

श्री बी० एन० मंडल (बिहार) : महोदया, मैं इस सम्बन्ध में एक बात कहना चाहता हूँ। बिहार में एक जाति है जिस का नाम तांती है। पहले जब शैड्यूल बन रहा था शैड्यूल कास्ट्स का, तो उसमें उसको नहीं रखा गया था क्योंकि उस समय उनकी जाति में एक सामाजिक आन्दोलन चल रहा था और वे अपने को क्षत्रिय या ब्राह्मणों में रखना चाहते थे। इसलिये उन्होंने अपना नाम शैड्यूल कास्ट्स में नहीं लिखाया था लेकिन उनकी जो हालत है उस हालत की वजह से उनको शैड्यूल कास्ट्स में रहना चाहिये। इस लिये मेरा यह सुझाव है और इस सुझाव को अगर आप इंकलूड कर सकें तो अच्छा होगा कि बिहार की जो तांती जाति है उसको शैड्यूल कास्ट्स में रख लिया जाये।

SHRI ASOKA MEHTA: All these matters, I am sure, will be gone into by the Joint Select Committee. The list is very large and very complex and that is why a Joint Select Committee has been proposed so that it can consider these matters fully and very carefully.

THE DEPUTY CHAIRMAN : The question is :

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the inclusion in, and the exclusion from, that lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, for the readjustment of representation, and re-delimitation of Parliamentary and assembly constituencies in so far as such readjustment and re-delimitation are necessitated by such inclusion or exclusion and for matters connected therewith and

resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:

Shri Neki Ram  
Shri Dayaldas Kurre  
Shri K. S. Chavda  
Shri D. Sanjivayya  
Shri Sheel Bhadra Yajee  
Shri E. M. Sangma  
Shrimati Phulrenu Guha  
Shri Loknath Mishra  
Shri Yella Reddy  
Shri B. D. Khobaragade and  
Shri Sundar Singh Bhandari."

*The motion was adopted.*

# THE DISPLACED PERSONS (COMPENSATION AND REHABILITATION) AMENDMENT BILL, 1968

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI D.R. CHAVAN): I beg to move:

"That the Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, as passed by the Lok Sabha be taken into consideration."

Madam, it is not the intention to introduce any change of substance or procedure in the law governing payment of compensation to displaced persons. The Bill merely seeks to validate the action that has already been taken, in order to bring the position in line with the judicial pronouncement made by the Punjab High Court some time ago in May, 1955 in a writ petition.

[Shri D. R. Chavan]

The proposed legislation governs the cases of those displaced persons whose properties were subject to mortgage in favour of residents in West Pakistan. While determining the amount of compensation due to such displaced persons in respect of the immovable properties left by them in West Pakistan, deductions were made corresponding to the mortgage charge on these properties. This was done in accordance with the decision taken in the meeting of the Joint Rehabilitation Board (consisting of representatives of the Governments of East Punjab and PEPSU States and the Government of India). That conference was held at Simla in May 1952. Apparently it was not considered necessary at that time to make a specific provision in this regard in the Displaced Persons (Compensation and Rehabilitation) Act, 1954, the position having been regulated by the issue of executive instructions only. The Punjab High Court's judgement has made it necessary, however to make good that omission.

I might add here that provision for the purpose for making deduction on account of the mortgage charge on properties, already exists in the Act where both the mortgager and the mortgagee had come over to India as displaced persons, *vide* Section 7 of the Displaced Persons Compensation and Rehabilitation Act, 1954 read with Section 16(3) of the Displaced Persons (Debts Adjustment) Act, 1951. Under the latter section the debt of the mortgager displaced persons, as due to the mortgagee displaced person has to be reduced in the same proportion as the compensation payable in respect of the property bears to the value of the verified claim in respect of that property, and the amount of debt thus arrived at is deducted from the com-

pensation due to the mortgager. The same principle has in actual practice been followed in the cases which are now sought to be regularised by the proposed legislation. Where the property allotted in India to the mortgager displaced person is agricultural land, he is allowed an option either to retain the property on his paying in cash the amount of debt so deductible, or to surrender the portion of the property of a value equivalent to the amount of such deduction. On failure of payment of such amount it is proposed to make the amount recoverable in the same manner as arrears of land revenue.

In the erstwhile State of Punjab, about 23,500 cases of displaced persons whose lands were mortgaged with the resident in West Pakistan were decided on the basis of executive directions. Land worth about Rs. 35 lakhs is estimated to have been redeemed by the mortgagagers, while an area worth about Rs. 40 lakhs has been retrieved for non-payment of the mortgage debt. On a rough basis it is felt that if the proposed legislation is not undertaken, Government may be faced with claims involving refund of about Rs. 1 crore, besides the re-opening of the numerous cases finalised in the past. Under these circumstances, it has become necessary to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, to provide for deduction from the compensation payable to the displaced persons on account of the mortgage charge, and to give retrospective effect to the provision.

Madam, I move the Bill for consideration of the House.

*The question was proposed.*

4 P.M.

SHRI LOKANATH MISRA  
(Orissa) : Madam Deputy Chairman, the  
Government of India has become wise

after twenty years of the refugee problem. Crores of rupees have been paid in the shape of compensation, and the mover of the Bill said that in Punjab alone about 25,000 people are involved. It is a colossal task now, this that the Government of India would go to recover from about 25,000 families.

SHRI D. R. CHAVAN : Madam, I believe that the hon. Member has not understood the speech. It is not a question of recovering anything from anybody.

SHRI LOKANATH MISRA : No no, Madam, if he does not recover, how would they pay, the money they received from some people in Pakistan to whom their property had been mortgaged? That I don't understand. You must explain that also. Otherwise I shall be proceeding on wrong assumptions.

THE LEADER OF THE HOUSE (SHRI JAISUKHLAL HATHI) : Yes, I will explain. The position is this. Supposing a man had a property worth Rs. 20,000 in Pakistan. He mortgaged that property with someone there and received, say, Rs. 10,000 on the basis of that property mortgaged. Then he came here. Now the valuation of this property is Rs. 20,000. The Government should give Rs. 20,000 or, in the other case, Rs. 10,000 less than Rs. 20,000, because he has already received Rs. 10,000 in cash on that property mortgaged. Now that is what had been done. But the High Court said, "No, you must give all the Rs. 20,000 without deducting Rs. 10,000." Now, if that were to be so we have to give all this money. That is the only point. So here what we are meaning is that, if he has received some money in cash on his property which was mortgaged, then he is given compensation according to the value of his property minus the cash which he has received already. That is the only thing.

SHRI LOKANATH MISRA : But what the Bill provides here is that, if anybody has taken money there by mortgaging his property in Pakistan, and has received a compensation in India, then the money that has been paid extra would be recoverable from the person as arrear of land revenue. That is what he read out, the provision is that. So, if you have made extra payments of compensation then, now you would be filing suits against those persons who have received the money, to recover it from them as arrears of land revenue. That is the point. If you have made any wrong payments to them, now you would be putting them into trouble. Is that not the provision? (*Interruptions.*)

SHRI JAISUKHLAL HATHI : Let him go on.

SHRI LOKANATH MISRA : Before payments were made, if you know that somebody had mortgaged his property or, before payments were made if you had taken an undertaking from him that no property of his had been mortgaged in Pakistan and he had received no money against any property of his in Pakistan, then only you should have paid him fully the compensation due. Not having taken such a step, not having taken such an undertaking then, and having paid the full compensation here in India when, as a matter of fact, he had received some money against the mortgage, you have done something wrong. Now for having done something wrong, by the Government of India, if you now want to penalise the recipients of money, it does not look well, after twenty years. If there was such a lapse on your part, you should have brought in the Bill much earlier, not now after twenty years. Now, only because the time bar of three years has probably come into being, therefore you want to

[Shri Lok Nath Mehta] :  
reinstate your claim by bringing in such a legislation. I am afraid it is not the right way that the Government of India should proceed.

SHRI KRISHAN KANT (Haryana):  
Madam Deputy Chairman, I would not like to speak very much on the Bill but I would like to bring to the notice of the hon. Deputy Minister some of the problems of refugees in Delhi, which are lying not completely solved for a number of years now.

There are three major problems. One is the problem of the Gur Mandi refugees. A second is the problem of the Kingsway Camp refugees, and a third is the problem of refugees of the Kamla Nagar and Lajpatrai markets and all that. I very well know that the hon. Deputy Minister has been taking great pains. He has visited those places and tried to solve the problems, but I would like to bring to his kind notice the present position regarding all these.

You would remember, Madam, that in 1954 a scheme was drawn up by the Government of India for settling the displaced persons who were living in slum areas, and accordingly the scheme was made for the Gur Mandi area also and 136 tenements were made. But some of them were still unrehabilitated. So in 1962 the Government of India provided the Corporation about 16 lakhs of rupees for constructing tenements. And those people were shifted to various other colonies like Motinagar, Karampura, to all those places. The work started on 93 quarters but for 77 quarters the work could not start because a stay order had been taken from the High Court. But what happened? It is a very sad story. The work, according to the schedule of the Government of India, was to be completed by 31st March 1964. But, as a matter of fact, the Corporation gave the contract for the work

only on the 2nd of February, 1964. So for two years the work was lying dormant, may be because of political implications or other things in the Corporation, and I think it would have been better if the work had not been given to the Corporation and entrusted to the C.P.W.D., in which case the Government of India could easily have got them rehabilitated in time. Since then, even from the 2nd February, 1964, the work has not been proceeding non-stop. Work started on some quarters: it went up to the roof in some places, and then the work again stopped. I think the Minister went to that place and pulled up the officials. So they started the work again. But again it stopped. Because some conflict is going on with the contractor about rates and other things, the work has again stopped. The hon. Minister was kind enough to tell me that he was prepared to intervene and do something in the matter; I would like that he pulls up the Corporation and the Corporation people, so that the work goes on and is completed in time, and also those hutments, those tenements, which are complete up to the roof and yet, incomplete because of certain little work that remains to be done in them, are complete in all particulars and are made available for purposes of rehabilitation, and that he also moves the High Court so that quick action is taken, so that the case is heard quickly and then the decision taken so that the other 77 tenements could also be built up.

I would like to bring to his kind notice another problem, the problem of the Kingsway Camp refugees. Before I go to the problem of the Kingsway Camp I would like to refer again of Gur Mandi because, after rehabilitating the people in Gur Mandi, there will still be left some among them who cannot get housed there.

SHRI P. K. KUMARAN (Andhra Pradesh) : Send a memorandum.

SHRI KRISHAN KANT : It is there, for the last ten years. So what happened? The Government of India, in this House and the other House, had promised that the other people also would be rehabilitated in Nimri village. But last time the hon. Minister said that in Nimri village the Corporation employees had been given those houses. So he said that he was taking up the matter with the Corporation so that something was done to give them some alternative accommodation. I do not know whether he has been able to persuade the Corporation to do something in this matter, or not. If not, I would suggest that the Government of India may take it upon itself to build those houses in the colony, and also build for those who have not yet been housed.

Secondly I would like to say about the Kamla Nagar refugees also. They are living in slums for the last twenty years. I would like to request that he looks into this problem quickly, see that the slums are cleared, and the plots which are there are given to them, or see that the Government on its own takes up to build these colonies and give the houses to them on hire-purchase system, or something like that, so that they do not live in unhealthy conditions any more.

The third problem with regard to the refugees in Delhi is about the refugees in Kamla Nagar Market and Lajpatrai Market. Those people have been living in those markets and staying there but not as owners. In other markets we have given ownership rights, ownership rights to the shopkeepers, but somehow or other some problems are continuing and the Lajpatrai Market people also are facing the same problem and because of that some inspectors

go there and trouble them. I would like him to see to it that this very important problem of these markets and the shopkeepers is also handled quickly and solved in an amicable manner, so that they also get proprietary rights and feel the sense of ownership of them, and there is no insecurity for them.

Thank you.

SHRI M. PURKAYASTHA (Assam): Madam Deputy Chairman, I rise to support the Bill. While welcoming the provisions of the Bill I would like to invite the attention of the Government of India to the sad plight of more than eighty lakhs of refugees who have migrated to India and have been migrating since 1947. While provisions have been made for paying compensation for the property left behind in West Pakistan by the refugees who migrated into India from West Pakistan, I fail to understand why similar provision is not made applicable in the case of refugees who have come from East Pakistan. Refugees are refugees and there should not be any discrimination between those coming from the West and those coming from the East.

SHRI SHEEL BHADRA YAJEE (Bihar) : That is because of the Nehru Liaquat Pact.

SHRI M. PURKAYASTHA : Then that pact should be annulled. I would request the Government of India to consider the plight of the East Pakistan refugees. Let them come forward with a Bill for making arrangements for paying compensation to the refugees who have come from East Pakistan.

In this connection I would also like to draw the attention of the hon. Minister to the plight of the refugees who have come to Assam and who are trying to be settled there. More than five lakh refugees came to Assam from

[Shri M. Purkayastha]

1947 to 1959 and on the 31st of March, 1959 the Rehabilitation Department of the Government of Assam was wound up. At the time of the winding up of the Rehabilitation Department the Chief Minister of Assam assured the refugees who were still there and who were not yet settled, that the residuary problems that still remained there would be solved by the Government of Assam and proper attention would be paid to them. I am sorry to say that since then nothing has been done. Again in the beginning of 1964 a very large number of refugees have entered Assam and many are still in camps. The Government of India has spent more than a crore on doles for the refugees living in camps. After the formation of the United Front Government in West Bengal, the Government of West Bengal pleaded with the Government of India and they have now formed a Review Committee for enquiring into the residuary problems of the refugees who have remained in West Bengal. The Committee is under the chairmanship of Shri N.C. Chatterjee, M.P. We desire that a similar Review Committee ought to be formed for Assam also and it should be entrusted with the task of examining the residuary problems of refugees remaining in Assam.

In this connection I would like to invite the attention of the hon. Minister to the plight of the refugees who were to be settled in 38 tea gardens of Cachar district. The Government of India drew up a scheme to rehabilitate some 3,000 families on these tea garden lands. But that programme still remains unfulfilled because the owners of those tea gardens refused to give ownership of the land to the refugees and according to the provisions loans can be given to refugees only if they can show that they are the owners of the land. But because of the

refusal of the ITA the whole scheme involving Rs. 26 lakhs has not yet been implemented. The Government of India set up an enquiry committee to enquire into the case of these refugees. The report of that committee is not yet published. I would urge upon the Government to make arrangements as early as possible to publish the report of this committee. That committee must have studied the problems of the refugees in Assam. I submit that the expenditure of huge sums of money on the refugees living in the camps should be stopped and these people should be properly rehabilitated in Assam or outside Assam so that this manpower may be utilised for the development of the whole of our country. Refugees who had remained in camps for more than four years have tried to the best of their ability to rehabilitate themselves. They have rehabilitated themselves on the surplus lands of the tea gardens. This they have done without proper authority and they have also cultivated large areas of land in the Cachar District. I may also point out that the Procurement Department of the Government has procured rice from these people who had cultivated those lands in an unauthorised manner. However, attempts are now being made for evicting them from those lands. I would earnestly request the Government to take early steps to stop this proposed eviction and this land and land which is lying waste and which is not being cultivated should be allotted to refugees so that these people can utilise the land for growing rice and also for growing vegetable and other things which some of them are doing even now. Thank you.

श्री शीलभद्र याजी : माननीय डिप्टी चेंबरमैन महोदया, मैं इस विधेयक की तारीफ करते हुये सरकार से एक मांग करता हूँ । एक समय था कि पूर्वी पाकिस्तान से जो रिफ्यूजी हिन्दुस्तान

में आये उनकी हालात को देखते हुये उस समय आवश्यक था कि नेहरू-लियाकत पैकट हो और वह ठीक था लेकिन यों तो 80 लाख तादाद है किन्तु करोड़ों से ज्यादा लोग पूर्वी पाकिस्तान से आये और उनको मुआविजा देना हो तो वह आप दे नहीं सकते हैं क्योंकि उधर में जो सम्पत्ति छोड़ कर आते हैं वह वैसी ही है, जैसे कि पश्चिमी पाकिस्तान में जो लोग आये उनकी तो जितनी उनकी जायदाद छटी है उसके मुताबिक मुआविजा दिया जाता है। अभी हमारे पुरकायस्थ जी ने कहा कि डोल पर रहते हैं तो आपने मजबूर किया है पूर्वी पाकिस्तान के लोगों को इसके लिये। यों तो पश्चिमी पाकिस्तान के लोग मेहनती भी हैं और पूर्वी पाकिस्तान के लोग जरा मेहनती नहीं हैं, यह उन पर लांछन हो जाता है, लेकिन इसके साथ-साथ उनको मुआविजा मिलता है, क्षतिपूर्ति मिलती है जो कि इनको नहीं मिलती। अभी तो रफ्तार जारी है, लोग आ ही रहे हैं और मैं समझता हूं कि पाकिस्तान गवर्नमेंट की जो नीति है उसमें वहां कोई रहने नहीं पायेगा, अभी भी धीरे-धीरे लोग भगाये जा रहे हैं। जब हम त्रिपुरा जाते हैं तो देखते हैं कि वहां आ रहे हैं, आसाम में आ रहे हैं और ये सब तरफ में मारे जा रहे हैं, उधर में घर छोड़ कर जब भारत में आते हैं तो उनके रहने की जगह नहीं है और आसाम में डिब्रूगढ़ में जब लैंगुएज रायट्स हुये तो आसाम में रिफ्यूजीज को चुन चुन कर मारा गया, उनके घरों में आग लगाई, फिर मिकिर हिल में वह बस नहीं सकते क्योंकि कानून है कि हिल पीपुल के बीच नहीं बस सकते, नागालैंड में नहीं जा सकते, नेफा में नहीं जा सकते हैं, खासी जयन्तिया हिल्स में नहीं जा सकते हैं, जम्मू काश्मीर में नहीं जा सकते हैं, तो फिर कहां जायेंगे। सरदार पटेल ने कहा कि 25 लाख को बसा दो जम्मू-काश्मीर में तो यह जो टू नेशन थ्योरी पाकिस्तान मपोर्ट कर रहा है वह सब खत्म हो जायेगी। तो आज

जरूरत यह है कि पूर्वी पाकिस्तान के लोगों को वहां रखा जाये। त्रिपुरा गवर्नमेंट को बड़ी तकलीफ है, वहां उनकी तादाद बढ़ती जाती है। वह लोग वहां पीटे जाते हैं, जेल जाते हैं। इसलिए नेहरू-लियाकत पैकट को अब समाप्त किया जाना चाहिए और जो पूर्वी पाकिस्तान से रिफ्यूजीज आवें, शरणार्थी भाई आवें, उनको जितनी तरह से पश्चिमी पाकिस्तान के लोग आए हैं उसी तरह से मुआविजा मिलना चाहिए, क्षतिपूर्ति मिलनी चाहिए। इसके साथ-साथ हमारी एक मांग यह भी है। आप कितना मुआविजा देंगे। हमारे हिन्दुस्तान में ऐसी बहुत सी भूमि है, जैसा कि मैंने अभी जिक्र किया दरवाजा खोलें। ठीक है, मंत्रिधन में लिखा हुआ है कि कोई भारतीय नागरिक कहीं भी रह सकता है लेकिन आप नेशनल इंटेंग्रेशन नहीं कर सकते हैं जब तक ये जो हमारे रिफ्यूजी भाई हैं जिनकी तादाद बढ़ती जाती है उनमें से ज्यादा से ज्यादा लोगों को काश्मीर में, नागालैंड में, नेफा में, आसाम की मिकिर हिल में, मीज़ो हिल में, मनीपुर का जो दो तिहाई भाग हिल एरिया है उसमें, खासी जयन्तिया में, सब जगह उनको नहीं बसाते। सब जगह उनको पूरी महायता दीजिए, पूरी आजादी दीजिए, खेती करने के लिए, वस्त्र के लिए, क्या ये नाम के ही भारतीय नागरिक हैं? नाम है नेशनल इंटेंग्रेशन का लेकिन काम आपका उल्टा होता है। लोग आपका मजाक करते हैं। तो इस तरह से जो टू सिटीजनशिप का राइट आपने रखा है यह हमारे लिए बहुत खतरनाक है। यह ठीक है कि हम आपके विधेयक को मपोर्ट करते हैं लेकिन अब वक्त आ गया है कि नेहरू-लियाकत पैकट को खत्म करना चाहिये और जो पूर्वी पाकिस्तान के हमारे लोग आवें उनको उसी तरह से जिस तरह से पश्चिमी पाकिस्तान के जो हमारे भाई आए हैं उनको मुआविजा दिया है उनको भी ज्यादा से ज्यादा द और उनको बसायें, इसी तरह से इसके साथ करें।

(श्री शीलभद्र याजी)

मैडम डिप्टी चैयरमैन, यह सिर्फ पाकिस्तान का मवाल ही नहीं है। रिफ्यूजीज का तो ताता बंध गया है। बर्मा से भाग भाग कर रिफ्यूजीज लोग आ रहे हैं। मणिपुर में देखता हूं तो उधर वे आ रहे हैं। वहा की सरकार की कुछ नीति ऐसी है कि वह वहा की मिटीजनशिप नहीं लेना चाहते हैं। तो हमने तामिलनाड के रामनाड डिस्ट्रिक्ट में देखा वहा बर्मा के रिफ्यूजीज के कैम्प के कैम्प लगे हैं, हमारे बिहार में कैम्प के कैम्प लगे हैं और मणिपुर में, जैसा मैंने कहा, कैम्प के कैम्प लगे हैं। तो यह जो बर्मा से हिन्दुस्तानी रिफ्यूजीज बन कर आए हैं उनके लिए आप क्या कर रहे हैं, उनको क्यों नहीं अच्छी तरह बसा रहे हैं? कुछ राज्य सरकारों ने कुछ सेटल गवर्नमेंट ने इधर उधर से प्रमादी दे दी तो उससे काम चलने वाला नहीं है, इस लिए उनका भी, जो बर्मा से रिफ्यूजीज आए हैं, मकान देने का, उनको बसाने का, रोजगार देने का सरकार खयाल करेगी, और उनकी तरफ ध्यान देगी। ऐसी मैं आशा करता हूं। इन शब्दों के साथ मैं इस विषय की तार्ड करता हूं।

SHRI D. R. CHAVAN : Madam Deputy Chairman, the Bill that is under consideration is a very simple Bill. The hon. Mr. Misra there said that the amount is being realised. As a matter of fact what is proposed to be done is this. I shall illustrate it by an instance. Suppose a person migrated from West Pakistan and came over to this country and suppose before his migration to this country he has mortgaged his property to a resident in West Pakistan. Let us say it is 10 standard acres and these ten standard acres have been mortgaged to a West Pakistan national. Now he come over to this country but at the time of mortgage he has taken about Rs. 2,000, let us say. He is entitled for allotment of land. He comes over to this country but the property

remains there. Now in accordance with the scheme of compensation that if there his claim is subject to reduction by 25 per cent. Similarly the amount of money which he had taken from the Pakistan national is also reduced by 25 per cent. Some time back a decision was taken by the Joint Board of Rehabilitation and in pursuance of that decision certain executive instructions were issued. Now he is entitled according to the compensation scheme to get 7½ acres because his property of 10 acres is subject to a reduction of 25 per cent and the amount of Rs. 2,000 which he had taken is also reduced to Rs. 1,500. He cannot keep this to himself. Had there been no partition, he had the right to redeem his mortgage. Now what we say is, we shall give you an allotment of 7½ acres which is subject to a graded cut and you pay Rs. 1,500 which is also subject to a graded cut. In pursuance of the executive instructions that were issued on the basis of a decision taken by the Joint Board of Rehabilitation the money was deducted from the amount of compensation that was payable to the mortgager. And as I stated in my speech where both the persons have come here, the mortgager and the mortgagee, a provision was made but so far as the mortgager who has come is concerned there was no provision and therefore executive instructions were issued and in pursuance of those executive instructions deductions were made from the compensation amounts. Now those executive instructions were challenged in a writ petition in the Punjab High Court and the Punjab High Court held that unless there was substantive provision in the law, under executive instructions these deductions could not be made. I mentioned in my speech that about 23,500 cases had been decided and money had been realised long before the decision of the Punjab High Court which came some time in 1964



Since 1961 we have been trying to bring this measure to get the law amended, but somehow or other on account of pressure of business in House it was not possible to get this done. Hon. Members may be knowing that this was moved in this House also. So it is not correct to say that we are realising any money. It has already been realised and the cases have already been finalised. It is only to meet what has been said in the decision of the Punjab High Court that we cannot do so, unless we make a substantive provision in the law, under executive instructions that this measure is being passed. It is just for the purpose of regularising, just for the purpose of putting the seal of validation on what has already been done. So there is no question of realising any money; it has already been done. If we do not pass this measure all the amounts that have been realised by the Government may have to be refunded. That is the reason why this Bill has been brought. Cases have been finalised; moneys have been realised. The only thing that has got to be done is to regularise that. I hope this will clear the confusion that the hon. Member there had.

The hon. Mr. Krishan Kant raised one or two points. The hon. Member knows very well that we have appointed an allotment Committee for the purpose of scrutinising the cases of those persons in the Kingsway Camp. The Committee has analysed a number of cases and in due course all the cases will be finalised and the tenements that have been constructed will be allotted to those persons who are eligible. Concerning Gur-ki-mandi, the hon. Member will remember he had put a question and in response to a supplementary I answered that in the case of surplus family the matter will be taken up with the Corporation. There are a number of other problems which

we are looking into and I hope and trust that in a couple of years' time all these problems will be sorted out and solved.

My hon. friend from Assam raised one or two points. First was concerning compensation to be paid for the property that has been abandoned in East Pakistan, and my hon. friend interrupted and said that the Nehru-Liaquat Ali Pact was there. What are the implications of that Pact? The implication is that in the case of those who have come to India all the proprietary rights in the lands which they had abandoned are vested in them. It is true that because of certain measures taken by the East Pakistan Government those persons, even though they are entitled to all their rights in those properties, cannot exchange or sell them or receive rent from them. Now on account of certain things happening there and on account of the feeling of insecurity that has been generated there all these persons have been crossing over and to say that nothing has been done with regard to such persons is not correct. If one understands the size and dimension of the problem he can realise what the Government has done. I may mention for the information of hon. Members that after 1947 nearly Rs. 500 crores have been spent for resettling the persons coming from West and East Pakistan. And out of this amount of Rs. 500 crores, nearly Rs. 284 crores—I am speaking from memory—have been spent for rehabilitating persons coming from East Pakistan.

The hon. Member also referred to the migrants who have come from the wake of the partition in 1947 up till the end of December 1960. Then, again, fresh exodus started some time on the 1st January, 1964. Now, concerning the question of rehabilitation of the old

[Shri D. R. Chavan]

migrants in Assam, I personally feel and that is the view of the Government, that their problem is more or less solved.

Now, the hon. friend made a reference to the appointment of the Review Committee under the Chairmanship of Shri N.C. Chatterji. He said that after the UF Government came to power in West Bengal, this Committee was appointed. It is not correct to say like that. The decision to appoint this Committee was taken long before. There were certain residuary problems there. The hon. Member is well aware that in 1960-61 this problem was assessed by the representatives of the Government of West Bengal and the Government of India. For the liquidation of this problem, it was decided to make a provision of Rs. 21.7 crores both by way of grants and loans. As a matter of fact, when the decision to appoint the Review Committee was taken, the question was whether this residuary problem was solved, which was assessed some time in 1960-61. For the purpose of studying the problem in depth this Committee was appointed. As a matter of fact, it was agreed to between the Government of India and the Government of West Bengal that the problem existed. So far as the old migrants in Assam are concerned, it is the view of the Government that the problem does not exist.

Secondly, concerning new migrants who have come, nearly 1,93,000 persons came to Assam alone. Out of 8,33,000 persons who crossed over from 1st January 1964 to this country, up to the present time nearly 1,97,000 persons went to Assam. Some of these persons were admitted into the camps. Some of the families are staying in the camps even today. The position is that out of those persons who have been admitted into the camps, it has been decided to settle nearly 12,000

families in Assam. There would be some surplus families. The matter was discussed with the Chief Minister by the Government of India. It was decided that if it was not possible to rehabilitate the surplus families there. We have assured the Government of Assam that we will be prepared to accept those families for rehabilitation elsewhere. This is concerning the new migrants who have come.

Then, concerning the tea garden land, reference was made and the hon. Member also referred to the appointment of an enquiry committee. That enquiry committee has been appointed long before. It is true that the enquiry committee did not hold many meetings, one or two meetings in the beginning and in between there was no work done. Recently a meeting was held. I hope and trust that the report of the enquiry committee would be available very soon to solve this problem of tea garden lands.

I believe I have met most of the points that have been made by hon. Member.

SHRI SHEEL BHADRA YAJEE  
What about the Nehru-Liaquat Pact?  
What is the Government's view?

SHRI D.R. CHAVAN: That exists. I have mentioned it. Out of Rs. 500 crores - speaking from memory--nearly Rs. 284 crores have been spent on rehabilitating persons coming from East Pakistan. Now, for the new persons who have been coming, we have got a number of projects. These persons have been rehabilitated in a number of projects, for example, Dandakaranya, Chanda, Sarguja, Panna, Betul, in Assam, in Kagaznagar in Adilabad, etc. So many projects are there. These families are being settled on land.

I feel that I have met most of the points which hon. Members have made. The Bill is a very simple one. As a matter of fact, the points that have been raised do not come within the purview of this Bill. This is a simple Bill. What has been done in the past is being regularised because of the decision of the Punjab High Court saying that you cannot make deduction from the compensation that is payable to the mortgagor, a displaced person, unless you make a substantive provision in the law. With the intention of regularising what has been done, this measure has been brought forward. I hope and trust that there will be no difficulty in getting the support of hon. Members of this House to this measure.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, as passed by the Lok Sabha be taken into consideration."

*The motion was adopted:*

THE DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill.

*Clause 2 was added to the Bill.*

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

SHRI D. R. CHAVAN: Madam, I beg to move:

"That the Bill be passed."

*The question was put and the motion was adopted.*

THE DEPUTY CHAIRMAN: And so the House stands adjourned *sine die*.

The House then adjourned *sine die* at thirty-six minutes past four of the clock.