see that the Goan people find their due place in the family of the Indian people. We would like to see that the resources of Goa are utilised for the purposes of our Plan and the Goan people are not made a pawn by monopolists in their search for exploitation and profit. We wish them to

develop on the basis of full democratic rights and liberties.

My grouse against Government is that they are merely providing for a certain apparatus which does not give them satisfaction in regard to their democratic aspiration. They would have some representation in Parliament; but that would be on the basis of nomination. And, as far as running their own affairs is concerned, they are nowhere in the picture. This might be some exaggeration. But, after all, liberation should bring the glow of freedom into their hearts, a kind of new exhilaration. But this provision which the Government is making in regard to the administration of Goa as a Centrally administered territory is not going to light that spark which would bring about that glow of exhilaration and happiness in the Goan people. That is the reason why I feel that even though we are all jubilant that Goa has come back to the Indian family, we are not happy that Government has not been able to find out ways and means of giving to the Goan people that sense of satisfaction which alone would make this liberation a reality that would make them develop at a much faster rate than it otherwise would be possible. Therefore, I say Government may consider some changes being made in the Bill. I do not know for perhaps Government have made up their minds and mine would be a cry in the wilderness.

But we do lay so much stress upon the fact that the Goans might have, after liberation, real democratic opportunities. These opportunities have been denied them in so far as this legislation is concerned.

The Deputy Minister of Home Affairs (Shrimati Alva): Mr. Deputy-Speaker, Sir, I am very happy to associate myself with this particular debate for the simple reason that I have been associated with the Goans in Bombay for very nearly 25 years and

I do understand their mind, to some extent, the fears that they had if Goa came as an integral part of India. Some of them, of course, believed that it had to come; some had their own fears and doubts. Notwithstanding the position that it is now an accomplished fact, that Goa is part and parcel of India, some Goans have been doubting.

Having been emotionally involved in this campaign for the liberation of Goa for the last 25 years, I feel that now when we look at the present administrative set-up in Goa and what it is going to be in the years to come, we must realise that we have, first of all, to understand the mind of the average Goan inside Goa, Daman and Diu. They were cut off from the mainland, from the rest of India, for 451 years and, therefore, the bulk of the people there who are the have-nots, their mind, will be slow to function. Nevertheless, there are the very people who will rightly understand the impact of the Five Year Plan when it is introduced inside the new territory that has now become part of India.

For the last 2 or 3 years I have very actively participated in all the protests that were raised from the Bombay city and elsewhere in India against the Portuguese regime. It was as recent as the 15th of August, when I was in Belgaum that we were thinking of opening *Lok Karya Kshetras* along the border that were to make our people understand how evil the smuggling that was going on there was and how to stop that. We had hardly accepted the task before us when Goa was liberated and that task has now become unnecessary and the *kshetras* were not opened.

But, on that same day, when we were rejoicing in India—for the Independence Day—news had come in of the torture that was going on. That only showed that the people inside Goa were under a Fascist regime and there had been, I think, not less than 29 revolutions in these 451 years. It was a reminder that

the people were not quiet and though the repressive measures were so bad and of such a serious nature, there were patriots there who faced torture and death. At that time, some of us felt—and I especially felt—that Goa could not be turned into Angola and, therefore, the Government of India would have to look into this and change its approach and its policy.

Things have moved very fast, and every hon. Member of this House recalls how it happened. The patience that we had shown for 14 years has been a good example to the nations of the world that India could wait and wait peacefully. We tried to convert the hearts of others. We did not succeed; and finally when we did it, it was a question of their aggression in the sense that the people could not wait any longer and India had to decide and take over Goa.

I do want to pay my compliments and credit to the Indian Army which worked so swiftly and so efficiently and has set such a good and noble example, in the sense that it carried out its work in the spirit of what all of us on this side in India desired and were able to finish the work with the minimum of hardships. That was also because the people of Goa were ready from inside to help in the measure. Therefore, all the credit goes to the Indian Army for its exemplary conduct inside Goa.

First of all, we shall have to know the inside of Goa, before we set up a final administration; how many people live in Goa, how many have left Goa and for what reasons. One of the hon. Members who spoke here said that the sons and daughters of Goa had to roam round the world for small and big occupations.

It is very true that people who were economically made bankrupt by the internal policy of the Portuguese Government had to roam round Africa and into cities like Bombay, taking up small jobs. It is no exaggeration to say that people coming from good

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homes had to turn themselves into cooks and butlers and stewards on snips and begging for small jobs. All that has to be taken into account if there is to be emotional integration and also political integration amongst the people. Therefore, the first thing that we shall have to look into is census. The census operation will have to be taken up and begun in Goa very soon. Whether the Portuguese are included in these figures now, we are not aware, but they have some type of record, about the delineation of the villages and towns. Beyond that, we are not able to say whether they had any further figures. We have not found any map also, if the pattern of Goa and its villages. The census operation should come about perhaps in these areas now. If all goes well, the houses should be numbered and listed and the trial operation should begin towards the end of the year. Then, finally, at the end of the year we should find out the numerical strength of the people and the other background the census gives us here in India.

We shall have to find out how many of the Goans, the people of Goa, who are out, would like to come back to India and settle down in Goa. Some of them who came out were never able to go back. Some of them would like to come back. I am talking of the different strata of society. There were those of the middle class and the upper middle class who came out and some of them would like to continue under the Portuguese regime. It is an accomplished fact for those who think like us. Therefore, the small man must not be forgotten in Goa; when the census operations begin, and when the counting of heads begins, the economic background has to be kept before us, and the social set-up of the villages, the village pattern that exists inside Goa, has to be borne in mind, because it was slightly different from what we have this side.

Then we come to the language which has been mentioned by Shri

H. N. Mukerjee—namely, Konkani. It must have an honoured place, but we must first know whether Konkani is a dialect or a language. I have now fairly acquired some kind of proficiency in this dialect. So, I may say that it has no script. It is written in Goa in the Portuguese script. Perhaps, for the census operations, we shall have to have Portuguese and the Roman scripts because that would help the people inside. Marathi is a language and we have known of individual cases where even Marathi schools were not permitted to be started inside Goa. We have known of Roman Catholic priests who were deported or sent away to Lisbon for many years just because they wanted to teach Marathi to school children. So, the people there have gone through this kind of repression and hardship. Therefore, the consensus of opinion has to be gathered inside Goa. We have kept Goa as an individual Union territory, with its own personality to be maintained and developed. It is a very good thing because, after 451 years, we want the people to decide for themselves what they want.

But when you talk of Konkani language to be included in the Schedule of languages, we must know whether it has a script of its own. Konkani, as Shri Nath Pai has said and will know, is written in Karwar in the Kanarese script. In Bombay, it is written in the Marathi script. I have had dealings with small people in Goa who write Konkani in the Portuguese script. We are able to read Konkani, but they write it in the Portuguese script. Therefore, it is not an issue that can be settled just off-hand. It has to be gone into.

Shri Yadav Narayan Jadhav (Malegaon): The military people write Marathi also in the Roman script.

Shrimati Alva: That may be. This question has to be gone through very carefully and the opinion of the people has to be taken. Konkani is not an issue to be raised because Goa has become a Union territory. I want to

put before this House, this point, namely, Konkani becoming the language of Goa is not an issue merely because Goa has become a Union territory. It is a separate issue which applies equally to the entire coast line on the west of India, right from Konkani to Cochin, and it covers Karwar and other places. Therefore, this issue stands on a different footing.

I was on the border of Goa at Majali only during the elections. One did not want to enter Goa because of different kinds of repercussions. In fact, I could have flown from Panjim to Delhi via Bombay, but I took the trouble of going through bad roads to Belgaum and then fly to Bombay and then here. Everything must find its level, and of course, the work is going on well with the military authorities who are in charge of all the work, and with the help of the administrator there. All the basic things that are to be done are being attended to.

One thing that we have to rejoice over is that the smuggling ring has been broken. Those of us who have seen the border know the evils of smuggling. Those of us who go to Karwar three or four times a year know what an evil it was, and we always felt that as long as smuggling went on, there would always be some people who wanted Goa to remain with the Portuguese. That has gone. We want to encourage the people to respect the administration that is going to be set up in Goa. To get the full respect of the people, we must send our officers and we are not hard up for good men. We have got very good men in our services at all levels and we hope to take the co-operation of the local people also inside Goa so that we can set up an administration which would be understood by the people and the language difficulty could be solved, with the emotional integration that will go on at all levels. We want to show that Goa could make up for the last 451 years perhaps very quickly and come up in five years with the progress we have made here in India.

There is no doubt that factories will come; that the material and mineral resources will be tapped better. But then again, the hon. Member on the other side pointed out that we have to be careful about the monopolists: therefore, traffic will have to be regulated in the business world. There are, I think, just about 14 or 15 big businessmen in Goa. The rest of the population is small, common men. The common man is the man who has to be kept in mind, when our administrative set-up is established finally and permanently.

About big business, I have nothing to say. Big businessmen are big businessmen, whether they are in Goa or here or anywhere in the world. Nevertheless, we, as a welfare State, have to take great caution and move very carefully, I am speaking subject to correction, but from what I have been told, I find that for the last ten years, the annual returns of some of the bigger businessmen or tycoons have been in the range of Rs. 80 lakhs to Rs. 85 lakhs in mines alone. If that be so, these tycoons should not say that they are hit hard upon. We should find out as to where the proceeds of these people have gone. It is nothing wrong, because we believe in an open-door policy on our economic front. We want to know who keeps the assets, and it will be the bounden duty of the administration to look into these things very carefully and then it may be that the Goans themselves may decide that there has to be some kind of financial commission, some kind of financial corporation. The small man has to come in a big way in whatever trade that has to develop inside Goa. The monetary assistance should not be blindly given to those few top guns who come and demand it. That is a warning that we as individuals have to be careful, because, the monopolists are always ready to catch the new resources. But you will have to take into account the common man also, the small fry. The Prime Minister also had occasion to refer to the common man of Goa. I know he once said "common man"

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when he referred to Goa. That man, the common man, is the focus for us. This hon. House must devote its attention to the common man and focus its thoughts towards the common man, the small man, in Goa. We have to bear in mind the psychological approach inside Goa. Even when we talk of the administration, it was so terribly mixed up, with religion, Religion and politics were so mixed up for the last 451 years. We are good Christians, but when religion and politics get mixed up in this part of the country, that is time to educate the masses. It was the religious and political manoeuvring that kept the masses ignorant of what was happening. They were kept in absolute ignorance for centuries and exploited in a manner that they had to leave their homes and huts and go out begging for jobs. They were kept frightened that the curse would fall on them and they were kept ignorant. After freedom, nothing has happened to the churches and temples. In fact, if Christianity has flourished, it has flourished more so after Independence in India than even before. Under the Constitution, Christians, like others of other faiths, have the right to profess, preach and propagate their religion, but it must all be done in a constitutional way. Hunger and nakedness must not be exploited to convert anybody.

Therefore, inside Goa, the Church must realise that it has to break with the temporal power. The Church will look after the spiritual welfare of the masses and will not tamper with their conscience or their opinions any more. Here I would like to emphasise that the concordats of 1928 should be examined very closely by our Government. The Prime Minister's attention should be focussed on these concordats of 1928 from which Salazar derived his strength for his fictitious claim to Goa. Under the concordat, every appointment of the Church will have to be made after the approval of the State authorities in Portugal.

This is a point on which we have to be very dispassionate. We are not against the Church or the Vatican, but when we have got Goa, we should see that the Church also gets its independence, as the Church has got its independence in India. Therefore, the concordat of 1928 shall have to be very carefully analysed and if any action is necessary, we leave it to our leaders, to our Prime Minister to study it, sit with the diplomats and say that things should be decided very rationally, which would be the demand of every democratic State in the world.

Shri C. K. Nair (Outer Delhi):
What is a concordat?

Shrimati Alva: It is a kind of agreement by which the State authorities will have to approve of any appointment inside the Church. The latest concordat dates to 1928. Right-thinking priests have been with us. Great patriots, great nationals and great fighters preferred to be carried to far away Lisbon rather than stay on in Goa and carry on under the Portuguese regime. They are back in Goa now. Therefore, I want to say that inside the Church also, the right-thinking priests have been with us. Whether you are a priest or a layman, you are a citizen. Those inside the Church must now realise that Goa, Daman and Diu is a Union Territory of India and they will enjoy the same privileges that have been enshrined in the Constitution of India. They need fear no one for the profession of their religion, for the maintenance of their churches or for the running of their schools and other institutions.

I come to the Five Year Plan. It has already been emphasised that Goa has the most natural harbour. I have not been inside Goa, because we were not allowed to enter Goa from 1940; from the time we ran a political weekly, we were banned from entering Goa. Perhaps in the near future, we shall go inside Goa and rejoice

with the people there as we have done with Goans in Bombay and elsewhere.

I am told the airport in Goa is also very well-planned. It is not very big, but proper attention will be given to it under the Five Year Plan and we shall have perhaps one of the best airports inside Goa and one of the best harbours at Marnagao. This has to come about gradually with the co-operation of the people.

When Goa was not free and it was under the Portuguese regime, there was a surfeit of luxury goods and absolute dearth of the daily necessities like food. Even onions and things like fish went from the Majali border. I have seen with my own eyes how young girls used to come this side with flowers and go back with rice, potatoes and onions. This was the economy of Goa. It is heartening to know that now in Goa they get fresh vegetables, fruits, onions and other bare necessities. From that we are able to judge how backward the economy of Goa had become and how desperate the ordinary man had become. He had to run away from his moth-eaten house, with walls crumbling down and he was not able to go back.

Therefore, we will have to have the same schemes that we have in the Five Year Plan to help the small man to have his own house, his own hearth, his own agricultural plot, etc. The same thing will have to be done in Goa. Also, the price-line will have to be held.

I do not want to say anything more except that the cultural pattern must remain. Goa is rich with song, music and dance. We may have lost something, but Goa has retained all that song, music and dance. The cultural pattern of Goa must be developed, interpreted and brought to our side as never before. If they lose their cultural pattern, we shall have lost much of our psychological approach,

the emotional integration of the people of Goa.

With these words, I commend this Bill. We are really heartened that this measure was taken and that Goa, Daman and Diu came into India in such a peaceful manner and that we are able to carry on the administration in a peaceful way with the co-operation of the people. There are many memoranda that come to us every day. They had no democratic set-up because their electorate was based on tax-paying and other conditions, which we do not have: If the memorandum is read from that angle, certainly Goa can progress.

Mr. Deputy-Speaker: We must conclude all the stages of the Bill by 4 o'clock. So, I would request hon. Members to be brief.

Shri Nath Pai (Rajapur): Mr. Deputy-Speaker, Sir, the Bill that the House debated earlier moved by the Prime Minister incorporating the twelfth amendment to the Constitution, dealt with the past of Goa. The present Bill that the House is now considering deals with the future of Goa. But Goa has a today, a present also and I shall try to address myself *vis-a-vis* this Bill with regard to the present.

We are very happy that the Bill makes it possible for the representatives of the people of Goa to take their legitimate seats in this House and we will be having two Members from Goa. However, there is an ambiguity. It does not specify the method. There is nobody from the Government benches present; I do not know who will be replying to us, though I see, of course, two Deputy Ministers are there.

Mr. Deputy-Speaker: The Law Minister is expected any time.

Shri Nath Pai: We would like to get specific replies to these issues, *viz.*, first how the representatives are to be brought into this House and

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which is the expected date for the people of Goa to elect them. Secondly, we want to know whether pending the election of the representatives of Goa to the House of the People any interim arrangement is expected by the Government. Just as in the case of Dadra and Nagar Haveli where we had a nominated Member pending the election, we want a reply whether such a nomination is contemplated by the Government in the case of Goa.

Then, regarding this Bill, there is the question of this amnesty. It is a normal procedure to provide amnesty. But I want to get a categorical assurance that the provisions of amnesty contained in this Bill will not be extended to cover cases where the people think that they have been genuinely aggrieved by officers. We are receiving memoranda. She has herself made a reference to this kind of memoranda. It will be far from me to exaggerate or over-emphasise these complaints. But it will be equally foolhardy to ignore the complaints that the people of Goa have to make. Therefore, I would beg of the Prime Minister in particular to see that the provisions of amnesty incorporated in this Bill shall be strictly limited to those who were carrying out *bona fide* duties, and even in the discharge of those duties if they violated the basic law of this country the protection of amnesty shall not be available to them. We want a categorical assurance on this point.

We were happy, of course, to have an assurance that only those laws of Goa shall be continued to be in force that do not happen to be in conflict with the spirit and principle of our Constitution.

Having said this, I shall confine myself to some remarks. Firstly, though it may be a slight repetition, let us have one attitude regarding the liberation of Goa, the attitude that was adumbrated by the Prime Minister during the concluding parts of his

speech. He said that we liberated Goa because it constituted a challenge to our existence as a sovereign power. That was the *raison detre* of our action, and may I plead with the Prime Minister that it is no longer necessary for India to go on claiming this pretence that because there was a bullet fire at Sabarmati we acted. Am I to get this impression that if there had been no bullet fire we would not have acted? We do not accept this position. We were determined to act and we acted, though the action was delayed. So may I plead, let us not go on telling the world, let us not tell to posterity that we acted because the Portuguese fired a bullet. We acted because their very existence was a bullet on the sovereignty of India. Let us take this stand which the Prime Minister took in the concluding part of his speech and give up the excuse that we acted because there was provocation. No, no. Provocation was there all these 400 years and, therefore, we acted.

Having said that, I would like to record, as I said earlier, our congratulations to the personnel of the armed forces. But, Sir, having said that, we must be a bit stern with ourselves and try to see that our record in Goa is above board, that no scope, latitude or margin is provided to our critics by any mistake which may be committed out of enthusiasm or ignorance. I am afraid, today we find that the feeling of jubilation in Goa which came in the wake of liberation is being replaced by a feeling of humiliation and frustration. Minor things are these, but if they are ignored I think the cumulative effect will not be a very wholesome one.

The Goans are a highly sensitive people as the Deputy Home Minister pointed out, and a proud people. I may also say that they are very cultured and very much awakened in spite of the fact that Portugal ruled there for 400 years. We must be extremely careful that we do not pretend

there to be something superior. I am afraid that this feeling is gaining ground among large sections of the Goans that some of our officials behave like that.

I fail to understand, coming to the present administrative set-up in Goa, how the Military Governor there has been assigned the services as a special adviser of a retired police officer. I have no grudge against any officer, nor is it a convention to make any reference to individuals. But I think it may be a kind of insult to the people of Goa that a retired police officer is advising our Chief Administrator there. It is an extraordinary thing. We would like to know what are the qualifications that one needs to be a special adviser of a political nature to an administration in a liberated territory. We want an explanation from the Government as to why the Government appointed a retired police officer to be the special adviser in a very sensitive area.

Mr. Deputy-Speaker, comparisons come very quickly to the mind of the people of Goa. I am pointing out another thing. We hope that before long we will be making provisions—this Bill does not make any provision—for an administrative set-up which will be reflecting the wishes of the people, an administrative set-up which will be fully in accordance with the spirit of the Constitution of India and reflecting the wishes of the people of India. They are very eager to enjoy the benefit of the Constitution of India. For long they had been enjoying a kind of second rate citizenship in the Empire of Portugal. Today they want to see that they enjoy the full benefit of the citizenship of India, that every right which is extended to a citizen in Redj which is just one mile from the border of Goa is extended to the man in Harmal. Sir, half my relatives come from Goa. My involvement in Goa is not academic but is intimate, personal. I am therefore speaking, naturally, with some degree of warmth. The people of Goa find that they are not being told how the

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new administrative set-up there will be. May I know from Law Minister what is hindering the Government today from associating the representatives of the people of Goa, well-known nationals, well-known leaders, leaders who were imprisoned by the Portuguese authorities for as long as 15 years, 18 years and more for voicing the people's grievances? Why are they not being associated with the Government today there? What stops the Government from creating an advisory board, an advisory body or a commission, whatever the name may be, in Goa? The absence of this is creating a feeling that they are being ruled, that they are not participating in the rule, that they are not partners. I would like that this anomaly is corrected.

Mr. Deputy-Speaker, after an operation there is a period of convalescence. We can appreciate it. But convalescence is limited to a period. It cannot be the normal thing in life. We can understand Government of India requiring some time to adjust itself to the new conditions. But if we thoroughly planned the military operations in Goa, could we not have given thought to the civil administration? We did not do it. As a result we find that there are all kinds of tensions today arising in Goa. People do not know what to do, whom to go, whom to approach. Inaccessibility of the administration is one of their complaints. I have it from the highest authorities, from the mouth of some of the biggest patriots from Goa, that they find it almost difficult to approach the Lieutenant Governor of Goa. I do not know if it is true. I hope it is not. But if it is true, it does a lot of damage to India, because it deprives the people of Goa of their elementary right.

May I know if it is true that every time the Governor moves out he is escorted by a jeep ahead and a jeep behind? Is it really necessary? I have received letters, if they need them I will place them on the Table. They

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are shocked to see this. After all, the Governor exists there not because of the Army but by the will of the people of Goa. Our sanction for being in Goa is the will of the people of Goa. We do not require escorts to move among the people of Goa who are our own people. So this kind of paraphernalia, this kind of pomp will have to be immediately dropped, because it does not speak that they are part of this Republic if we make this show. Of course, we try to assuage the feeling of the Goans who come to us by saying that even our Governors move about with a cavalcade of motors and jeeps ahead and that it is not a special thing and we are only extending the same thing to them. But the main point is inaccessibility of the administration.

I will tell another thing. There are what are called directors of departments in Goa. We have retained those directors. We have provided for their continuance. Very often they plead ignorance of English, they plead ignorance of Marathi, they plead ignorance of Konkani. I do not think they should be victimised for that. It is of course true that it is a remnant of the past heritage that a director in Goa does not know any language of the people. But I am told that they are humiliated by the officers. They are asked to put down their note in English. They do not know English. Then they put it out in such English as they know. Then in the margin it is written: "You should know how to write better English". Are we holding tests in English in Goa? Is it not enough if they express in Konkani or Marathi, the two languages that the people of Goa have spoken?

About Marathi something is being said. Let us not raise the controversy as to what is the language in Goa. From time immemorial Goa has spoken Konkani and Marathi, and the people in Goa, those who are concerned with this and are trying to stir up this trouble, know that the people

of Goa have suffered more for Marathi than the people in Maharashtra proper. If you were found in the Portuguese reign with a *Ganeswari* in Marathi, you were lynched. But in spite of that the people of Goa preserved *Ganeswari* and we had to get it from Goa. So let us not get into this controversy under the garb of being very fine and try to stir up trouble.

Now, I would like to know whether as a result of these hasty things there has been a general slackening of the rule of law and order in that area. May I know whether it is a fact that the number of dacoities and robberies has gone high and generally petty thefts and crimes as a whole are on the increase? We do not like to say these things, but there is no other forum. We want to know whether all these reports that are received, all these letters that are appearing in the Bombay press, all the memoranda with which we are being flooded are wrong. We would like to have a reply about this.

Also, I should like to know what is being done by the Government of India to deal with the unemployment in Goa and whether as a result of the break-down of the administration there a large number of people have been thrown out of their employment, both in the mines, in the docks and in the administration and, if so, what is the policy. It will not be very thrilling for a Goan to know that he is liberated and in the process he has lost his job.

Let us punish those who were collaborators but here again we find something very dramatic. Following the liberation of Goa, we heard an announcement from somebody very high that the man who gave shelter to the wife of the Governor-General was guilty of high treason. One officer announced it and, within 24 hours, we were told that it was a very humane act and there is no question. What kind of administration is

it where one officer accuses a citizen of Goa as being guilty of high treason because he has given shelter to the wife of the Governor-General and another officer, the Military Governor, says there is no question of treason and it is only a humane act? Therefore, I submit that unless we have a plan for Goa we will land ourselves in difficulties.

Yesterday I asked a question in the House whether nationalists were still continuing in prison. The Prime Minister pleaded that he does not know and I hope that is true, but we received complaints for a long time after the liberation that fervent nationalists were kept in prison. We would like to have information on this subject. I hope the Deputy Home Minister does not come into trouble with her colleagues because she has talked against the monopolists. Is she aware that it is these monopolists who are being shown all the favours by her own Government? I hope she will not be incurring the ill-will of her senior colleagues for speaking the truth. May I also point out that the people of Goa, if their voice be heard, are shocked to know that it is the ex-smugglers and their leaders who are being given all the protection of the laws of India? She has just inveighed and very rightly, I think, against the smugglers. Though the smaller smugglers are out of the job, the ring leaders of smugglers who have made millions in Goa, we know, with the connivance of the border police whom we have maintained there, they are now the social elites of the liberated Goa. All these things will have to be rectified immediately.

So my plea in conclusion will be this, that since there have been a spate of complaints from the people of Goa, not only some kind of propaganda for the best sons of Goa have thought it fit to bring it to our notice, I would plead with the Prime Minister—in his absence, I hope the Law Minister will take note of it—that we give the people of Goa the assurance that all these complaints will be looked into

and, if necessary, a commission of enquiry will go there and find out if any excesses have been committed by anybody. I do not refer to isolated cases of molestation which are regrettable for which we should not try to put up the plea that they did not happen; if they did happen, we should say "sorry"; but we can point out to the people of Goa that such lamentable incidents occur in Lahore, in Amritsar, in Delhi and in Bombay and we feel ashamed about them; we should not try to condone them under any plea or take the stand that they have never happened. Now they are smarting under a feeling that they are not getting their due. This feeling has to be rectified without any delay if we are not to engender a feeling of being treated on an inferior level among the people of Goa.

May I have then also an assurance (1) that at the earliest date the Law Minister will devise means to associate the representatives of the people of Goa with the administration and that we are not going to wait for the elections; let the elections be held to bring them into this House, but in meanwhile, a democratic machinery will have to be provided to the people of Goa and (2) that all complaints of excess, all complaints of maladministration, all complaints of high-handedness shall be looked into and, if necessary, a public enquiry headed, as is our custom, by a judge will be held. With these words, I support the Bill.

Mr. Deputy-Speaker: I repeat the request that the hon. Members should be brief.

Shri Balraj Madhok (New Delhi): The re-union of Goa with the motherland has been the most happy event in this country in the recent past and it has been welcomed from all quarters. The unanimous vote on the Constitution amending Bill just now passed shows how, irrespective of parties, the entire nation is behind the Government in this matter. We, therefore, take this opportunity to congratulate all those people who were entrusted with this work of the libera-

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tion of Goa, who did this work so excellently. If the liberation of Goa has proved anything, it is this that our Indian army can be trusted to do the job entrusted to it efficiently and quickly, and I do hope that the job of the liberation of Ladakh will also be entrusted to this army. Just as it has been stated that the Portuguese were the first Europeans to come here and the last to leave, let the Chinese be the last Asian Aggressors to come to India and we hope that they will also be made to leave the country as early as possible.

This Bill seeks to bring about some changes in the administration of Goa. By and large, it leaves the administration of Goa as it was before its liberation. It seeks to make only two changes—firstly, the jurisdiction of the High Court of Bombay will be extended to Goa and, secondly, Goa will have two representatives in this House. There too, it has not been made clear in this Bill as to how those representatives will be elected or chosen. In respect of the laws also it has not been made very clear; it is only stated that they will be adjusted or adapted. I submit that the amendment that I have given notice of, that those laws in Goa which are repugnant to the spirit of the Indian Constitution should not be allowed to continue, that amendment, I think, is very essential because we know that in Goa there are certain laws which are essentially repugnant to the spirit of our Constitution. Goa has been a sort of theocracy in which the church and state have remained mixed up for many centuries and those laws and those traditions have to be changed.

Mr. Deputy-Speaker: Every law that is repugnant to the Constitution is *ultra vires* and when the Constitution becomes applicable they will automatically go.

Shri Bal Raj Madhok: It will not be automatically adjusted unless somebody moves the Supreme Court or the High Court. Then only it will be struck down.

Mr. Deputy-Speaker: If the amendment is accepted, then too the citizens shall have to go to the courts to get them declared *ultra vires*. Then also the position would be the same.

Shri Bal Raj Madhok: My submission is that all the laws should be gone into and revised. Without waiting for anybody to go to the High Court or the Supreme Court, we should revise them. If there is any law which is repugnant to our Constitution, it should be repealed and should not remain effective from the very beginning.

Then the next major question to which I would like to draw the attention of the House is the set up of the Union Territories. Goa has been made a Union Territory. Before that, Dadra and Nagar Haveli have been made Union Territories and thus the number of Union Territories is on the increase. We know that the States Re-organisation Commission suggested that Part C States, which were more or less like Union Territories at that time, should all be abolished and they should all be merged with the neighbouring States. In pursuance of that policy, many Part C States were merged with the neighbouring States. Some smaller States were allowed to continue as Union Territories but then it was understood—it was suggested also—that these Union Territories will, sooner or later, be merged with the neighbouring States and they will be there only for a transitional period. That is how Himachal Pradesh, Manipur and Tripura were allowed to continue as Union Territories and some different kind of set up was given for them. But now I find that the Union Territories are being perpetuated and new Union Territories are being brought into being. My submission is that this is not correct. We can have them for some time. For example, when Dadra and Nagar Haveli were incorporated as a Union Territory, Goa had not been liberated. Now that Goa, Dadra and Nagar Haveli have all

been liberated, there should be no difficulty in incorporating these territories with the respective neighbouring States to which they rightly belong. Dadra and Nagar Haveli should become a part of Gujerat State and Goa, Diu and Daman should become part of the Maharashtra State or Mysore State, as the case may be. To talk of the individuality of Goa, its separate culture and separate language, is not a very correct thing. Foreign rulers have left their impress on all those portions of our territory which were ruled by them. In Pondicherry the French have left their impress; in British India the British have left their impress. Similarly in Goa the Portuguese have left their impress. Is it our aim to continue or perpetuate that foreign influence, or to eliminate it? In fact the way we are moving is the way of perpetuating foreign influence. It is not correct.

We talk of emotional integration. So long as the foreign influence continues in Goa, Daman and Diu in the way of language, culture and education, or the French influence continues in Pondicherry, there will be no emotional integration. Our aim should not be to perpetuate it but to see that slowly and steadily those influences are wiped out and these areas become part and parcel of India in every way. There is only one culture of India. To talk of separate cultures cuts at the very roots of Indian nationalism. This kind of talk is destructive and not constructive.

My suggestion is this. In Goa the Portuguese language is today the dominant language. As my hon. friend Shri Nath Pai pointed out, many of our officers do not know Portuguese but only English. An attempt is being made that English should be forced on them. English and Portuguese are both foreign languages. If we have to replace Portuguese, it should be by Konkani, Marathi or Hindi rather than by English. That would be a step in the right direction. If we replace Portuguese by English, that would

only be doing another wrong thing to remove one wrong.

Then my suggestion is that even though we have incorporated them as Union Territories, this should be a temporary measure and I would appeal to Government to see that as early as possible Goa, Diu and Daman, as also Dadra and Nagar Haveli, are incorporated in the neighbouring States and to see that separate Statehood is not conferred on them. Because, once you give a separate Statehood, separatism creates vested interest, and once vested interests are created all efforts later to re-incorporate or unite them with other territories becomes difficult. Therefore, before such vested interests take root there, we should take action to see that they grow and develop as part of India as a whole.

This brings me to the question of the set-up of Union Territories as a whole. In this Bill there is no reference as to what kind of set-up there will be. The old laws will be there; only the High Court will come. So long as it has to remain a Union Territory, are the people of Goa not to have democratic liberties or any association with the government? This Bill should have provided that the people of Goa will have some kind of a Territorial Council like other Union Territories, as also an Advisory Body, so that they may have a feeling that they have some association with the government. But it is not there.

We have been asserting that Portugal was a totalitarian and undemocratic country, that satyagraha and peaceful requests will have no effect on her and that only police action will have effect; and actually we had to take police action. But the people there have not so far got any glow of freedom—not even the privilege of having some kind of association with the government. Now that they have become part of India, a democratic country, the liberties and the freedoms which the Constitution has granted to other citizens should be

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guaranteed to them also. Otherwise a situation may arise there which may become dangerous for us. We have the experience of the Jammu and Kashmir State. We have not extended our Constitution to that State. The people there do not enjoy the freedoms and liberties which we enjoy with the result that the people of Jammu and Kashmir are getting farther away from India than ever before. That kind of blunder should not be committed in the case of Goa. We should try to bring its people, whatever their past or emotional feelings, may be nearer to the rest of India. This can be done only by extending the liberties and freedoms granted by the Indian Constitution to them and by associating them with the government.

At the same time it is also essential that we should see that some kind of uniform pattern is given to the Union Territories so long as they exist. Today the pattern is not uniform. In Himachal Pradesh there is a Territorial Council. In Manipur there is some kind of a Council. In Andaman also there is some such thing. In the long run I think there can be only two Union Territories in the country, that is, one in Delhi, the capital, and the other, the Andaman and Nicobar Islands. All the others must sooner or later merge with the neighbouring States. And even in the Union Territories some kind of uniform pattern should be there. In Delhi they are talking of creating a Territorial Council, not elected but imposed, indirectly elected by the present Corporation and the N.D.M.C. Elsewhere efforts are being made to have a Council, not elected but with nominated representatives. All that is wrong.

In the end I would submit this. This Bill is an imperfect Bill: it deals only with a limited purpose. While we pass this Bill—there is nothing wrong about it—while we have an administration in Goa we should go further and give the people there some kind

of democratic set-up and associate them with their own administration. At the same time we should see that the Konkani and Marathi language are preserved and given encouragement, and early steps are taken to merge the areas with the neighbouring States rather than perpetuate the separatism which has existed there for the last four hundred years.

Shrimati Ila Palchoudhuri (Nabad-wip): Mr. Deputy-Speaker, Sir, it is indeed a very happy occasion when we are discussing this Bill. I welcome this Bill warmly. What has happened in Goa has appeared to the eyes of the world as something unique that India has done. She has abided with patience and then gone into this operation with utmost tact and efficiency. I would like to record my appreciation for the army which has done a wonderful job of work in Goa. People have welcomed the Indian Army who came to liberate them from what they were suffering under.

Sir, what were those people suffering under? People anywhere near Goa would know about it, and I have had the chance of being in Bombay and of listening to some of the people and also coming in contact with Goans in Bombay. The pattern was that Goa was unthinkable full of the luxuries of life—with shops full of perfumes, beautiful materials, with foreign soaps by the million and so on. But there was dearth of food and, as the hon. Deputy Minister of Home Affairs said, even onion was not available.

This was the economy. And on top of that the whole place was surrounded as if by a wall and the people were cut off from all that was ever like an open window to the world. They knew of nothing better. In spite of that, there have been twenty-nine revolutions in four hundred and fifty-one years of repressive rule, which is a record for any country.

Now that Goa has come to India, there are one or two things that I

would like to put to the Ministry as far as I am able to see them. There is something that strikes me here which the Ministry and our administration must take into consideration. If we want to integrate Goa completely into India, then the entry permit forms and identity certificate forms—although they are much more liberally to be had from various places than before when they could be had only from the External Affairs Ministry—should by and large be gradually dispensed with as far as possible. Because, if to travel from one part of India to another I need identity forms and entry forms that itself creates a bad feeling. This is something which I hope will be looked into.

Secondly, if there are memoranda and reports about certain things that are happening, which are not desirable, I certainly agree with my hon. friend opposite to this extent that there should be a Commission to look into all those complaints right from the beginning so that the people do feel that the Indian administration is there to back them whenever there is something that they wish looked into. And that feeling must be nurtured and cultivated.

I do not agree with my hon. friend opposite who spoke just now that if we keep the sort of separateness of Goa in her culture especially it will disintegrate Goa from India. Because, India, Sir, is a land where various cultures are integrated, and I would certainly hope that if there is any imprint of the Portuguese culture and its good side, well, let it be there. Let the language be there. Let the song, dance and music that has grown up there certainly flourish. That does not make it separate from India. What creates a sense of separation is the question of language. Certainly, if our administrators do not have a full knowledge of the language of the people they are administering, and if English has to be used, well, it has to be used as a practical proposition, be-

cause the administrators who have gone there do not know Portuguese. I hope, by and large, the people who administer will learn Konkani and Maharashtrian languages and also the people of the area will be associated with the administration so that there should be no difficulty about any question as far as language in Goa is concerned.

Thirdly, I would also like to put this to the Ministry concerned. Goa has one of the most beautiful harbours and a very good air-strip. These are the two things that must be concentrated upon to bring prosperity to Goa. It has got a natural harbour which is nature's gift and very difficult to get anywhere. Ships coming and going from the outside world to that harbour is one of the aspects which will certainly help the prosperity of Goa.

I myself have been associated as far as possible actively and sympathetically from Bengal with Goa Liberation Committee in Delhi. I was always very thrilled that we were able to accomplish this in the face of odds, that have never been thought of in the outside world. Our stand has been vindicated. Although there have been rumblings here and there of disapproval, I do not think India needs to take any cognisance of these disapprovals. Because, there have been people who have been friendly to us. The U.A.R. has been looking after our affairs there. Ceylon closed her ports to Portugal. There has been world opinion that we have done the right thing, because it was something that needed to be done by India. India has stood up and done what was required and I think she has gained in the prestige of the world. The Prime Minister also is looked up to as one who has held to his principles and has applied them in the right way when it was needed. Non-violence as far as practicable is followed. But where anything more was needed to be done, we have not stood back.

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Coming to repression in Goa, I hope, any nationalists that are still in prison will be soon liberated. Because, I understand that torture in Portuguese prisons is something that is unbelievable and unheard of! It is actually barbaric torture, something that was prevalent in the middle ages, that one never thought of. Even the other day, while we were rejoicing on the Independence Day of India, what was happening to the nationalists in Goa? There was Thomas Diaz being tortured for three days. We do not know how he is, what happened to him, whether he has been liberated. All these cases must be gone into. The spirit of the people of Goa is apparent when we hear what the father of the fisherman who was killed by the Portuguese bullets said. What did the poor father say? He said "do not weep for my son; drive out the enemy". That is the feeling the people of Goa have today. That feeling must be cultivated. All the young men in Goa must be made to feel that they no longer need to roam the earth to become butlers and cooks, and they have a place in the State of India where they are brother citizens and enjoy full rights of the Constitution as the citizens of India.

Those of us who have been in the Second Parliament will always look back with this feeling in our mind that we were here and during our tenure, Goa was liberated. We all feel that this is something that India and all of us are proud of. The Army has to be congratulated. Our Prime Minister is held in greater esteem. All of us fervently hope that this Bill will have the full approval of this House and go through, bringing prosperity and integration and full freedom to the Union Territory of Goa, which will be the pride of India and a jewel in her coronet in the years to come.

Shri Naushir Bharucha (East Khandesh): Mr. Deputy-Speaker, when I was listening to the speeches made

on this occasion, welcoming this measure, as, indeed, every patriot will do, there was one feeling in my mind which was uppermost that in none of the speeches was any reference made to the memory of those martyrs who fell to Salazar's bullets in August, 1955, in their attempt in liberating Goa. Since the Prime Minister has referred that it was the pressure of public opinion in India that compelled the hands of the Government to take this action, it should be appreciated by this House and by the country at large how this pressure of public opinion was built up. This, the House must know and let us pay a tribute to the memory of the martyrs who fell there on the Independence Day of August, 1955. At that time, the Goa Vimochan Sahayak Samiti, of which I have the honour to be the Chairman, along with other bodies working for the liberation of Goa, called upon various organisations in this country to send volunteers for satyagraha in Goa. Let it be said to the credit of this country that, on that occasion, no less than 1200 volunteers came forward. It is a matter of deep regret to us at that time, that the then Government of Bombay stopped this army of satyagrahis from entering Goa and liberating it, 65 miles from the Goa territory. The Government prohibited buses and trucks from carrying these volunteers any further. They marched 65 miles on foot and they entered the territory of Goa. Twenty-five Indians were shot dead. Not a little finger was lifted by this Government at that time. Why? Because the Liberation movement was engineered by the opposition forces and it did not have the blessings of the Congress party. I am sorry to have to say this. At that time, the Government had not taken action. It had much greater ground for taking action then. Twenty-five of our nationals were shot dead. This Government did not move its little finger. If pressure of public opinion was built up, let us honour the memory of those who fell.

Just now, I was looking into the Supplementary Demands for sending cut motions. I am not anticipating a debate on it. There is one demand in it for Rs. 1½ crores, Goa, Daman and Diu Administrative expenditure. What do you find? A sum of Rs. 15 lakhs for Portuguese detenus who are there. Not a penny for those who feel in August 1955. We are welcoming this Bill. Even as it is a belated measure, it is the right thing to have been done. It should have been done much earlier. Let us forget the past, out of the past, let us not forget the memory of those 25 people who fell dead. They thought the soil of Goa was India's soil. Some of them were buried in Goa. To the memory of those martyrs, I pay this tribute and I expect this House to associate itself with this tribute.

So far as the administrative part of it is concerned, I think that while as a transitional measure, Goa may be kept as a Union Territory, ultimately Goa will have to be incorporated with the State of Maharashtra. Because, it has been my experience, so far as Union Territories are concerned, there are territories which, by reason of the stage of civilisation in which they are, by reason of their culture, or language are fit to remain part of a Union Territory. But, Goa is not one such part. While as a matter of transitional arrangement, we may accept this arrangement, I hope, ultimately, the Government will come with a Bill in the new Parliament and make Goa a part of Maharashtra and Daman and Diu and Dadra and Nagar Haveli as part of Gujarat.

Apart from this, there is one legal aspect to which I would like to draw the attention of the Law Minister. Examining clause 6 of this Bill, it says:

"The Central Government may, by notification in the Official Gazette, extend with such restrictions or modifications as it thinks fit, to Daman and Diu any enact-

ment which is in force in a State at the date of the notification."

There, I submit that I have got an apprehension. I am not raising it as a point of order, but I have got an apprehension that by this omnibus section, Parliament is abdicating its legislative authority *in toto* in favour of Government.

It is true that Parliament can delegate to the Government or to the executive, authority to legislate within certain limits, and those limits are well recognised, namely that it can give powers to adapt or amend for the purposes of adaptation a law which is already made applicable by Parliament to any other territory, or it may delegate powers for subordinate legislation within the framework of existing parent Acts, or it may give power to legislate for the removal of difficulties arising from application of laws without impairing their substance. These are recognised limits within which the executive can legislate. But to give a blanket power that any Act of this land may, be made applicable with such modification as it thinks fit to a new territory really implies that Parliament is abdicating its legislative function wholesale in favour of the executive. I would like the hon. Law Minister to examine this provision more carefully. My own opinion is that in a matter like this, an omnibus Bill might be brought forward before this House saying that such and such laws shall be made applicable to these territories, and further powers should be given in such Bill to enable the executive to have an Adaptation of Laws Order. In that way alone the thing could be made applicable. Otherwise, there is the danger that the thing might be challenged in a court of law, and it might be felt that Parliament has abdicated its legislative function *in toto* in favour of the executive. I think that this is a point which requires to be considered.

The history of liberation of Goa has been fraught with many tragedies,

[Shri Naushir Bharucha]

and I have recounted already one of those tragedies. In conclusion I want to make this appeal to Government. Let there be no question from whom this suggestion emanates. But I would appeal that in regard to those martyrs who fell and whose families are completely stranded today, investigation should be carried out, and reasonable compensation should be paid to them by Government. For, let it be recognised by this Government that were it not for the sacrifices of those martyrs, those twenty-five persons, India would not have been electrified, that mass upsurge against Portugal could not have been built, and the pressure of public opinion which the hon. Prime Minister has acknowledged as one of the causes which led to the liberation of Goa could not also have been built up. It is a very small price to pay for the services which these people have rendered. They are not here to claim that, but I am speaking on their behalf because as chairman of the Goa Vimochan Sahayak Samiti from Bombay I organised the transport of these 1200 satyagrahis, and I feel that in a measure I am responsible.

I do hope that in the numerous problems arising in Goa, Daman and Diu which this Government will have to deal with, they will not forget this sentimental and central problem, so that it may be said that these martyrs have not died in vain and Government have not been so very ungrateful as not to recognise their services to our motherland.

Shri D. C. Sharma (Gurdaspur): The liberation of Goa will be a model lesson for all those countries in Asia, Africa and even in South America which are struggling for emancipation. I am very happy that India has been able to set this glorious example of liberation within fourteen years of the attainment of its Independence. All the oppressed people in the Portuguese colonies in Africa

and elsewhere have been put into good heart by this example, and I pray to God that the liberation of those colonies should be effected as early as possible.

I also think that our Indian Army has added a feather in its cap, on account of the speed and efficiency and bloodlessness with which it executed this operation. It is a feat which, I think, stands unrivalled in the history of the campaigns in this world. I do not think that such a campaign has ever been waged before, and I believe that our great soldiers of India will be remembered for a long time to come for the speedy execution of this very noble work.

I feel that the administration which has been set up there has been doing well on the whole, even though it has had to tackle very difficult problems; problems of transition, problems of a hang-over from the colonial rule, problems of those persons who are conscious of the privileges of new Statehood or new nationhood etc. have been there; all these are difficult problems, and all these problems have combined in Goa, Daman and Diu. But I believe that in spite of what has been said on the floor of this House about repression and all that kind of thing, our administration is doing very well. People should not get frightened if our Governor goes about with some kind of paraphernalia. After all, the Governors all over the world do that, and I do not think that our Governors do that in order to show off. They do that only to impress upon people the majesty of law and order, to impress upon people the fact that there is a stable form of government in that territory. I am sorry that our administrative set-up should have been dealt with on the floor of this House this morning in a way which I would not call charitable. I think that those persons deserve better at our hands, because they have had to deal with exceptional problems, in an exceptional situation, and in a territory which has been very much a part of

us, but which has been very far away from us all along. I wish that our administration had not been dealt with in that kind of way.

I feel that this is only an interim measure, and, therefore, I do not think there is anything wrong in conferring upon Goa, Daman and Diu the status of a Union Territory. We have other Union Territories in our country. Delhi is a Union Territory. Himachal Pradesh is a Union Territory, and so are Manipur and Tripura. I believe that if the status of a Union Territory is good enough for Delhi and for these other places, it is good enough for this territory also; I do not see any reason why it should not be suitable for Goa, Daman and Diu as well.

I think that Goa, Daman and Diu should have all the democratic apparatus, and all the democratic paraphernalia which Delhi has. They should have panchayati raj, and I hope that when things have settled down, there will be panchayati raj in action in Goa, Daman and Diu. At the same time, I think that when things have taken a normal turn there, there will be all kinds of economic development which we have in the other Union Territories. For instance, we have community projects, and community development blocks etc. in the other Union Territories, and I am sure that Goa, Daman and Diu also will have them. Therefore, I believe that as an interim measure, the status of a Union Territory is going to do a lot of good to Goa, Daman and Diu. They are going to be nursed into a mature kind of democracy on account of this kind of administrative set-up for some time.

I do not think that anybody should raise the cry of merging Goa, Daman and Diu in this State or that State. I believe that that is not a right thing to do. Goa, Daman and Diu should stay as they are; they should have their separate individuality, and they should be allowed to develop along their own lines. To say that Goa should go to Maharashtra and Daman and Diu should go to Gujarat and this and that is, I think, not proper. It is something premature. I think it is up

to the people to settle whatever they want. For the time being, as the Prime Minister has said, Goa, Daman and Diu should be left to develop along their own lines, and no name, should cast its covetous eyes on Goa, Daman and Diu. They should continue as they are and should develop along the natural, normal lines.

I think on account of history, geography, alien rule and the oppression they have suffered, the people of Goa, Daman and Diu have come to have some kind of a grievance complex. There is no doubt about it. In spite of the fact that we have been free all these years, we too have a grievance complex. But I would request hon. Members of the House not to emphasise the grievance complex. I think we should send a word of good cheer to the people of Goa, Daman and Diu. We should extend to them our hand of friendship. We should send them our greetings. We should tell them that they are one of us, and that whatever their temporary troubles may be, they will be over in a short time.

I think one of the most unfortunate suggestions that was made was that there should be a commission of inquiry appointed to go into the grievances. I think it is something absolutely premature. Much time has not passed when we could take stock of the situation. We are still living in a transitional stage and I do not see any reason why we should try to bring up such issues into prominence. All those things which we are doing in other Union Territories to improve their economic position should be done there also. More than that, in order that Goa, Daman and Diu should have a consciousness of their real personality, they should have a university of their own. I believe nothing gives people a greater idea of their individuality than a university. Since the education of the people in Goa, Daman and Diu has been left to the Portuguese for a long time and since they have had to go to Pakistan sometimes and this university

[Shri D. C. Sharma]

or that, I believe that the first benevolent act, the first constructive act, which our Government should do is to give Goa, Daman and Diu a university. In that university, they can have as medium of instruction, Marathi or whatever it may be. But they must have a university of their own.

So far as nominations to the Lok Sabha are concerned, I welcome them. I think the time will come when the Members from that area will be elected as they are elected now in Delhi. But it will take a little time. I will be very happy if they come to the Lok Sabha and are able to voice here the aspirations of the people. This move on the part of Government is a move in the right direction, and I am sure it is going to give the people a lot of encouragement, and a lot of faith in our good intentions.

There is one more point. The hon. Deputy Minister of Home Affairs was quite right when she said that Goa, Daman and Diu represented the worst kind of a colonial economy. The essence of this kind of economy is that the rich get richer and the poor become poorer, and the whole economic power passes into the hands of a few and the masses starve, going without food and all the good things of life. From that point of view, Goa, Daman and Diu is an example of a colonial economy of a country which did not have any noble intentions towards the people under it. How do we overcome that? That is the biggest problem that faces us. We can remove the disparities in income prevailing there and the other things that are to be found there by having recourse to nationalisation of the rich ore mines. Unless we do that, I think the economy of Goa, Daman and Diu, which has always been stagnant, will remain more stagnant. I believe that this aspect of the socialist pattern of society so far as the means of production are concerned should come into operation there at once, so that the people are not ground down under the heel of those mono-

polies any more. That is a reform very badly needed.

There is another thing. As we have given impetus to the culture in Himachal Pradesh, as we have preserved the Himachal songs, dances and other things, as we have given impetus to the preservation of culture in Manipur and Tripura, similarly we should give impetus to the preservation and development of culture in Goa. It is very wrong to describe the Goan people as waiters and butlers, as people who have come to India to serve in hotels. I think it is a travesty of facts. I do not believe that the Goan people should be described in that way. The Goan people are as good as we are, perhaps better than we are in some ways. I do not think the Goans are a nation of butlers and waiters. They are a nation of martyres, a nation of patriots....

Shri Sinhasan Singh (Gorakhpur): Nobody has said that they are butlers and waiters.

Shri D. C. Sharma: I think the Goan people should be given their cultural autonomy in the sense that all the various manifestations of their culture should be represented. I will be very happy if next time we have at the Republic Day celebrations some exhibition of that kind from that part of the country. We should have also at the inter-university youth festival some kind of exhibition of their culture.

I believe there is no spirit of humiliation and frustration to be found in Goa at this time. If anybody has made a reference to that, I think he has done so without knowing the facts. He must have based his remarks on some of the memorandum which have arrived; some of them are good, some bad; there are all kinds of memoranda and we are not justified in basing our observations on those which have arrived or on articles which we read in the papers. I believe there is no

spirit of humiliation and frustration in Goa, Daman and Diu at this time; on the other land, there is a spirit of rejoicing, a spirit of happiness. They have come back to the place they belong; they have become part of the country which is theirs. They have become a part of the brotherhood of Indian brothers and sisters. I think there is a lot of goodwill and a lot of happiness in Goa at this time, and I am sure this interim measure this Bill which we are passing today, will give them greater hope, faith and encouragement. I will not be surprised if in five or ten years Goa becomes one of the most cherished parts of India and shows the way to India in certain matters, if it shows the way to India in some aspects of life.

I am sure this Bill is going to be a Bill of historic importance. It will give the people of Goa, Daman and Diu a great deal of encouragement to fulfil their destiny as citizens of free India and also as people who have developed their own culture and their own way of life. I am sure all this will happen as a result of this Bill.

श्री सरजू पाण्डेय (रसड़ा) : उपाध्यक्ष महोदय, आज का दिन हमारे देश के इतिहास में काफी महत्वपूर्ण स्थान रखता है। इस अवसर पर मैं उन तमाम शहीदों के प्रति आभार प्रदर्शित करना चाहता हूँ, जिन्होंने गोआ के स्वाधीनता-संग्राम में अपनी जानें गंवाई। साथ ही हम उन लोगों के भी आभारी हूँ, जिन्होंने गोआ की आजादी के लिये काफी कष्ट सहें हैं।

मैं चाहता था कि इस विषय में कोई पूरा और भरपूर कानून इस सदन के सामने लाया जाता, जिससे उन तमाम शंकाओं का समाधान हो जाता, जो कि कई माननीय सदस्यों के द्वारा उठाई गई हैं। लेकिन ऐसा नहीं किया गया, जिसका मुझे अफसोस है। लेकिन फिर भी यह बात सही है कि गोआ की आजादी के लिए जो कार्यवाही सरकार की

तरफ से अभी हाल ही में की गई है, वह बहुत पहले की जा सकती थी। जैसा कि माननीय सदस्य ने कहा है, इस सम्बन्ध में सरकार की तरफ से काफी देर की गई है। बहरहाल, देर आयद दुस्त आयद।

मैं समझता हूँ कि इस बिल में ऐसी कोई व्यवस्था नहीं है कि वहाँ पर जो एडमिनिस्ट्रेटर साहब मुकर्रर किये जायेंगे, उनका परामर्श और सुझाव देने के लिये जनता के प्रतिनिधियों की कोई कमेटी नियुक्त की जाये। लाजिमी तौर पर वहाँ इस सम्बन्ध में कोई पंचायत या चुनी हुई कमेटी होनी चाहिए, वना जिस किस्म के अधिकार और पावर्ज एडमिनिस्ट्रेटर को दिये गये हैं, उनके कारण बहुत ज्यादा अन्याय होने की संभावना है। इसलिए यह जरूरी है कि गोआ-निवासियों की कोई चुनी हुई कमेटी हो, जो कि एडमिनिस्ट्रेटर को वहाँ की समस्याओं के बारे में राय दे सके, ताकि गोआ की जनता का सही मायनों में प्रतिनिधित्व हो सके और उसके हितों की रक्षा की जा सके।

लोक सभा के सदस्यों के चुनाव के सम्बन्ध में इस बिल में विधान नहीं है कि आया वे नामिनेट किये जायेंगे, या चुने जायेंगे। जैसा कि अभी माननीय सदस्य ने कहा है, उनका चुनाव होना जरूरी है, ताकि वे सही मायनों में वहाँ की जनता का प्रतिनिधित्व कर सकें। इसलिए मैं मिनिस्टर साहब से कहूँगा कि इस बिल में इस तरह का सुधार किया जाये कि चुनाव के द्वारा वहाँ से सदस्य लोक सभा में आयें।

यूँ तो, तमाम शहीदों के प्रति, जिन्होंने देश की आजादी की लड़ाई में हिस्सा लिया है, इस सरकार का रवैया बहुत ही अजीब किस्म का रहा है और इस सदन में उसकी कई दफा आलोचना की गई है। यह केवल गोआ का ही प्रश्न नहीं है, देश भर में आजादी की लड़ाई में हिस्सा लेने वालों के प्रति सरकार का रुख टालने का रहा है। उन लोगों के लिए

[श्री सरजू पाण्डेय]

सरकार की तरफ से कोई खास काम नहीं किया गया है। जैसा कि माननीय सदस्य ने सुझाव दिया है, जो लोग गोआ की आजादी की लड़ाई में मारे गये हैं, या जिनको आर्थिक क्षति उठानी पड़ी है, उनके बारे में एक एन्क्वायरी, जांच कराई जाये और यदि आवश्यक हो, तो उन परिवारों को आर्थिक सहायता सरकार की तरफ से प्रदान की जाये। जैसा कि माननीय सदस्य ने फरमाया है, वहाँ के लिए जो ग्रांट्स मंजूर की जा रही है, उनमें इसकी कोई व्यवस्था नहीं है।

कुछ माननीय सदस्यों ने सुझाव दिया है कि गोआ के पृथक अस्तित्व को समाप्त करके उसको महाराष्ट्र और गुजरात में मिला देना चाहिए। मैं समझता हूँ कि अभी ऐसा करना ठीक नहीं है। अगर गोआ की जनता यह चाहती हो, तब तो ऐसा संभव हो सकता है, लेकिन यह बात सही है, जिसको हमें स्मरण रखना चाहिए, कि हमारा देश विभिन्न संस्कृतियाँ, भाषायें और सम्यतायें रखने वाला मुल्क है। इस लिए देश के किसी भाग को किसी अन्य भाग के साथ इस प्रकार मिलाया नहीं जा सकता, जिससे उस की संस्कृति, भाषा और दूसरी बातों पर असर पड़े। लेकिन इसकी कोई सन्तोषजनक व्यवस्था जरूर होनी चाहिए, क्योंकि अगर इस तरह छोटे-छोटे हिस्से मुल्क के बनते जायेंगे, तो वह देश के हित में अच्छा नहीं होगा। इस विषय में वहाँ के आवाम पर, वहाँ की जनता पर निर्भर करना चाहिए। अगर वे लोग चाहते हैं कि उनके क्षेत्र को किसी दूसरे प्रान्त में मिला दिया जाये, तो अच्छा है, वरना फिलहाल उनको इस बात का मौका देना चाहिए कि वे अलग रह कर ही अपनी सम्यता, संस्कृति और जुबान की तरक्की कर सकें और आगे बढ़ सकें।

अन्त में धन्यवाद के साथ मैं अपनी बात खत्म करता हूँ और उम्मीद करता हूँ कि सरकार जल्दी वहाँ के लिए कोई पूर्ण

बिल लायेगी, जिसमें इन सब बातों की व्यवस्था होगी।

Shri A. K. Sen: Mr. Deputy-Speaker, Sir, I have listened with great interest to the unanimous support which has been given to the main principles underlying this Bill. Suggestions are welcome, and no doubt suggestions come from different directions and on many points there is hardly any meeting ground. But one thing has hurt me, and that is the oblique reference made, rather casually, to officers both of the civilian cadre and of the armed forces, to whom not only the people of Goa but the whole country owes the great liberation which has just come. I have no other duty in this connection than to renew the tributes which have come from all sections of the people to these officers who have not only behaved with wonderful restraint and courage, but have discharged their duties faithfully, without fear, without favour, and in the most difficult circumstances. There is no doubt that there are possible lapses occasionally as there are here, as there are anywhere else. Government officers, whether they are of the higher grades or lower grades, like all sections of the people are subject to the same virtues and infirmities, and so far as the infirmities are concerned, they show their ugly faces occasionally, but that has nothing to do with the great work which has been done by these people, and I am sure it would have been better if some other occasion had been utilised for ventilating the alleged grievances, if any, and after ascertaining the proper facts. These random charges, as the Prime Minister said, have been found to be by and large without any foundation, and even with regard to those which have possibly, *prima facie*, been proved, the Prime Minister has already said that they have been remarkably few. I therefore propose not to deal with those allegations at all, and I may also ignore them on the ground that they are hardly relevant for the purpose of the present Bill, unless they are

sought to be utilised, though it has not been done, for the purpose of opposing the clause which gives immunity from civil or criminal action to officers who have done their duty in good faith.

Prof. Mukerjee said that he could not accord to this Bill the whole-hearted support which he had given to the earlier Bill, namely the Constitution Amendment Bill, and he referred to the absence of any indication of the application of the democratic process; of Government to the Goan people. I do not suppose that any responsible man, either here or outside, thinks that a territory which has just been incorporated within our country should be given a form of Government about which we have hardly thought anything. Government is not just like a few apples that have to be picked from the tree and distributed. Government is a serious affair. And, what is proposed is to provide for the arrangements that are necessary for which an Ordinance was passed. I am really surprised that it has been suggested seriously that this Government intends to deny democratic government to the people of Goa, simply because there is no reference to it here. How can there be a reference to it in this Bill?

Even with regard to the other Union territories, the House is aware that a committee has been set up with myself as the Chairman to report to Government as to the future administrative set-up of these territories, even with regard to those areas which enjoy a large measure of autonomy in the shape of territorial councils.

Shri Mukerjee himself says that he is not in favour of extending the same type of autonomy to Goa, Daman and Diu. If that is so, then, it certainly requires cool, calculated and mature consideration as to the future administrative set-up, particularly with regard to Goa, Daman and Diu which have been enjoying a different type of legal and other set-up because they were under alien government which

had no connection with any democratic form of government. I, therefore, really do not understand what Shri Mukerjee thought we should have done now. An Ordinance was passed immediately after the incorporation of Goa and that Ordinance has to be made into law; and we have brought forward this piece of legislation to incorporate the same provisions as there were in the Ordinance itself.

I have no doubt that with regard to the future administrative set-up of Goa, Daman and Diu, as the Prime Minister himself has indicated, we shall, consistent with the continuance of the separate character of Goa, Daman and Diu, do everything possible to see that these parts of India, like the rest, enjoy all the freedoms to which every man and woman in this country is the rightful inheritor.

Then, Shri Mukerjee talked of certain individual grievances. I have no doubt that if those individual grievances are brought to the notice of Government, due attention would be paid to them and the grievances, if proved, would be remedied, including this question of non-payment of wages in the Naval Shipyard at Goa.

He said that the Goan people themselves should decide where they should go, whether to Maharashtra or some other area or whether they should remain separately. That itself proves the futility of his earlier charge that there is no indication in the present Bill about the future democratic set-up of Goa. That itself shows what steps are necessary before we bring forward any permanent measure setting up the future administrative structure of these areas.

Shri Nath Pai asked what sort of representation these areas would have under section 3 where we amend section 4 of the Representation of the People Act. If he had read that section of the Representation of the People Act he would have found that what is proposed is to give two seats to Goa, Daman and Diu to be filled by nomi-

[Shri A. K. Sen]

nation. That is the section; it is quite clear-as we did in the case of Dadra and Nagar Haveli. It is necessary because we want to associate these people immediately with this House so that they need not remain outside the House before we decide upon the type of administrative set-up which these areas will have. I said the same thing with regard to Dadra and Nagar Haveli when we had the relevant measure passed in this House. Our whole purpose is to give them this representation in the House of the People here before a permanent structure is devised. Is it suggested that they will be without any representation until we devise the type of administration that these areas will have? I am sure nobody suggests that.

Then he said that it was an insult to the Military Administrator that the is advised by a retired Police Officer. I was surprised when I heard this. I am sure that he does not know the officer. He is an officer of the Indian Police Service who has been picked up and selected for his past record. He has been doing an excellent job during the period he had been appointed as Adviser to the Military Administrator. I do not know what the insult is. The Administrator is being advised by a very senior Police Officer as the Governor of Kerala was advised by a senior Civil Servant when the administration was taken over by the President. Frankly, I do not understand how such rude remarks, if I may say so with due respect, can be passed with regard to officers mostly unknown to those who make these remarks about them.

It is suggested that there is nothing to prevent the old nationalist leaders from being associated with the administration of Goa. Not only will they be not prevented but they will, no doubt, be fully allowed to be associated. Not only they; but every man and woman in Goa, the common man there would be associated with the administration of his own areas. It is, after all, inherent in our Constitution

that people here, unlike in other countries, are governed by consent, and they are not governed by force. We are not going to allow any form of government to prevail anywhere in this country which smacks of dictatorship. I think it is unnecessary to repeat it and it is a matter of sacred trust for us that everywhere in India the fullest freedoms that our Constitution guarantees have to be established.

Shri Nath Pai says that the people of Goa are suffering from the feeling that they are being governed. I have no doubt that they are not. Shri Nath Pai has not ascertained the facts. The people who have just emerged from the worst form of colonial tyranny that history has seen and who are now being administered under a civilised system of law by administrators who believe in the enjoyment of these benefits would be feeling that they are being governed is a proposition which I am not prepared to accept unless that is proved to my satisfaction. I do not know what is meant by saying that they have a feeling that they are being governed, unless what is meant to be conveyed is that they are being governed badly.

After all, all of us are being governed by the laws of the country, by the government that we have set up ourselves. But what is the objection in that? All of us, including the hon. Members here, are governed. But there is no objection to that unless the government is bad. We are not advocating that every government is bad. If there are particular grievances of mal-administration from which the present administration suffers, I have no doubt, Government would be too glad to hear them and remedy them, if at all; if they are of a serious nature, those who are responsible will, no doubt, be punished. But, that is a different proposition altogether.

Soon after this great act of liberation, it is most unfortunate that such

references are made that could be utilised by people who are not very friendly to us, particularly with regard to this matter. I, therefore, appeal to the hon. Members—it is not only for this case but for future occasions also—that when such references are made, we may exercise a bit of self-restraint so that those who are not very friendly to us in this matter may not reap an advantage from our own arguments advanced here. Then he said that big smugglers and blackmarketeers have been given all the privileges. I do not understand this. This really sounds like the hackneyed allegations which are made from time to time. After all, if there are any smugglers they will be dealt with by the law. If there are any blackmarketeers doing work illegally, they will be dealt with by the law. I do not see how anyone can be given any advantage and in what manner.

These, I think, dispose of most of the matters, excepting one observation that fell from Shri Naushir Bharucha. He said that we have not remembered the martyrs who fell for the cause of Goa's liberation. I hope we will never forget them. I do not know what made him think that we have forgotten them. I do not think anybody has ever suggested anything like that.

Shri Naushir Bharucha: I mentioned compensation.

Shri A. K. Sen: The hon. Member possibly has not even cared to ascertain what has happened. Compensations are not paid all of a sudden. I have no doubt that those who have suffered will make their losses or make their claims known and then, it is not all who claim compensation. I have no doubt that Government will deal with such applications and it is a duty which we owe to the country. It is not merely a question of compensation, because many have not claimed any. Take, for instance, Shri Tridib Kumar Chaudhuri, a Member of Parliament, who has spent so many years in Portuguese prisons. He never thought

of claiming any compensation. There are many like him, but, at the same time, those whose families are possibly suffering terribly because of the loss of the only earning members who have fallen in the cause of Goa's freedom, will never be forgotten by the country. I shall be glad if any such case is brought to our notice, if it is known either to the hon. Member or to anybody else. We will follow it. If there has been any such case, I have no doubt that it will be looked into. I have no doubt that the Home Ministry itself, which is in charge of finding out all the political sufferers in the country, will look after them. The hon. Member should not forget that we have just gone into Goa. There may be many cases inside Goa. But about those outside, I have no doubt that many have already been looked after. But if there are any cases which have not been looked into, I have no doubt that the Government will be only too glad to deal with them.

Shri Naushir Bharucha: May we take it as an assurance of generosity?

Shri A. K. Sen: It is not a matter of generosity. It is a matter of duty, I should imagine, for any Government to do that. We owe it to this country; we should look after those who have fallen in the cause of the country's freedom including the freedom of Goa. This is not a question of generosity. I do not consider it a question of generosity. It is a question of duty.

Shri Naushir Bharucha has spoken of the continuance of the laws and the extension of the existing laws to Goa. Extension is a provision which is very common and it does not offend against the principle of delegation. If we give power to the Government to extend existing laws, that means that the existing laws are those which have already been passed. It is a question of extending the laws to the

[Shri A. K. Sen]

rest. We frequently pass laws which are extended.

Mr. Deputy-Speaker: They are extended with such variation and modifications as are necessary.

Shri A. K. Sen: We have done it in the past. When we extend the laws to areas which have a different administrative set-up, we extend the laws with such modifications as are necessary. In the case of PEPSU we have done it in the past and also in the case of Dadra and Nagar Haveli we did it, because it is necessary to make the modifications which cannot be thought of here in Parliament itself. For instance, officers may be different; many things may be different, and the laws may have to be applied there with such modifications as are suited to the structure there. We gave that power in the case of the integration of the PEPSU State and also in Dadra and Nagar Haveli and so on. The same provisions were there.

Mr. Deputy-Speaker: You might have done it, but it is a matter for the consideration of the Law Minister, because it is really a question of giving power of making laws.

Shri A. K. Sen: We did it then after great consideration, because we cannot extend the laws in these cases at once. For instance, there is a magistrate. He may be an honorary magistrate in Goa itself, and power is given to the officers. We have adopted these powers in regard to the officers functioning there. We have to give these powers when we have to extend the existing Acts to areas where the administrative structure and the other authorities are different. We find that we did it in the case of other areas.

This is all that I have to say. I again submit that we should pass this motion without any division.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the administration of the Union territory of Goa, Daman and Diu and for matters connected therewith, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now proceed to clause-by-clause consideration. There was notice of an amendment by Shri Bal Raj Madhok. He is absent. Probably he does not want to pursue it. There are no other amendments. I shall put all the clauses together.

The question is:

"Clauses 2 to 11 stand part of the Bill."

The motion was adopted.

Clauses 2 to 11 were added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Shri A. K. Sen: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is—

Shri Nath Pai: Sir, I want to make one observation.

Mr. Deputy-Speaker: He has already spoken.

Shri Nath Pai: Only one point.

Mr. Deputy-Speaker: Yes.

Shri Nath Pai: Mr. Deputy-Speaker, I want to make only one observation. I had left that point earlier because of the lack of time. The point is this. How long do the Government intend to keep in force the system of issuing permits for Indians to enter Goa? We knew it was enforced with

the intention to protect Goans from such elements from India who may enter Goa and try to exploit the peculiar conditions. But it is humiliating for those who fought for Goa to have to apply for permits. Take, for example, Shri Goray, an MP, who had been to Goa and who was given ten years' sentence. It is strange that he should require a permit to go to Goa, which was of course needed under Portuguese rule. It is an extraordinary thing. We want an assurance that this permit system will be abolished at the earliest opportunity.

Shri A. K. Sen: I have no doubt that this is a highly inconvenient matter, especially when Goa becomes a part of our territory. It is very difficult to fix a date. Let us not forget that many things have to be done to make this really complete. Then, for reasons of security itself, it may be necessary to continue this system for sometime. But I have no doubt that it will be discontinued at the earliest possible opportunity.

Shri Nath Pai: Are you aware that this system lends itself to gross abuses? (*Interruption*).

Mr. Deputy-Speaker: It is an inconvenient thing.

Shri Nath Pai: I am not saying about anything here, but generally.

Shri A. K. Sen: Yes; there are other questions. But about abuses, certainly, the hon. Member will be good enough to refer the Government to such cases as may come to his notice.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

Mr. Deputy-Speaker: The House will stand adjourned and meet again

at 5 o'clock when we shall hear the speech of the Finance Minister.

15.48 hrs.

The Lok Sabha then adjourned till seventeen hours.

The Lok Sabha re-assembled at seventeen hours.

[MR. SPEAKER in the Chair].

GENERAL BUDGET, 1962-63.

Mr. Speaker: The hon. Finance Minister.

The Minister of Finance (Shri Morarji Desai): Sir, I rise to present the budget of the Central Government for the year 1962-63. The main purpose of this budget is to place before Parliament an account of the finances of the Central Government for the current year and to obtain from the House a vote on account to meet the expenditure of the Government until the new Parliament considers the budget again.

2. The major developments in the Indian economy during the current year have been outlined in the Economic Survey which is being circulated separately. I shall, therefore, refer only brief to economic conditions in the past twelve months before going on to give an account of the Revised Estimates for 1961-62 and the Budget Estimates for 1962-63.

3. The year under review has been the first year of the Third Five-Year Plan. It is a matter of great satisfaction to me that despite the step-up in Plan outlays, which this House approved when the budget for the year was presented, and despite the continuing upward trend in private investment, a measure of stability has been restored to the general price level. The more or less steady increase in the general level of prices during the Second Five-Year Plan was a matter of major concern to the