

RAJYA SABHA

Tuesday, the 15th December, 1964/the 24th
Agrahayana, 1886 (Saka)

The House met at eleven of the 'Clock,
Mr. Chairman in the Chair.

ORAL ANSWERS TO QUESTIONS

**ब्रिटिश टेलीविजन पर भारत की तस्वीर का
विकृत रूप में पेश किया जाना**

*५८१. श्री ए० बी० वाजपेयी: क्या
वैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे
कि क्या सरकार का ध्यान ब्रिटिश टेलीविजन
पर भारत की तस्वीर को विकृत रूप (यथा
देश में भुखमरी इत्यादि) में पेश किये जाने
की ओर दिलाया गया है; यदि हां, तो क्या
इस संबंध में लंदन स्थित भारतीय हाई
कमिश्नर से विस्तृत जानकारी प्राप्त की गई
है?

THE DEPICTION OF INDIA'S IMAGE ON
BRITISH TV IN DISTORTED MANNER

*581. SHRI A. B. VAJPAYEE: Will the
Minister of EXTERNAL AFFAIRS be pleased to
state whether Government's attention has been
drawn to depiction of India's image on the
British television in a distorted manner (like
starvation in the country etc.); and if so,
whether detailed information in this regard has
been obtained from the office of the Indian
High Commissioner in London?]

**वैदेशिक कार्य मंत्रालय में उपमंत्री (श्री दिनेश
सिंह) :** सरकार को ऐसी किसी खास घटना
का पता नहीं है। इसके विपरीत, लंदन
स्थित हमारे उप-हाई कमिश्नर ने सितम्बर
में यूनाइटेड किंगडम के एक टेलीविजन
प्रसारण पर बोलते हुए खाद्यान्न संकट के
संबंध में भारत के दृष्टिकोण को स्पष्ट रूप

से समझाया था और कहा था कि भुखमरी
कहीं नहीं है, हां—थोड़े समय के लिए खाने-
पीने की चीजों का अभाव अवश्य हो गया
है।

f [THE DEPUTY MINISTER IN THE
MINISTRY OF EXTERNAL AFFAIRS (SHRI
DINESH SINGH): The Government is not aware
of any such incident. On the contrary, our
Deputy High Commissioner in London
appeared on one of the television systems in
U.K. in September and explained India's
viewpoint on food crisis very clearly
indicating that there was no starvation though
there was a temporary food shortage.]

श्री ए० बी० वाजपेयी : सभापति जी,
जो उत्तर दिया गया है उसे सुन करके मुझे
आश्चर्य हुआ है कि जब मैं और संसद के
कुछ सदस्य लंदन में थे तो हमने ब्रिटिश
टेलीविजन पर भारत के कार्यक्रम देखे, जिन
में भारत की तस्वीर को गलत ढंग से पेश
किया गया था। एक कार्यक्रम बनारस में
भुखमरी के बारे में था, जहां भूखे लोगों को
मुट्ठी मुट्ठी भर अनाज बाटा जा रहा है
और उसके साथ जो कमेंट्री की गई, उससे
पता लगता था कि लोग भूखे मर रहे हैं,
सड़कों पर लोग मरे पड़े हुये हैं और उन्हें
उठाने वाला कोई नहीं है। दूसरा कार्यक्रम
एक ऐसी हिन्दू विधवा के जीवन की तस्वीर
थी, जिसे पहले विधवा होते हुये दिखाया गया
था, हाथों की चूड़ियां टूटी हुई थीं, मांग का
सिंदूर पोंछा हुआ था, और थोड़ी देर बाद
उस विधवा को किसी आदमी से प्रेम करते
दिखाया गया था। ये चीजें हमने हाई कमिश्नर
के सामने रखीं। मुझे ताज्जुब है कि जो चीजें
हम देख कर के आये हैं, उनसे सरकार कैसे
इन्कार कर सकती है?

श्री दिनेश सिंह : सरकार के इन्कार
करने का सवाल नहीं है। हम वहां पर एक

टेलीविजन और रेडियो की मानिटारिंग सर्विस से ये खबरें लेते हैं कि हिन्दुस्तान के बारे में कुछ हो, तो वह हमको बता दें। जो माननीय सदस्य ने कहा है, उसका हाई कमिश्नर ने हमसे कोई जिक्र नहीं किया। हमने उनसे यह सवाल आने के बाद पूछा भी था। भखमरी के सम्बन्ध में यह बात है कि भारत की जो वे तस्वीरें देते हैं, उसमें अक्सर भिखमंगों की तस्वीरें होती हैं क्योंकि यहां पर अक्सर लोग उनकी तस्वीरें खींच लेते हैं। लेकिन खास हमारे खिलाफ कुछ हां, ऐसा उसमें नहीं आया।

श्री ए० बी० वाजपेयी : क्या मंत्री महोदय को यह पता है कि ब्रिटिश टेलीविजन पर हर हफ्ते एक ऐसा कार्यक्रम होता है जिसमें भारत को बदनाम करने की कोशिश की जाती है। ब्रिटिश टेलीविजन ब्रिटिश सरकार का हिस्सा है और उसको कोई प्राइवेट कम्पनी नहीं चलाती है। तो क्या कमिश्नर से कहा गया है कि इस प्रकार के होने वाले प्रचार पर वे अपनी नज़र रखें और क्या अभी तक किसी भी गलत प्रचार के खिलाफ सरकार ने विरोध पत्र भेजा है ?

श्री दिनेश सिंह : सभापति महोदय, ब्रिटिश टेलीविजन, जो अभी माननीय सदस्य ने कहा, बी०बी०सी० का एक टेलीविजन है। इसके अलावा वहां पर एक फ्री टेलीविजन भी है। लेकिन हिन्दुस्तान के बारे में जो वहां टेलीविजन पर दिखाया जाता है, उसके सम्बन्ध में हम पूरी कोशिश करते हैं कि अगर कोई चीज़ गलत हो तो उसको वाद में ठीक करें। बीच-बीच में हमारी मेहनत से या हमारे कहने से जब उनको कोई ऐसी सामग्री मिलती है तो उसको ठीक कर के भी वे टेलीविजन पर दिखाते हैं। लेकिन जैसी कि हमारे यहां भी प्रेस है और कभी कोई चीज़ हमारे माफिक भी होती है और कभी खिलाफ भी होती है, पर रोज-रोज़ हम उसके पीछे नहीं पड़ सकते हैं, उसी तरह से वहां की प्रेस भी आज़ाद

है। लेकिन जो कुछ हम को कहना होता है वह हम कहते हैं।

MR. CHAIRMAN: Are you **sure** that it is not a weekly feature? **The Member** has made the point that **there is** a weekly feature.

SHRI A. B. VAJPAYEE: Sir, he is not sure of anything.

SHRI DINESH SINGH: There is a weekly feature but not against us in that way.

श्री ए० बी० वाजपेयी : सभापति महोदय, मैं यह जानना चाहता हूँ कि विदेशों की जो टेलीविजन कम्पनियां आती हैं और भारत में तस्वीरें लेती हैं, क्या वे यहां आने से पहले और तस्वीरें लेने से पहले सरकार की इजाजत लेती हैं और क्या सरकार इस बात की जांच करती है कि वे किस तरह की तस्वीरें ले रही हैं ? अगर यह बात सच है, तो बनारस में ब्रिटिश टेलीविजन कम्पनी ने जिस तरह की तस्वीरें ली, उस तरह की तस्वीरें उसे क्यों लेने दी गई ?

श्री दिनेश सिंह : जब कोई टेलीविजन यहां बनाने आते हैं, तो हमसे इजाजत लेते हैं और तस्वीरें भी दिखाते हैं। लेकिन हर मर्तबा यहां टेलीविजन की तस्वीरें दिखाना ज़रूरी नहीं है। कोई भी किसी तस्वीर को अपने कमरे में खींच सकता है और वह टेलीविजन पर दिखा सकता है।

श्री भगवत नारायण भागवत : क्या सरकार का कुछ विचार है कि जो श्री वाजपेयी ने बातें यहां पर कही, उन पर हाई कमिश्नर का ध्यान दिलाया जाय और उनसे पूछा जावे कि ये बातें उन्होंने पहले क्यों नहीं बताई ?

श्री दिनेश सिंह : ज़रूर पूछा जायगा, अगर माननीय सदस्य उसका विवरण मुझे दे दें।

श्री ए० बी० वाजपेयी : सभापति जी, ये बातें मैंने हाई कमिशनर से खुद कहीं और उन्होंने इन बातों से इन्कार नहीं किया। उलटे उन्होंने यह कहा कि हमने अंग्रेजों को हिन्दुस्तान से निकाल दिया और स्वेज के मामले में हमने उनका विरोध किया, तो फिर यदि ऐसी बातें हों तो इसमें आश्चर्य क्या है। जब हमारे हाई कमिशनर इस तरह का जवाब दें, तो मैं नहीं समझता कि सरकार इसके औचित्य का समर्थन कैसे कर सकती है ?

(No reply.)

SHRI FARIDUL HAQ ANSARI: Sir, now that the question has been raised here on the floor of the House, may I know whether the Government of India will take up the matter with the British Government and protest strongly against this distortion of the conditions prevailing here?

SHRI DINESH SINGH: As I mentioned in Hindi just now, if the hon. Member kindly gives me the details, we shall certainly look into the matter.

SHRI FARIDUL HAQ ANSARI: He has already given you the details, Sir.

SHRI A. D. MANI: Sir, the hon. Minister stated just now that the Indian High Commission does get the opportunity of putting up its view point on TV. May I know on how many occasions during the last six months the Indian High Commission was given such an opportunity of presenting the Indian point of view?

^ SHRI DINESH SINGH: I did not say the Indian High Commission gets an opportunity in the sense that they allot time to us to present the TV as we like. We only said that we help the TV people to produce films projecting the correct picture of India.

SHRI M. P. BHARGAVA: May I know from the hon. Minister whether any specific duty has been assigned to any persons in the High Commission

to keep a watch on whatever T* broadcast or whatever is shown on TV for India and make a complaint against such things as they think are objectionable?

SHRI DINESH SINGH: Sir, I mentioned just now that we subscribe to a monitoring service which gives us the transcript of radio and TV broadcasts for or against India, and that is examined in the Press Relations Branch of the High Commission. They occasionally send it to us. But I would like to draw the attention of the House that radio, TV and broadcasting, they are all difficult media to control in that sense, as in our country have got a press which is free, not always very friendly to us, but we cannot always run after anything that is produced. We can only try to put it right in a positive manner by presenting a correct picture.

SHRI P. RAMAMURTI: Will the hon. Minister try to see that somebody in the High Commissioner's office is specifically assigned the task of actually watching these TV shows day after day—this is a specific task—not just depending upon some monitoring service but actually looking at these TV broadcasts everyday? Whenever such things come to their notice, they should take up the matter with the British Government.

SHRI DINESH SINGH: I am sure it will be a welcome duty for anyone, but the difficulty is that there are many channels through which TV broadcasts come and for one person to see all the TV broadcasts will be rather difficult.

MR. CHAIRMAN: Next question.

गार्डन रीच वर्कशाप्स लिमिटेड में फ़ैब्रीकेशन
के काम में नुकसान

*५८२. श्री भगवत नारायण भागवत :
क्या प्रतिरक्षा मंत्री सेंट्रल गवर्नमेंट आडिट
रिपोर्ट (कमिशनियल), १९६४ के पृष्ठ ८१
को देखेंगे जिसमें यह बताया गया है कि दो

पूर्ण अनुमानों के कारण गार्डन रीच वर्क-शाप्स लिमिटेड के फेब्रीकेशन के काम में १९ लाख रुपये का नुकसान हुआ था और यह बताने की कृपा करेंगे कि इस नुकसान के लिए जिम्मेदार पाये गये व्यक्तियों के विरुद्ध क्या कार्यवाही की गई ?

F[LOSS IN FABRICATION WORK IN GARDEN REACH WORKSHOPS LTD.

*582. SHRI B. N. BHARGAVA: Will the Minister of DEFENCE be pleased to refer to page 81 of the Central Government Audit Report (Commercial), 1964 wherein it is stated that a loss of Rs. 19 lakhs was incurred in the fabrication work of the Garden Research Workshops Ltd. due to defective estimates and state the action taken, against the persons found responsible for the loss?]

THE MINISTER OF DEFENCE PRODUCTION IN THE MINISTRY OF DEFENCE (SHRI A. M. THOMAS): The fabrication work undertaken was the manufacture of structural parts for Electric Wharf Cranes. This being a new line of business, the estimates prepared by the Company proved to be much lower than the actual costs. No individual can be blamed for under estimation because the Company did not have any previous experience of this type of work and the order was accepted with a view to acquiring knowledge of production techniques of this new line of business as well as avoiding lay-off of labour which the Company was facing at that time due to shortage of work.

Overall the Company made net profits in each of the years of the operation of the contract.

[प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री ए० एम० थॉमस) : जो फेब्रीकेशन काम हस्तगत किया गया, वह था बिजली द्वारा चलने वाले घाट पर काम करने

†[] English translation.

‡[] Hindi translation.

वाले क्रेनों के लिए रचना भागों का निर्माण। चूंकि, कारोबार की दिशा में यह एक नया प्रयोग था, इस निमित्त कम्पनी द्वारा तैयार किए गए अनुमान वास्तविक लागत से बहुत कम प्रमाणित हुए। इन कम अनुमानों के लिए, किसी व्यक्ति विशेष को दोषी नहीं ठहराया जा सकता, क्योंकि इस प्रकार के काम का कम्पनी को पहले कोई अनुभव न था, और आर्डर, केवल कारोबार की इस नई दिशा में उपादन की तकनीकों की जानकारी प्राप्त करने के लिए तथा श्रमिकों को जबरी छुट्टी देने से विमुक्ति पाने के लिए, स्वीकार किया गया था, जिसका कम्पनी को, उस समय काम की कमी के कारण, सामना करना पड़ रहा था।

समस्ततः, करार के प्रत्येक परिचालन वर्ष में कम्पनी ने शुद्ध लाभ अर्जित किया है।]

श्री भगवत नारायण भार्गव : क्या मंत्री महोदय से मैं यह जान सकता हूं कि यह इस्टीमेट्स जो गलत बनाये गये थे, उनके गलत बनाने का कौन जिम्मेदार है ?

SHRI A. M. THOMAS: Sir, in fact the principal persons responsible were two officers, the Technical Sales Manager and the General Manager. Both of them have left the service, the former early in 1961 and the latter in December 1961. Sir, there is no case of *mala fides* which can be established, so much so it is not possible to proceed against these officers.

SHRI P. RAMAMURTI: What are the officers doing?

SHRI A. M. THOMAS: As I have already said, the Technical Sales Manager and the General Manager, both of them have left the service.

श्री भगवत नारायण भार्गव : यह ठेका किस फर्म को दिया गया, यह मैं जानना चाहता हूं ? और जब कि ठेका ६ लाख

८२ हजार म दिया गया और ठकदार न उसको मंजूर कर लिया कि मैं यह काम करूंगा, तो जब वह नहीं कर सका और समय पर कोई सूचना नहीं दी, तो उसके खिलाफ कोई कानूनी कार्यवाही क्यों नहीं की गई ?

SHRI A. M. THOMAS: Sir, this order was placed by a Japanese firm called Ishikawazima Harima Heavy Industries of Japan. Sir, two or three factors have to be borne in mind in this case. In fact, I have gone in some detail in regard to this matter. I am also not happy about the picture that has emerged. But two or three factors have to be borne in mind. One is that the Company was facing a lay-off and so many workers would have had to be retrenched so that any order placed on G.R.W. Ltd. was welcome. The second thing was that we had no experience of this sort of work previously and we had necessarily to depend on the estimates that were provided by these Japanese collaborators. Then another thing is that by undertaking this fabrication work we have gained valuable experience so much so that with confidence we could fabricate cranes for Avadi and Bhopal, and we have also been able to get several foreign orders.

श्री राम सहाय : क्या मैं मिनिस्टर महोदय से यह जान सकूंगा कि ऑडिट रिपोर्ट्स जो साल के बाद आती हैं उनका मिनिस्टर महोदय स्वयं अवलोकन करते हैं अथवा सेक्रेटैरियट के भरोसे पर ही उस काम को छोड़ देते हैं ?

SHRI A. M. THOMAS: No, Sir. I said I have gone into this matter in some detail. I have gone through the Audit Report also. In fact, as I have already indicated, I am not happy because on a turnover of Rs. 6.2 lakhs to incur such a heavy loss is not a satisfactory state of affairs. The matter has been gone into.

श्री विमलकुमार भग्नलालजी चौरडिया : क्या श्रीमान् यह बतलाएंगे कि श्रीमान भी

सारा इश्यात स असतुष्ट ह मगर पारणाम में किसी के खिलाफ कोई भी कार्यवाही नहीं की जा सकी तो क्या कारण है कि हम उनके खिलाफ कोई भी कार्यवाही नहीं कर सके जबकि हम देखते हैं कि हमको सचमुच बहुत बड़ा नुकसान हुआ है और इसमें गलतियाँ की गई हैं ?

SHRI A. M. THOMAS: As I have already said, these two officers had left the service by the time we knew about the loss and the cause and it was also felt that they acted in a *bona fide* manner so that no legal responsibility can be fastened upon them. I may also submit that we are claiming a few lakhs of rupees, more than three lakhs and odd, from the company on account of certain works which have been done in connection with this project and it would prejudice our case if this matter is further discussed here.

REDUCTION IN FOREIGN DEPENDENCE

•583. SHRI J. C. CHATTERJI: Will the Minister of DEFENCE be pleased to state the percentage of foreign dependence on materials reduced as a result of researches conducted in the Defence laboratories by tapping indigenous researches?

THE MINISTERS OF DEFENCE PRODUCTION IN THE MINISTRY OF DEFENCE (SHRI A. M. THOMAS): Through researches conducted in our Defence laboratories, good progress has been made in reducing dependence on foreign sources. However, having regard to the vast range and variety of equipment and stores it is not possible to give a precise estimate of the reduction in dependence on foreign sources. With the resources available to us, every effort to promote indigenous production etc. is being made.

SHRI J. C. CHATTERJI: May I know, as a result of researches in the defence laboratories, how much foreign exchange we have been able to save so far?

SHRI A. M. THOMAS: As I have already indicated in my answer, it is not possible to give a definite figure of the amount saved by way of foreign exchange but I may say that in the case of certain categories of stores, for instance, general stores including clothing and allied stores, as well as in certain types of weapons and explosives, our foreign dependence has been reduced to negligible proportions. Of course, the same cannot be said with regard to electronic equipment but on the whole we have benefited to a considerable extent by the researches conducted in this organisation.

यूरेनियम

*५८४. श्री राम सहाय : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यूरेनियम का उत्पादन देश की आवश्यकता के लिये पर्याप्त है ; और

(ख) क्या यूरेनियम केवल पश्चिमी बंगाल और बिहार में ही पाया जाता है या अन्यत्र भी ?

t [URANIUM

♦584. SHRI RAM SAHAI: Will the PRIME MINISTER be pleased to state:

(a) whether the production of uranium is sufficient to meet the requirements of the country; and

(b) whether uranium is found only in West Bengal and Bihar or it has been located at some other places also?]

प्रधान मंत्री (श्री लाल बहादुर) :
(क) जी हां।

(ख) यूरेनियम के मुख्य भण्डार बिहार के सिहभूम जिले में पाये गये हैं। पंजाब के कुल्लू जिले में, उत्तर प्रदेश के चमोली जिले में तथा हिमाचल प्रदेश के महासू जिले में भी

यूरेनियम के महत्वपूर्ण भण्डार मिले हैं। पश्चिमी बंगाल में यूरेनियम के कोई महत्वपूर्ण भण्डार नहीं मिले।

f [THE PRIME MINISTER (SHRI LAL BAHADUR): (a) Yes, Sir.

(b) The main uranium deposits occur in Singhbhum District Bihar. Significant uranium occurrences have also been found in Kulu District, Punjab, Chamoli District, Uttar Pradesh and in the Mahasu District, Himachal Pradesh. No significant uranium deposits have been found in West Bengal.]

श्री राम सहाय : क्या मैं यह जान सकूंगा कि कोई ऐसी सर्वे पार्टी है जो निरंतर इसका सर्वे करती रही हो कि कहां कहां देश में इस प्रकार की चीजें प्राप्त हो सकती हैं ?

श्री लाल बहादुर : जी हां, जांच पड़ताल के ही द्वारा इन नई जगहों में, बिहार के अलावा, मालूम हुआ है कि उसका भंडार है।

श्री राम सहाय : क्या मैं यह जान सकूंगा कि सेंट्रल गवर्नमेंट द्वारा ही इसका सारा प्रोग्राम निश्चय किया हुआ है इस पार्टी का अथवा स्टेट गवर्नमेंट से भी होता है ?

श्री लाल बहादुर : नहीं, आटोमिक इनर्जी कमिशन के द्वारा इसका प्रबन्ध होता है।

SHRI B. K. P. SINHA: May I know if our processing and refining of uranium has reached such a stage that it can be used as fissionable material?

श्री लाल बहादुर : साहब, यह दूसरा सवाल है, इसका इस सवाल से सम्बन्ध नहीं है।

SHRI C. D. PANDE: What are the steps taken to exploit the deposits that are found so far and may I know whe-

t [] English translation.

ther the refined uranium is stored in this country or exported to other countries?

SHRI LAL BAHADUR: At present it is located at different places but a uranium ore mill for concentrating the ore is being set up at Jeddaguda in Bihar.

SHRI BIREN ROY: What arrangements have been made, especially in Singhbhum to exploit these heavy deposits of uranium ore up till now?

SHRI LAL BAHADUR: Well, the mines are being developed to enable the production of about a thousand tons of ore per day and as I said a uranium ore mill is also being constructed for concentrating the ore.

SHRI I. K. GUJRAL: May I ask the hon. Prime Minister if, in view of these new finds in various parts of the country, any steps are being taken to see that these finds are specially looked after and further survey continues.

SHRI LAL BAHADUR: Yes; it would be done.

श्री फ़रीद अन्सारी : क्या मैं
मैं मेमबर अन्सारी से पूछ सकता हूँ
हो कि वो - पी - में जहाँ यूरैनियम
पाया गया है वहाँ उसे निकाला भी जा
रहा है ?

†[श्री फ़रीद अन्सारी : क्या मैं
मैम्बर अन्सारी से पूछ सकता हूँ
कि यू.पी. में जहाँ यूरैनियम पाया गया है
वहाँ वह निकाला भी जा रहा है ?]

श्री लाल बहादुर : जी हाँ, वहाँ भी उसकी
जानकारी हुई है और आगे कार्यवाही होगी ।

SHRI SANTOKH SINGH: May I know if we are exporting uranium and if so, what is the price that it is fetching?

SHRI LAL BAHADUR: I shall require notice.

*585. [The questioner (Shri Jagat Narain) was absent. For answer, vide cols. 3755-3756 infra.]

*586. [The questioner (Shri Abdul Ghani) was absent. For answer, vide cols. 3756-3757 infra.]

INDO-PAKISTAN HOME MINISTERS' CONFERENCE

*587. SHRI ARJUN ARORA: Will the Minister of EXTERNAL AFFAIRS be pleased to state the subjects likely to be discussed at the proposed Indo-Pakistan Home Ministers' Conference?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI N. MENON): The Indo-Pakistan Home Ministers' Conference which was scheduled to open at Rawalpindi on the 23rd November, 1964 has been postponed indefinitely by the Pakistan Government. If and when it takes place, it will be a continuation of the discussions of the earlier Home Ministers' Conference held in Delhi in April, 1964 in regard to the measures to be taken for improving communal harmony and for reassuring minorities, as also tackling the problem of movement of refugees. No formal agenda had been proposed.

SHRI ARJUN ARORA: May I know if the problem of illegal infiltrators into Assam and Tripura will be included in the agenda?

SHRIMATI LAKSHMI N. MENON: The problem of migration, movement of refugees from one country to another, the question of eviction, all these things will be taken up in the meeting.

श्री ए० बी० वाजपेयी : आज के अखबारों में यह खबर छपी है कि दिल्ली में पाकिस्तान के जासूसों का एक गिरोह सक्रिय था जो कि हमारे सुरक्षा सम्बन्धी कागजात का इधर उधर हटकर रहा था, वह गिरोह पकड़ा

गया है। तो इस तरह के और भी गिरोह काम करते हुए हो सकते हैं। क्या पाकिस्तान का ध्यान इस तरफ भी दिलाया जायगा ?

SHRIMATI LAKSHMI N. MENON: This does not arise from this question.

MR. CHAIRMAN: She says that this does not arise out of the question.

SHRI A. B. VAJPAYEE: Sir, it does. It is a question of whether the Home Ministers' Conference will discuss this.

SHRIMATI LAKSHMI N. MENON: The agenda for the next Home Ministers' Conference has not been finalised and when it is finalised I am sure all these problems will be taken into consideration.

SHRI D. THENGARI: Will the hon. Minister tell us whether the agenda will include the problem of conversion of Hindus to Islam in Pakistan?

SHRIMATI LAKSHMI N. MENON: No, Sir.

SHRI M. VERO: In view of the fact that the Pakistani arms assistance and the guerilla training given to the Naga rebels cause an indirect effect on Nagaland peace talks, may I know from the Minister whether the delegate of the Indian team to the Indo-Pakistan Conference this time will put any question in this regard?

SHRIMATI LAKSHMI N. MENON: I cannot give a categorical answer as to whether this particular problem will be put on the agenda.

*588 [The questioner (Sarvashri Niren Ghosh and M. Basavapunnaiyah) were absent, For answer, vide col. 3757 infra.]

♦589. [The questioner (Shri Sitaram Jaipuria) was absent. For answer, vide cols 3757-3758 infra.]

MONUMENT IN THE MEMORY OF LOKAMANYA TILAK AND NETAJI IN MANDALAY

*590. SHRI DEOKINANDAN NARAYAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state—

(a) whether it is a fact that the Municipal Corporation of Poona has sent a resolution passed by it requesting the Government of India to approach the Government of Burma regarding erection of a monument in Mandalay where Lokamanya Tilak and Netaji Subhash Chandra Bose had undergone imprisonment; and

(b) if so, whether Government have taken any action in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH) : (a) We have not received any communication from the Municipal Corporation of Poona on this subject.

(b) Does not arise. However, at the request of the Lala Lajpatrai Centenary Celebrations Committee, we have taken up with the Government of Burma the question of fixing a plaque in the bungalow in which Lala Lajpatrai was detained in Mandalay for some time in 1957.

SHRI DEOKINANDAN NARAYAN: My question refers to Lokamanya Tilak and Netaji Subhas Chandra Bose. I want to know if there is any proposal before the Government to erect any memorial in memory of Lokamanya Tilak and Netaji Subhash Chandra Bose in Mandalay, where they were incarcerated and in prison for some years.

SHRI DINESH SINGH: The hon. Member's question referred to a specific matter, whether we had heard from the Municipal Corporation of Poona and I gave the specific reply that we had not heard from that Corporation.

SHRI DEOKINANDAN NARAYAN: j No, Sir. It refers to the resolution of the Poona Municipality that was pas—

sed and that was forwarded to the Government.

MR. CHAIRMAN: But he has; not received any communication.

SHRI DEOKINANDAN NARAYAN: It referred to the erection of a monument in Mandalay Jail. I want to know from the Government if there is any proposal with the Government to erect any memorial.

MR. CHAIRMAN: He said that they have not heard from the Poona Municipal Corporation.

SHRI DEOKINANDAN NARAYAN: They may not have received the resolution, but they know about the imprisonment of Lokamanya Tilak that took place some years ago. May I know if they are going to erect any memorial there in Mandalay, if they have had any correspondence with the Government of Burma to secure that place or erect some memorial there where they were imprisoned, Lokamanya Tilak and Netaji Subhas Chandra Bose? That is my question.

MR. CHAIRMAN: Have you *suo motu* done it, without hearing from the Poona Municipal Corporation—he asks.

SHRI DINESH SINGH: We had only taken up with them the question of fixing a plaque but we have not taken up the question of setting up any other memorial.

SHRI DEOKINANDAN NARAYAN: That is why I wanted to know if they are going to take up the question with the Government of Burma and if there is any proposal with the Government to erect any memorial there in the jail or in any other place where they were imprisoned. Do they intend to do anything in the matter?

MR. CHAIRMAN: Evidently there is no proposal.

SHRI DEOKINANDAN NARAYAN: They wrote to the Burma Government only about Lala Lajpatrai.

MR. CHAIRMAN: Apparently there is no proposal—that seems to be the case—unless you are suggesting it.

SHRI G. RAMACHANDRAN: Does the Minister imply by his answer that unless somebody else takes the initiative, a municipality or a memorial committee or whatever it is, they themselves never take the initiative in a matter like this?

MR. CHAIRMAN: It does not imply that. The question was whether they have heard from the Municipal Corporation of Poona. He said that they have not heard from the Poona Municipal Corporation, which is the reply to the question.

SHRI G. RAMACHANDRAN: My question is: Do they in all such matters look into a thing like that only if somebody else takes the initiative?

MR. CHAIRMAN: It is too general a question, 'all such matters'.

SHRI CHANDRA SHEKHAR: Would the Government consider the desirability of constructing a memorial for Netaji Subhas Chandra Bose and Lokamanya Tilak?

SHRI DINESH SINGH: We will look into it.

PEACE TALKS WITH HOSTILE NAGAS

•591. SHRI SANKAR PRATAP SINGH DEV: Will the Minister of EXTERNAL AFFAIRS be pleased to refer to the reply given to Starred Question No. 31 in the Rajya Sabha on the 17th November, 1964 and state:

(a) whether the peace talks with hostile Nagas have since been resumed; and

(b) if so, whether any agreement has been arrived at?

THE MINISTER OF STATE IN CHARGE, MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI N. MENON): (a) The talks were resumed on the 28th November, 1964 and have since been recessed again.

(b) No, Sir.

SHRI SANKAR PRATAP SINGH DEV: What are the reasons for the delay in the talks?

SHRIMATI LAKSHMI N. MENON: There are certain proposals made by both the parties and they are examining them. The talks will be resumed again towards the end of this month.

SHRI B. K. P. SINHA: There have been persistent and consistent reports in newspapers that some of the members of the Peace Delegation have made statements—I mean Shri Jayaprakash Narayan and who, in my opinion is more important, Mr. Gun-devia, the Leader of the Government of India Delegation, who also happens to be a Secretary to the Government—which indicate that they want a settlement for Nagaland on the basis that Nagaland is given something short of secession and something more than what the other States of the Indian Union have got. They want to confer on Nagaland a status midway between independence and Statehood as contemplated in our Constitution. May I know if that is the personal opinion of those gentlemen or does it indicate the thinking of the Government on this problem?

SHRIMATI LAKSHMI N. MENON: No, Sir. No such statement has been made. The press has been blurting out all kinds of reports, but the Leader of the Delegation, Mr. Gundevia, has not made such a statement.

SHRI ARJUN ARORA: May I know if the Government is satisfied with the progress of the talks and is the Government aware that the country is extremely dissatisfied with the developments that have taken place from the talks?

SHRIMATI LAKSHMI N. MENON: The Government is very patient and it finds that the only way to solve this problem is by negotiations and it will take a long time. The Government is satisfied so far with the progress made.

SHRI I. K. GUJRAL: While contradicting him that the country is dissatisfied and while appreciating the efforts of the Government in arriving at an understanding, would the Government take any steps to educate public opinion in this country, which is very much misguided and sometimes misled on the basic issues involved in the Nagaland negotiations?

SHRIMATI LAKSHMI N. MENON: It is a suggestion for action, it is a good suggestion too.

SHRI A. B. VAJPAYEE: Is it not a fact that in spite of the so called peace talks, the hostile Nagas are arming themselves and a batch of 500 Nagas is trying to cross over to Pakistan?

SHRIMATI LAKSHMI N. MENON: Yes, Sir, it is true. Therefore, we are taking adequate steps to see that this does not happen again.

SHRI B. K. P. SINHA: The hon. Minister has said that Mr. Gundevia made no such statement, but may I know if the Government are thinking on that line, that is, they would be prepared for a settlement even on the basis of conceding more than Statehood, as contemplated in the Indian Constitution, to Nagaland.

SHRIMATI LAKSHMI N. MENON: The hon. Member is assuming too many things which the Government is not aware of at all.

SHRI A. B. VAJPAYEE: On a previous occasion when a supplementary was put to Sardar Swaran Singh whether the crossing over to Pakistan of hostile Nagas will result in the flagrant violation of the truce terms, he was emphatic that such an activity by hostile Nagas will be a violation

of the truce terms. From the reply of the hon. Minister it is clear that they are continuing to arm themselves and trying to cross over to Pakistan. Is it not a flagrant violation of the truce terms and, if so, why cannot they suspend the talks until they abide by the truce terms?

SHRIMATI LAKSHMI N. MENON: According to the truce, importation of arms is regarded as a violation of the truce terms, because these people are crossing the international border. We have declared three miles of the area as a disturbed area so that our military can take action if any such anti-truce activity takes place.

SHRI A. D. MANI: May I ask the Prime Minister—this is a very important matter—whether the Naga rebels have now made a demand that Mr. Phizo should be allowed to return to Nagaland if there has to be a solution of this question and, if so, what is Government's attitude towards the return of Mr. Phizo?

SHRI LAL BAHADUR: This matter has not been brought to our notice, nor has it been referred to us.

MAZAGON DOCK

*592. SHRI M. P. BHARGAVA: Will the Minister of DEFENCE be pleased to state:

(a) whether Mazagon Dock Ltd. have permanently acquired the small repair yard in Goa;

(b) whether equipment and machinery required for the expansion of the dock have been ordered and by what time they are expected in India; and

(c) whether adequate land and dock site facilities have been arranged?

THE MINISTER OF DEFENCE PRODUCTION ' IN THE MINISTRY OF DEFENCE (SHRI A. M. THOMAS):

(a) This yard was handed over to the Mazagon Dock Ltd. on 14th

April, 1962 for reactivation and management. Mazagon Dock Ltd. continues to manage the yard on payment of an annual rental.

(b) No expansion plan has so far been taken up.

(c) 20,000 sq. metres of land, in the vicinity of the Yard, is being acquired at a cost of approximately

Rs. 2.5 lakhs. In order to provide accommodation for the supervisory staff as well as administrative building, etc.

SHRI M. P. BHARGAVA: May I know Sir, whether the yard in Goa is now completely under the administrative control of the Mazagon Dock and, if so, since when?

SHRI A. M. THOMAS: It is completely under the administrative control of the Mazagon Dock. It was handed over on 14th April, 1962, but it is only the management that is with the Mazagon Dock Limited. This project was a public limited company registered under the Portuguese law. The Company has to be wound up and such further steps that are necessary will have to be taken for complete transfer of ownership.

SHRI M. P. BHARGAVA: Ma, I know whether any specialised work has been assigned to this Dock at Goa or it is carrying on its work as hitherto?

SHRI A. M. THOMAS: The yard has undertaken repair work of barges mainly. There are about 200 barges working there near that port mainly for the transport of iron ore from shore to ships in stream, and that was the main work that was being undertaken. In fact, it would be possible to take on other works, that is, there are thousands of small craft there, and we may be in a position to undertake repair works of those also. There are as many as 20 ships on some occasions in Marmagao harbour for loading iron ore. We can undertake the repair work of those ships also.

SHRI M. P. BHARGAVA: If the Government share the view that the yard at Goa is an ideal yard may I know whether the Government propose to extend the yard to a greater capacity than what it is today?

SHRI A. M. THOMAS: It is a good yard. It has to be said that the yard was left behind in a state of disorder when the Portuguese left, but we are trying to improve that. The expansion work which is being contemplated would come to about Rs. 5 crores, but it has to be decided whether the work has to be taken up after the ownership of this yard has been transferred to some public sector undertaking. Perhaps the Mazagon Dock Limited itself may undertake it. It is true, as has been pointed out by the hon. Member, that it is a yard well worth developing.

PIRATE RADIO STATION NEAR JULLUNDUR OR JAMMU

•593. SHRI D. THENGARI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Government of India are aware that a pirate Radio Station is operating somewhere near-about Jammu or Jullundur in Punjab; and

(b) if so, what steps have been taken so far to locate it?

THE DEPUTY MINISTER IN THE DEPARTMENT OF COMMUNICATIONS (SHRI B. BHAGAVATI): (a) The so-called pirate or host radio station working on 630 Kc/s is a new broadcasting station of Radio Pakistan.

(b) This station is operating from the Lahore area.

SHRI D. THENGARI: Has the Government enquired into the matter and found out that there is no pirate radio station functioning within India?

SHRI SATYA NARAYAN SINHA: The answer is clear. Why should we have said this without making an enquiry?

SHRI CHANDRA SHEKHAR: Is it a fact that a pirate radio station is functioning in Bhutan, the Bhutan Government have approached the Government of India to locate this pirate radio and the Government of India have failed in this matter?

SHRI B. BHAGAVATI: We have no information.

SHRI CHANDRA SHEKHAR: What is the reply?

SHRI B. BHAGAVATI: We have no information.

SHRI SATYA NARAYAN SINHA: The question does not arise out of this. I have no information about that.

SHRI CHANDRA SHEKHAR: I should like to ask another question in another form. May I know whether the Government have adequate facilities to locate a pirate radio, and if the reply is in the affirmative, may I know why not the pirate radio located in Bhutan was found out even after the request of the Bhutan Government.

SHRI SATYA NARAYAN SINHA: I cannot say that we have got everything perfect. There is nothing perfect so far as the human machinery is concerned. But to the extent we have got that machinery, it is functioning well.

SHRI FARIDUL HAQ ANSARI: May I remind the hon. Minister that when in 1942 the "Independent India Radio" was functioning from some part of India, especially Bombay, the British Government located it and all those people were arrested? Why not the Government of India also locate this pirate radio and do something to stop it?

SHRI SATYA NARAYAN SINHA: I do not know. My hon. friend is talking of the old days in 1942. But so far as the present situation is concerned, if at any moment we are able to locate it, certainly the people will be punished.

SHRI A. D. MANI: Does Government have competent and adequate apparatus for locating pirate radio stations? Other countries have, and if the Government of India has such apparatus, where is it located?

SHRI B. BHAGAVATI: We have monitoring stations at Delhi, Bombay, Madras, Nagpur, Gorakhpur, Shillong and Srinagar. From these stations these monitoring operations are carried out, observation is carried out. So far we do not know that any pirate radio station is operating from within this country.

SHRI LOKANATH MISRA: May I know why the Government admits that it is a pirate radio when it is functioning from Lahore? If the transmitter that is functioning from Lahore is disturbing any of our frequencies, jamming any of our frequencies, have they brought it to the notice of the international forum that looks after the distribution of these frequencies?

SHRI B. BHAGAVATI: That question does not arise at present because . . .

SHRI LOKANATH MISRA: Why do you call it pirate radio when it is functioning from Lahore?

SHRI B. BHAGAVATI: They can operate from Lahore. We cannot object to that. They are not operating from within this country. So far our monitoring observations do not indicate that any pirate radio or ghost radio is operating from this country. So there is no question of lodging any protest to the International Telecommunication Union.

SHRI BIREN ROY: Arising out of the answer that the Minister has given

that they are monitoring only from fixed radio stations, have the Government no mobile equipment to find out pirate stations within the country?

SHRI B. BHAGAVATI: We have no mobile stations, but I think these stations are quite sufficient to do the monitoring as required by the situation.

SHRI LOKANATH MISRA: If it is functioning purely from Lahore and not functioning from the soil of India, why does the Minister call it a pirate radio, a ghost station? They must be very frank about it and they must admit that it is not a pirate radio, that it is performing from Lahore itself and that it has nothing to do with India.

j SHRI SATYA NARAYAN SINHA: I The hon. Member must realise that we have called it the so-called pirate radio.

INTELLIGENCE ORGANISATION OF DEFENCE MINISTRY

*594. SHRI M. RUTHNASWAMY: Will the Minister of DEFENCE be pleased to state:

(a) whether the Intelligence Organisation of the Defence Services is central and common to the three Defence Services;

(b) whether there is a Topographical Section of the Intelligence Organisation preparing detailed maps of the land and sea frontiers of India; and

(c) whether adequate measures for the security of the information gathered and the maps made in this section have been taken?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJU):

(a) Each of the three Defence Services has its own Intelligence Organisation.

(b) No, Sir. The detailed maps of the land and sea frontiers of India are prepared by the Survey of India, an organisation under the Ministry of Education.

(c) Adequate security measures exist to safeguard the information gathered and the maps made.

SHRI M. RUTHNASWAMY: If each of these Defence Services has its own Intelligence Organisation, may I know what provision there is for co-ordinating all this intelligence? Is there any Central Intelligence where this intelligence is co-ordinated?

SHRI Y. B. CHAVAN: There is a Joint Intelligence Committee which co-ordinates the work of the different Intelligence Organisations of the Services and also the Civil Intelligence Organisation.

SHRI C. D. PANDE: Apart from the Intelligence Organisations of the three Defence Services, have Government established any connection with the Indian Intelligence Bureau and also the Intelligence Department run by the External Affairs Ministry, as it was found during the time of the Chinese invasion that our intelligence on military matters was hopelessly lacking in accuracy and we had no information about the build-up of the Chinese forces in Tibet? May I know whether the same condition still exists or we have made some leeway and have come to the normal standard of espionage in the foreign countries?

SHRI Y. B. CHAVAN: I think in the last two years we have certainly made a good leeway and we are definitely not in the same position that we were in in 1962. But I can certainly tell you that this Joint Intelligence Committee which really speaking co-ordinates the work between the three Services' Intelligence Organisations, there is on the Committee a representative of the External Affairs Ministry as well.

SHRI FARIDUL HAQ ANSARI: May I know whether the hon. Minister has seen a report in the press that the Defence Intelligence will be functioning under the overall supervision of the Central Intelligence Bureau?

SHRI Y. B. CHAVAN: I have not seen the report.

पीकिंग के लिये मिशन

*५६५. श्री गिरिराज किशोर कपूर: श्री वल्लोपन्त ठेंगड़ी :

क्या वंदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि काहिरा में हुए अफ़्ग़ानिस्तान देशों के सम्मेलन में आण्विक परीक्षण के सम्बन्ध में पीकिंग को एक मिशन भेजने का जो प्रस्ताव उनके द्वारा रखा गया था उस पर पुनर्विचार किया जा रहा है ; और

(ख) यदि हाँ, तो उस प्रस्ताव का व्यौरा क्या है ?

\$ [MISSION TO PEKING

/SHRI G. K. KAPOOR: DyD.

SHRI D. THENGARI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Prime Minister's proposal of sending a mission to Peking regarding nuclear testing which was made at the Non-aligned Nations' Conference held at Cairo is being reconsidered; and

(b) if so, what are the details of the proposal?]

वंदेशिक कार्य मंत्रालय में राज्य मंत्री
(श्रीमती लक्ष्मी एन० मेनन): (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

[The question was actually asked on the floor of the House by Shri G. K. Kapoor.

t [] English translation.

[THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI N. MENON): (a) No, Sir.

(b) Does not arise.]

श्री गिरिराज किशोर कपूर : क्या मन्त्री महोदय यह बताने की कृपा करेंगे कि हमारे प्रधान मन्त्री ने अपने भाषण में इस बात का जिक्र किया था कि पीकिंग को अणु अस्त्र के बारे में एक मिशन भेजा जाय . . .

श्री सी० डी० पांडे : वह स्टेटमेंट गलत है । यह प्रधान मन्त्री का केवल सुझाव मात्र था ।

श्री गिरिराज किशोर कपूर : या तो मन्त्री जी जवाब दें या आप वहां जा करके बैठ जाइये । तो मैं यह पूछना चाहता हूं कि अखबारों में जब इस तरह की खबरें छपी थीं तो उसका प्रतिवाद क्यों नहीं किया गया ?

श्री लाल बहादुर : यह बात मैंने तब कही थी, जब कि एकस्प्लोजन या विस्फोट नहीं हुआ था चीन का । अब वह प्रश्न नहीं उठता ।

श्री गिरिराज किशोर कपूर : क्या मन्त्री महोदय यह बताने की कृपा करेंगे कि जब उन्होंने यह बात कही थी तो कितने-कितने देशों ने इस प्रस्ताव का या इस बात का समर्थन किया था और उनके क्या नाम हैं ?

श्री लाल बहादुर : उसका कोई प्रस्ताव मैंने नहीं पेश किया था । मैंने अपने एक वक्तव्य में, एक भाषण में उसका जिक्र किया था । इसलिये कोई वहां बोट या मत लेने की बात नहीं थी ।

श्री गिरिराज किशोर कपूर : क्या प्रधान मन्त्री जी यह बतलाने की कृपा करेंगे कि अपने भाषण में उन्होंने जिस बात का जिक्र किया था, उस बात को कहने के लिये पहले उन्होंने अपनी कैबिनेट से राय कर ली थी या नहीं ?

श्री लाल बहादुर : उसमें कोई राय करने की आवश्यकता नहीं होती ।

SHRI A. D. MANI: When the Prime Minister made the proposal in Cairo, did he notice a general unwillingness on the part of the non-aligned nations to support the proposal just because they wanted China to attain a level of equality with the United States of America?

SHRI LAL BAHADUR: That is not so, Sir. Firstly, they were not quite sure if this was going to take place, that is, the explosion, although I had said that there were reports about China making an explosion of an atom bomb. There was a general agreement with our approach against the use of nuclear bombs. But the name of China as such was not mentioned.

श्री ए० बी० वाजपेयी : बैल्फ़ोर सम्मेलन के बाद मास्को और वाशिंगटन को प्रतिनिधि भेजा गया था और रूस और अमेरिका से कहा गया था कि आगे अणु विस्फोट न करो और चीन ने अणु विस्फोट कर लिया, यह बात सच है । क्या फिर भी तटस्थ देशों या गुट निरपेक्ष देशों का एक प्रतिनिधि मण्डल चीन जा करके उनसे मिले और उनसे कहे कि वे आगे अणु विस्फोट न करें और टेम्प बैन ट्रीटी में शामिल हो जायें, इस तरह का कोई प्रस्ताव प्रधान मन्त्री के विचाराधीन है ?

श्री लाल बहादुर : अब तो उस विस्फोट के बाद दूसरी बहुत सी समस्याएं खड़ी हो गई हैं, लेकिन इस समय हमारे सामने कोई ऐसा प्रस्ताव नहीं है कि जिसका माननीय सदस्य ने जिक्र किया ।

SHRI ARJUN ARORA: May I know if the Government has sounded the non-aligned nations after the Chinese explosion about their attitude to the Chinese explosion and about the efforts at stopping further atomic tests by China?

SHRI LAL BAHADUR: Yes, Sir. We did write to many countries and, by

and large, they have said that they do not agree with the nuclear explosion. But what should be the further steps, or what should be the further formulation in the UN, it has not been decided so far.

SHRI I. K. GUJRAL: May I ask the hon. Prime Minister whether in view of the changed situation the Government has taken any steps to take this issue of Chinese bomb to the XIN. and/or other international forums like the Geneva talks and also the Second Bandung Conference?

SHRI LAL BAHADUR: I do not follow the question.

SHRI I. K. GUJRAL: I had requested the hon. Prime Minister to let us know what steps the Government has so far taken to raise these issues in the UN as well as other international forums.

SHRI LAL BAHADUR: About the other international forums, I have no special knowledge. Of course, this matter will be taken up and discussed in the Disarmament Committee. In regard to the UN, our Foreign Minister has already spoken about this in the UN.

(Shri A. D. Mani rose)

MR. CHAIRMAN; Mr. Mani, you must, of course, have the last word.

SHRI A. D. MANI: Sir, I just wanted to put a question. Reports have appeared that China is going to detonate another atom bomb. In view of this, has the Prime Minister considered the desirability of addressing the non-aligned nations on the question of making an urgent representation to China not to explode an atom bomb?

SHRI AKBAR ALI KHAN: But we should not become so nervous.

SHRI A. B. VAJPAYEE: We believe in *ahimsa*; how can we be nervous?

(No reply)

*596. [The questioner (Shri U. S. Dugal) was absent. For answer, vide col. 3758 infra.]

*597. [The questioner (Shri Surjit Singh Atwal) was absent. For answer, vide col. 3758 infra.]

हवाई दुर्घटना में एक कैडेट की मृत्यु

*५९८. { श्री विमलकुमार मन्नालालजी
चौरङ्गिया :†
श्री राम सहाय :

क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ३० नवम्बर, १९६४ को हैदराबाद के निकट ट्रेनिंग के दौरान एक कैडेट की हवाई दुर्घटना से मृत्यु हो गई थी ; और

(ख) १९६४ में अब तक ऐसी कितनी दुर्घटनाएँ हो चुकी हैं ?

† [DEATH OF A CADET IN FLYING ACCIDENT

,™ /SHRI V. M. CHORDIA: \ SHRI
RAM SAHAI:

Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that a **flying** cadet was killed in an air-accident in the course of training near Hyderabad on 30th November, 1964; and

(b) what is the number of such accidents in 1964 so far?]

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJU):
(a) Yes, Sir. The accident occurred at 10 nautical miles north of Hakimpet airfield.

(b) It is not in public interest to give this information.

†The question was actually asked on the floor of the House by Shri V. M. Chordia.

† [] English translation.

†[प्रतिरक्षा मंत्रालय में उपमंत्रि (डॉ० डी० एस० राजू) : (क) जो हां। दुर्घटना हाकिमपेट हवाई अड्डे से १० हवाई मील उत्तर को हुई थी।

(ख) यह सूचना देना लोकहित में नहीं है।]

श्री विमलकुमार मन्नालालजी चौरङ्गिया : हमारे यहां पर ऐसी बहुत सी दुर्घटनाएं हो गईं। क्योंकि आप तो सूचना देने नहीं, इस लिये लोगों में यह धारणा है कि ये दुर्घटनाएं बहुत अधिक संख्या में बढ़ती जा रही हैं। जब तक आप अपनी संख्या न दें, हम यह मान कर चलते हैं कि दुर्घटनाएं बहुत हो रही हैं। तो ऐसी स्थिति में इन दुर्घटनाओं को रोकने के लिये जो कमेटी ने रिपोर्ट दी थी, उसकी जांच की गई अथवा नहीं?

DR. D. S. RAJU: The Report of the Committee about these flying accidents has been placed on the Table of the Sabha only yesterday.

श्री विमलकुमार मन्नालालजी चौरङ्गिया : क्या श्रीमान को यह ज्ञात है कि ३० नवम्बर की इस दुर्घटना के तीन दिन के अन्दर और भी दुर्घटना घटीं और उसका प्रमुख कारण यह था कि कैडेट्स की मनोवैज्ञानिक दृष्टि से ऐसी स्थिति हो गई थी कि वे हवाई जहाज चलाना नहीं चाहते थे, मगर उनको मजबूर किया गया कि वे हवाई जहाज चलायें और फिर दुर्घटनाएं घटीं?

SHRI Y. B. CHAVAN: I do not think that these inferences are correct or that this information is correct. It is not so.

श्री विमलकुमार मन्नालालजी चौरङ्गिया : क्या श्रीमान यह बतलायेंगे कि जो कैडेट मर गये उनके कुटुम्बियों को मुआवजों देने की दृष्टि से वा राहत देने की दृष्टि से क्या योजना की गई और इस अग्रिम कैडेट के बारे में क्या कार्यवाही की गई?

SHRI Y. B. CHAVAN: This particular cadet was an unmarried person. In the case of unmarried cadets their parents are given this help if they are dependent upon such cadets. In this particular case, the parents are *nnl* dependent on this cadet.

श्री गिरिराज किशोर कूर : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि देश के बच्चे हवाई दुर्घटनाएं करें और देश में यह आवाज हो कि कितने मरे, तो वह पब्लिक इंस्टेस्ट में नहीं बताया जाता है, तो ऐसा कौनसा इसमें पब्लिक इंस्टेस्ट है, जिससे यह नहीं बताया जा रहा है?

SHRI Y. B. CHAVAN: Sir, to give these consolidated statistics is not in the interests of the public.

MR. CHAIRMAN: I agree.

श्री राम सहाय : क्या मैं यह जान सकूंगा कि जब ये ट्रेनीज ट्रेनिंग लेते हैं, तब क्या इनके साथ कोई गाइड नहीं रहता है कि जिसकी वजह से ये दुर्घटनाएं होती हैं।

श्री बाई० बी० चव्हाण : पहले पहले तो गाइड रहता है। लेकिन बाद में उनको काम करना होता है, इसलिये उनको कभी-कभी अकेले भी जाना होता है। It is much better if Members go into the Reports which are submitted and placed on the Table of this hon. House and possibly, they will find that there is no reason to take any panicky view of this matter.

SHRI R. S. KHANDEKAR: Has Government seen the public complaint made by the previous Governor of Maharashtra, Shri Sri Prakash, that it is found that after these accidents take place, no report is given to the parents, that no compensation is given and that their parents are not immediately informed? Such a sort of complaint he had made publicly recently, a month back or so. In the newspapers he has written articles also about these accidents.

† [] Hindi translation.

SHRI Y. B. CHAVAN: Yes, Sir. I have gone through these articles of Sri Prakashji and in this particular case I made arrangements to see that he should see the report. After seeing the report he has written another article. I hope the hon. Member has seen that article also. Personally also I have had some discussion with him and some of the points that he has raised in this article, I am personally pursuing.

NATIONAL DEFENCE FUND

*599. SHRI R. S. KHANDEKAR: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government propose to discontinue the collection to the National Defence Fund; and

(b) if so, what are the reasons therefor?

THE PRIME MINISTER (SHRI LAL BAHADUR): (a) No.

(b) Does not arise.

SHRI R. S. KHANDEKAR: May I know, Sir, whether it is a fact that the response to the National Defence Fund is not encouraging and that the collection is not progressing as satisfactorily as it was two years before in spite of the fact that the emergency still continues and the same conditions prevail at present also? May I know, Sir, what steps Government are taking to encourage more collections for this Fund?

SHRI LAL BAHADUR: At that time special efforts were made and the collections made were very satisfactory. Now, it has been left to the people or their organisations to make contributions and whatever we get is deposited in the National Defence Fund.

SHRI R. S. KHANDEKAR: May I know, Sir, what special steps are taken now to encourage the people to contribute more liberally to this Fund

so that a proper atmosphere is created in this country to encourage people to donate liberally?

SHRI LAL BAHADUR: No special efforts are made at present.

SHRI ARJUN ARORA: May I know, Sir, what have been the receipts in the Fund during the first six months of 1964?

SHRI LAL BAHADUR: I cannot give exact amount for that period but the total collections were of the order of Rs. 59'13 crores plus ornaments etc.

श्री देवकीनंदन नारायण : क्या मन्त्री महोदय यह बताने की कृपा करेंगे कि यह फण्ड इकट्ठा करने के लिए सारे हिन्दुस्तान के लिए यूनिफार्म रिसीट छापी गई थी या हर एक जिले को अपना-अपना अधिकार दिया गया था रिसीट छापने का, और फण्ड इकट्ठा करने का, और इस वजह से कहीं कहीं गड़बड़ी हुई ?

श्री लाल बहादुर : मैं बिल्कुल यह पक्का तो नहीं कह सकता लेकिन कुछ थोड़ी सी कुछ जगहों की शिकायतें मिली हैं जिनकी देखभाल स्टेट-गवर्नमेंट्स कर रही है ।

श्री देवकीनंदन नारायण : मेरा पहला सवाल यह था कि whether uniform receipt books were printed or not.

श्री सभापति : आपने कहा कि इसका पक्का जवाब नहीं दे सकते ।

SHRI C. D. PANDE: The entire collection so far has been of the order of Rs. 59 crores, apart from jewellery. May I know, Sir, the exact amount of gold received from the various societies and organisations and whether the Government proposes to have this fund as a permanent fund separate from the public exchequer or to merge it with the Consolidated Fund of the country?

SHRI LAL BAHADUR: Sir, gold and gold ornaments received were 24,09,526 grams. As regards the fund, it has to remain a separate fund.

विदेशों में प्रचार के लिए पुस्तिकाएं

*६००. श्री भगवत नारायण भार्गव : क्या वैदेशिक कार्य मन्त्री यह बताने की कृपा करेंगे कि १९६४ में विदेशों में प्रचार के लिये किस-किस भाषा में कितनी-कितनी पुस्तिकाएँ निकाली गईं ?

t [BROCHURES FOR EXTERNAL PUBLICITY

*600. SHRI B. N. BHARGAVA: Will the Minister of EXTERNAL AFFAIRS be pleased to state the number of brochures published in various languages for external publicity in 1964?

वैदेशिक कार्य मंत्रालय में उपमन्त्री (श्री बिनेश सिंह) : एक व्योरा सदन की भेज पर रख दिया है।

विवरण

विदेश प्रचार के लिए इस वर्ष कई भाषाओं में 97 पुस्तिकाएं प्रकाशित की गई हैं ; उनका विवरण इस प्रकार है :

१. अंग्रेजी

१. पीकिंग टू फेसेज ।
२. इंडिया-चाइना कानफिलक्ट ।
३. चाइना वायलेटस जेनेवा कनवेंशंस ।
४. दी बान्डुंग जेन्टलमैन ।
५. फाइव इयर्स इन माओज चाइना ।
६. नोटस, मेमोरैन्डा एंड लेटर्स एक्सचेंज बिटविन दि गवर्नमेंट्स आफ इन्डिया एंड चाइना-व्हाइट पेपर नं० एकस ।
७. पार्टनर्स इन ऐग्रेशन ।

† [] English translation.

८. पाकिस्तान परसिक्यूट्स क्रिश्चियन्स

९. रिलिजस अपारथीड इन पाकिस्तान ।

१०. वर्ल्ड प्रेस आन दि एक्सोडस आफ क्रिश्चियनस फ्रॉम पाकिस्तान ।

११. हेट्रेड अगैस्ट इंडिया कीप्स पा केस्तान टुगेदर ।

१२. पाकिस्तान्स ऐमबिगुअस पालिटिक्स ।
(11) पाकिस्तान-ए फ्रेंड आफ अवर एनिमी।

१३. कश्मीर-श्री एम० सी० चागलाज स्पीचेज इन दि सिक्थोरिटी काउंसिल आन फेब्रुअरी 5, 10, 1964 ।

१४. कश्मीर-श्री एम० सी० चागलाज स्पीचेज इन दि सिक्थोरिटी काउंसिल आन मे 7, 12 एंड 18, 1964 ।

१५. ए बी सी आफ दि कश्मीर क्वेश्चन ।

१६. कश्मीर एंड दि यूनाइटेड नैशंस ।

१७. सेलिएंट ऐस्पेक्टस आफ कश्मीर सिचुएशन ।

१८. नेहरू एंड अफ्रीका ।

१९. इंडिया एंड अफ्रीका ।

२०. इंडियाज ट्रेड बायकाट आफ साउथ अफ्रीका ।

२१. इंडिया एंड अफगानिस्तान ।

२२. दि बेल्लेड कान्फेंस आफ नान अलाइड नेशंस (सेप्टेम्बर, 1-6-1961)

२३. कामनवेल्थ प्राइम मिनिस्टर्स कान्फेंस-फाइनल कम्युनिक-जुलाई, 15, 1964 ।

२४. दि कैरो कान्फेंस आफ नान-अलाइड नेशंस (अक्टूबर ५, १९६४)

२५. प्राइम मिनिस्टर्स ब्राडकास्ट टु दि नेशन-जून ११, १९६४ ।

२६. एक्सट्रेक्ट्स फ्रॉम दि विल एंड टेस्टामेंट ऑफ जवाहरलाल नेहरू ।
 २७. विमेन ऑफ इण्डिया ।
 २८. मुस्लिम्स इन इण्डिया ।
 २९. हज—१९६४ (उर्दू)
 ३०. बैकग्राउन्ड ट इण्डिया ।
 ३१. इण्डिया—ए मर्चेंट ।
 ३२. इण्डियन आर्ट—ए न्यू प्वाइन्ट ऑफ व्यू ।
 ३३. इण्डियन विट एंड ह्यमर ।
 ३४. दि परसूट ऑफ प्लेन्टी ।
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 ४३. कन्टेम्पोरेरी पेंटिगज ।
 ४४. मिनिचर पेंटिगज ।
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 ४८. दि चेंजिंग फेस ऑफ इण्डिया ।
 ४९. दि चेंजिंग फेस ऑफ इण्डिया—ट्रांसपोर्ट ।
 ५०. दि चेंजिंग फेस ऑफ इण्डिया—बेसिक इण्डस्ट्रीज ।

५१. दि चेंजिंग फेस ऑफ इण्डिया—साइन्टिफिक रिसर्च ।

५२. दि चेंजिंग फेस ऑफ इण्डिया—फाइव ईयर प्लान ।

५३. दि चेंजिंग फेस ऑफ इण्डिया—एग्रीकल्चर ।

५४. दि चेंजिंग फेस ऑफ इण्डिया—पावर ।

५५. दि कश्मीर इशू ।

५६. फैक्ट्स अबाउट कश्मीर ।

५७. इण्डिया—आन दि मार्च ।

५८. इण्डिया—गुलवर्क ऑफ डेमोक्रेसी ।

२. अरबी

५९. कश्मीर—श्री एम० सी० चगलाज स्पीचेज इन दि सिक्योरिटी काउंसिल आन फेब्रुअरी ५-१०-१९६४ ।

६०. साइनो—पाकिस्तान “ऐग्रीमेंट”—मार्च, २, १९६३—सम फैक्ट्स ।

६१. पार्टनर्स इन ऐग्रेशन ।

६२. चाइनीज ऐग्रेशन इन वार एंड पीस ।

६३. चाइनीज थ्रैट ।

६४. चाइनीज ऐग्रेशन—सम फैक्ट्स अबाउट इण्डिया—चाइना वारडर—कोलम्बो प्रोपोजल्स ।

६५. चाइनीज ऐग्रेशन इन मैप्स ।

६६. चाइनीज कम्युनिटी इन इण्डिया ।

६७. ऐग्रेशन इन कश्मीर ।

६८. चेंजिंग इण्डिया—बाई जवाहरलाल नेहरू ।

६९. रोजंस फार फेलथोर ऑफ पेंटिंग डिस्प्यूट्स बिटवीन इण्डिया एंड पाकिस्तान प्रोवर कश्मीर ।

3. फ़्रेंच

७०. ए.बी.सी. आफ दि कश्मीर क्वेश्चन ।
 ७१. इण्डिया ए पिक्टोरियल सर्वे ।
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 ७४. कश्मीर एंड दि यूनाइटेड नेशंस ।
 ७५. दि कश्मीर क्वेश्चन ।
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 ७७. दि साइनो-पाकिस्तानी ऐग्रीमेंट ।
 ७८. दि चाइनीज कम्यूनिटी इन इण्डिया ।
 ७९. इण्डियन कम्यूनिस्ट्स कन्डेन्स चाइनीज ऐग्रेसन ।

८०. लब्रेसियों शिन्वाज (आं तां द पे ए द गुएर)

८१. एक्सट्रैक्ट्स फ्रॉम दि विल एंड टेस्टामेंट आफ जवाहरलाल नेहरू ।

४. अन्य भाषाएं

८२. ऐग्रेसन इन कश्मीर . डच
 ८३. कश्मीर—एम० सी० चागलाज स्पीचेज इन दि सिक्योरिटी काउंसिल आन फेब्रुअरी ५-१०-१९६४ । डच
 ८४. इन्फ्लक्स—इन्फिल्ट्रेशन फ्रॉम ईस्ट पाकिस्तान . डच
 ८५. बैंक ग्राउंड टु इण्डिया . डच
 ८६. कश्मीर—श्री एम० सी० चागलाज स्पीचेज इन दि सिक्योरिटी काउंसिल आन फेब्रुअरी ५-१०-६४ स्पेनिश
 ८७. पार्टनर्स इन ऐग्रेसन . स्पेनिश
 ८८. बैंक ग्राउंड टु इण्डिया . स्पेनिश

८९. चेंजिंग इण्डिया . स्पेनिश
 ९०. इन्फ्लक्स—इन्फिल्ट्रेशन फ्रॉम ईस्ट पाकिस्तान . भाषा इन्डोनेसिया
 ९१. चाइनीज कम्यूनिटी इन इण्डिया . भाषा इन्डोनेसिया
 ९२. इण्डिया-चाइना वारडर प्रावन्तम . जर्मन
 ९३. पाकिस्तान-रैंड चाइना इन्ट्रीग इन कश्मीर . तुर्की
 ९४. बैंक ग्राउंड टु इण्डिया . मलय
 ९५. बैंक ग्राउंड टु इण्डिया . थाई
 ९६. बैंक ग्राउंड टु इण्डिया . चीनी
 ९७. इण्डिया-टुडे एंड दुमारो पुर्तगाली

विदेश प्रचार के लिए जो पुस्तिकाएं (ब्रोशर्स) निकाली जाती हैं, उनकी परिभाषा में, साप्ताहिक और पाक्षिक पत्रिकाएं, विशेष गणराज्य दिवस पुस्तिकाएं तथा हमारे मिशनों द्वारा प्रकाशित अन्य पत्रिकाएं सम्मिलित नहीं हैं। हमारे मिशन विभिन्न भाषाओं में तिरासी दैनिक, साप्ताहिक, पाक्षिक तथा अन्य पत्र निकालते हैं।

[THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH) : A statement is placed on the Table of the House.

STATEMENT

97 brochures have been published during the year in various languages for external publicity. Their particulars are as follows:

(i) English

1. Peking's two faces.
2. India-China Conflict.
3. China Violates Geneva Conventions.
4. The Bandung Gentlemen.

t [] English translation.

5. Five Years in Mao's China.
6. Notes, Memoranda and letters exchanged between the Governments of India and China—WHITE PAPER No. X.
7. Partners in Aggression.
8. Pakistan Persecutes Christians.
9. Religious Apartheid in Pakistan.
10. World Press on the exodus of Christians from Pakistan.
11. Hatred Against India Keeps Pakistan Together.
12. Pakistan's ambiguous politics
(ii) Pakistan—A friend of our Enemy.
13. Kashmir—Shri M. C. Chagla's speeches in the Security Council on Feb. 5, 10, 1964.
14. Kashmir—Shri M. C. Chagla's speeches in Security Council on May 7, 12 and 18, 1964.
15. ABC of the Kashmir Question.
16. Kashmir and the United Nations.
17. Salient Aspects of Kashmir Situation.
18. Nehru and Africa
19. India and Africa.
20. India's Trade Boycott of South Africa.
21. India and Afghanistan.
22. The Belgrade Conference of Non-aligned Nations (Sept. 1-6, 1961)
23. Commonwealth Prime Ministers' Conference—Final Communique—July 15, 1964.
24. The Cairo Conference of Non-Aligned Nations (Oct. 5, 1964)
25. Prime Minister's Broadcast to the Nation—June 1964.
26. Extracts from the Will and Testament of Jawaharlal Nehru.
27. Women of India.
- 28.
29. Haj—1964 (Urdu).
30. Background to India.
31. India—A Survey.

32. Indian Art—A New Point of view
33. Indian Wit and Humour.
34. The Pursuit of Plenty.
35. Aggression in Kashmir.
36. The Chinese Aggression (Colombo Proposals).
37. Influx.
38. China Disregards the Colombo Proposals.
39. Chinese Threat.
40. Chinese Aggression—in Maps.
41. Christians in India.
42. Churches in India.
43. Contemporary Paintings.
44. Miniature Paintings.
45. Folk Dances of India.
46. Sculptures of India.
47. Monuments of India.
48. The Changing Face of India.
49. The Changing Face of India—Transport.
50. The Changing Face of India—Basic Industries.
51. The Changing Face of India—Scientific Research.
52. The Changing Face of India—Year Five Plans.
53. The Changing Face of India—Agriculture.
54. The Changing Face of India—Power
55. The Kashmir Issue.
56. Facts about Kashmir.
57. India—On the March.
58. India—Bulwark of Democracy.
- (ii) Arabic
59. Kashmir—Shri M. C. Chagla's speeches in the Security Council on February 5, 10, 1964.
60. Sino-Pakistan "Agreement"—March 2, 1963—Some Facts.
61. Partners in Aggression.
62. Chinese Aggression in War and Peace.
63. Chinese Threat.

64. Chinese Aggression—Some Facts about India-China Border—Colombo Proposals.

65. Chinese Aggression in Maps.

66. Chinese Community in India.

67. Aggression in Kashmir.

68. Changing India—by Jawaharlal Nehru.

69. Reasons for Failure of Pending Disputes between India and Pakistan over Kashmir.

(iii) *French*

70. ABC of the Kashmir Question.

71. India—A Pictorial Survey.

72. Chinese Aggression (Colombo Proposals).

73. Kashmir—Shri M. C. Chagla's Speeches in the Security Council on February 5-10, 1964.

74. Kashmir and the United Nations.

75. The Kashmir Question.

76. The Chinese Threat.

77. The Sino-Pakistani Agreement.

78. The Chinese Community in India.

79. Indian communists condemn Chinese aggression.

80. 'L' Agresion Chinoise (En Temps de Paix et de Guerre).

81. Extracts from Will and Testament of Jawaharlal Nehru.

(iv) *Other Languages*

82. Aggression in Kashmir Dutch

a3. Kashmir—Shri M. C. Chagla's speeches in the Security Council on February 5-10-1964 Dutch

M. Influx—Infiltration from East Pakistan. Dutch

\$5. Background to India Dutch

S6. Kashmir—Shri M. C. Chagla's speeches in the Security Council on February 5-10-1964 Spanish

»7. Partners in Aggression. Spanish

88. Background to India. Spanish

89. Changing India. Spanish

SO. Influx—Infiltration from East Pakistan Bahasa Indo-nesia

9 Chinese Community in India.

1 Bahasa Indo-nesia.

02 India-China Border Pro-lem. .1 German

93. Pakistan-Red China In-Turkish trigues in Kashmir

94 Background to India Malay . Background to India. Thai

95 Background to India. Chinese

9 India—Today and To-7. morrow. Portuguesfc

In the definition of brochures brought out for external publicity, weekly and fortnightly periodicals, special Republic Day booklets and other magazines brought out by our Missions have not been included. Eighty-three dailies, weeklies, fortnightlies and other papers are brought out by our Missions in various languages.]

श्री भगवत नारायण भागवत : विवरण को देखने से मालूम होता है कि कुछ बड़े-बड़े विदेशों में कोई प्रचार पुस्तिका उनकी भाषा में प्रकाशित नहीं होती, जैसे कि रूस के लिए रशियन में, नार्वे, स्वीडन और इटली के लिए उनकी भाषाओं में, पाकिस्तान के लिए उर्दू भाषा में कोई पुस्तिकाएँ क्यों नहीं प्रकाशित की जाती ?

श्री दिनेश सिंह : जहाँ तक पाकिस्तान का सवाल है कुछ तो वहाँ आम तौर से जो पुस्तकें छपती हैं वे जा सकती हैं और कुछ अंग्रेजी वहाँ लोग पढ़ते हैं इसलिए खास उर्दू का नहीं सोचा गया है। रूस में भी ये किताब बगैरह आसानों से दी नहीं जा सकती, इसलिए रूसी भाषा में भी नहीं सोचा गया है।

श्री भगवत नारायण भागवत : विवरण में यह बताया गया है कि ऐसे 83 अखबार निकाले जाते हैं तो मैं यह जानना चाहता हूँ कि क्या उनमें भी कोई अखबार उर्दू में या हिन्दी में या रूस की भाषा में निकाला जाता है ?

श्री दिनेश सिंह : रूस की भाषा में जो निकाला जाता है, हिन्दी और उर्दू में नहीं निकाला जाता।

SHRI I. K. GUJRAL: In order to make impact by our foreign publicity, may I know, Sir, if any steps have been taken to see that all our information Officers stationed in countries where English is not spoken or under-Stood have got at their disposal India-based translators?

SHRI DINESH SINGH: I cannot say off-hand that we have all India-based translators, but they have translators.

श्री फ़रीद الحق انصاری : کیا میں قیدی منسٹر سے یہ پوچھ سکتا ہوں کہ جہاں تک پاکستان کا سوال ہے ہندوستان کی چھپی ہوئی کتابیں اور اخبارات وہاں کی گورنمنٹ جو ہے اپنے ملک کے اندر جانے نہیں دیتی - اس لئے کیوں نہیں ایکسٹرنل آفیسر منسٹری وہاں ہندوستان کا پروپاگنڈا کرنے کے لئے جو صحیحہ بنائیں ہیں ان کو بتانے کے لئے وہاں کی جو زبان ہے اس میں وہ چھپے ؟

[श्री फ़रीद हक अन्सारी : क्या मैं डिप्टी मिनिस्टर से यह पूछ सकता हूँ कि जहाँ तक पाकिस्तान का सवाल है हिन्दुस्तान की छपी हुई किताबें और अखबार वहाँ की गवर्नमेंट जो है अपने मुल्क के अन्दर जाने नहीं देती, इसलिए क्यों नहीं एक्स-टर्नल अफेयर्स मिनिस्ट्री वहाँ हिन्दुस्तान का प्रोपेगण्डा करने के लिए, जो सही बातें हैं उनको बताने के लिए वहाँ की जो जुबान है उसमें वह छापे ?]

श्री दिनेश सिंह : वही दिक्कत उसके लिए भी है ।

श्री ए० बी० वाजपेयी : सीवियत सरकार जो पत्रिकाएँ-पुस्तकें छापती हैं वह भारत में खुले बाजार में विकती और खरीदी जाती हैं । क्या हमारे दूतावास द्वारा प्रकाशित पत्रिकाओं के खरीदने बेचने की भी यही सुविधाएं प्राप्त हैं ?

श्री दिनेश सिंह : जो हमारा रूसी भाषा में अखबार छपता है वह वहाँ आसानी से बेचा जाता है, कोई रुकावट नहीं है ।

[; Hindi transliteration.

*601, [The questioners (Sarvashri Niren Ghosh and A. Basavap-annaiah) were absent. For answer, vide col. 3759 infra.]

GARDEN REACH WORKSHOP

*602. SHRI M. P. BHARGAVA: Will the Minister of DEFENCE be pleased to state:

(a) whether arrangements for manufacturing road rollers in Garden Reach Workshop have been finalised;

(b) whether the required machinery has been acquired; and

(c) whether any components of the road rollers will have to be imported?

THE MINISTER OF DEFENCE PRODUCTION IN THE MINISTRY OF DEFENCE (SHRI A. M. THOMAS): (a) Yes, Sir. The Company will shortly undertake the manufacture of 8 to 10 diesel-engine driven road rollers.

(b) The machinery required for the initial phase of production has been obtained and that for subsequent phases is still to come.

(c) According to present estimates only components to be imported would be ball and roller bearings.

SHRI M. P. BHARGAVA: May I know, Sir, whether it is a fact that the Garden Reach Workshop is very congested and, if so, whether it is proposed to instal this machinery at the same site and not at the Garden Reach Workshop site?

SHRI A. M. THOMAS: The Garden Reach Workshop Ltd. were in the past manufacturing major components of road rollers for a firm in Calcutta. Therefore, as far as the major components are concerned, it has got the necessary space. But some more space may be necessary. We are making provision for that.

SHRI M. P. BHARGAVA: May I know, Sir, whether any target date has been fixed for the manufacture of road rollers in such quantities as would be self-sufficient for the entire needs of the country.

SHRI A. M. THOMAS: A decision, had been taken in September 1962 that the Garden Reach Workshop should manufacture road rollers, and a prototype road roller was recently manufactured. It is expected that the trial would, prove satisfactory, and after clearance is obtained from the users, mainly from the Border Roads Organisation and also the Army Headquarters, the Engineer-in-Chief, the Director-General of Supplies and Disposals, we would be undertaking the manufacture. The first phase would take about a year. We will be manufacturing 40 road rollers during the first phase. In the second phase we will manufacture another 40 which will take about 2 years and during the third phase period 120 rollers.

SHRI M. P. BHARGAVA: May I know, Sir, when this workshop is likely to go into full production as far as the manufacture of road rollers is concerned?

SHRI A. M. THOMAS: For that, additional machinery to the extent of about Rs. 3 lakhs would be necessary. For the first phase, machinery worth Rs. 50,000 will be enough. That we have already bought. Other imports will depend on the second and third phases, I can assure the hon. Member that all the necessary arrangements would certainly be made for manufacture.

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

UPSC EXAMINATION FOR CENTRAL INFORMATION SERVICE

*585. SHRI JAGAT NARAIN Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that a test was held by the Union Public Service Commission in June last to fill

173 posts of Grade IV of the Central Information Service, and that the result of the same has not so far been announced; and

(b) if so, what are the reasons for which the Union Public Service Commission *vide* its advertisement No. 42 has again invited applications for filling similar posts (Central Information Service Grade IV) and is holding a test for the same in March, 1965?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir. The written test was for 171 (and not 173) vacancies which remained unfilled at the time of the initial Constitution of the Central Information Service. This recruitment provided for selection from amongst persons already having journalistic experience.

(to) The test to be held in March 1965 is for recruitment to vacancies which have occurred after the initial constitution of the Service. This recruitment is intended to select candidates from amongst fresh graduates by open competition, who would be provided training to meet the requirements of the Service.

ACTION AGAINST PERSONS RESPONSIBLE FOR NEFA REVERSES

♦586. SHRI ABDUL GHANI: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have taken action against the persons found responsible for the NEFA reverses during the Chinese attack; and

(b) if so, what action has been taken against them?

THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN): (a) and (b) While an enquiry into the nature of military appraisal was held into NEFA reverses, no individual responsibility as such was fixed. It may, however, be

mentioned that the then Chief of Army Staff and the Corps Commander voluntarily retired, immediately after November, 1962.

CONSUMER PRICE INDEX

/ SHRI NIREN GHOSH:
 \ SHRI M. BASAVAPUNNAIAH:

Will the PRIME MINISTER be pleased to state:

(a) when Government propose to introduce the consumer price index numbers for the middle class in India; and

(b) if so, which are the centres proposed to be covered in the beginning?

THE PRIME MINISTER (SHRI LAL BAHADUR): (a) The index numbers are under construction. The question of publication of the indices will be considered in due course.

(b) Priority is being given in construction to 16 State Capitals viz., Delhi, Srinagar, Chandigarh, Lucknow, Patna, Shillong, Calcutta, Cuttack-Bhubaneswar, Bhopal, Jaipur, Ahmedabad, Bombay, Hyderabad, Madras, Bangalore and Trivandrum.

ISSUE OF CHINA'S NUCLEAR EXPLOSIONS IN U.N.

•589. SHRI SITARAM JAIPURIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is ^aac* that India, propose to seek the United Nations' disapproval, of China's nuclear explosion, in the current session of the General Assembly; and

(b) if so, what is the reaction of the other members of the United Nations in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI N. MENON):

(a) and (b) The Government of India have condemned the Chinese nuclear explosion and have made concerted efforts to mobilize world public opinion against Chinese nuclear weapons tests. The specific line of action to be adopted during the current session of the UN General Assembly will depend upon the views of various Governments on this question which are being ascertained at present.

CONTRACT SERVICE PERSONNEL IN BORDER AREAS

*596. SHRI U. S. DUGAL: Will the Minister of DEFENCE be pleased to state whether Government propose to absorb the personnel serving in Border Roads Area on contract service for the last three or four years in the regular M.E.S. Cadre.

THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN): No proposal to absorb Border Roads personnel in the M.E.S. is under consideration.

EMPLOYMENT IN COAL MINES

*597. SHRI SURJIT SINGH ATWAL: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state.

(a) whether it is a fact that the figures of employment in the coalmines have shown declining trends over the past few months; and

(b) if so, what steps are being taken by Government to arrest the decline?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI D. SANJIVAYYA): (a) There was some reduction in employment during the months of June and July but the figures in August and September have again gone up.

(b) The position is being watched.

**PROTECTION TO WORKERS GETTING JHGHHER
BOOTS**

/ SHRI NIREN GHOSH: " " \ SHRI M.
BASAVAPUNNAIAH:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state whether Government are considering a provision for statutory protection to workers who are now getting more bonus under bilateral agreements with the employers than what they might be entitled to under the Bonus Commission's recommendations?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRID. SANJIVAYYA): Yes.

L.D.C.'s IN ARMY ORDNANCE CORPS

*603. SHRI D. THENGARI: Will the Minister of DEFENCE be pleased to state:

(a) whether his attention has been drawn to a news-item in the 'Organiser' of 28th September, 1964, entitled 'L.D.C.'s Problems in Army Ordnance Corps';

(b) if so, what is the criterion fixed for determining the ratio of Lower Division Clerks and Upper Division Clerks in the Ordnance Depots *vis-a-vis* the ratio in the Defence Accounts Department;

(c) whether Government have received any representations on this behalf; and

(d) if so, what action has been taken thereon?

THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN): (a) Yes, Sir.

(b) The proportion between L.D.Cs. and U.D.Cs. in any Corps/Service is fixed according to the nature of work in that Corps/Service.

(c) Yes, Sir.

(d) The matter is under consideration of the Government.

हिन्दुस्तान एयरक्राफ्ट लिमिटेड में गबन

*६०४. श्री गिरिराज किशोर कपूर : क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिन्दुस्तान एयरक्राफ्ट लिमिटेड में अक्टूबर, १९६१ और अगस्त, १९६२ के बीच १८,७५० रुपये की राशि का गबन हुआ था ; और

(ख) यदि हाँ, तो इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

t [EMBEZZLEMENT IN H.A.L.

*604. SHRI G. K. KAPOOR: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that an amount of Rs. 18,750 was embezzled in the Hindustan Aircraft Ltd., between October, 1961 and August, 1962; and

(b) if so, what action has been taken by Government in this regard?]

ttTHE MINISTER OF DEFENCE

प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री(श्री ए० एम० थॉमस):(क) जी हाँ ।

(ख) सम्बन्धित कर्मचारी को आवश्यक जांच के पश्चात् सेवा से हटा दिया गया है । स्पेशल पुलिस सिब्बन्दी द्वारा उसके विरुद्ध फौजदारी कानूनी कार्रवाई के पश्चात् उसे दोषी प्रमाणित पाया गया और तीन वर्ष का कड़ा दण्ड दिया गया । गबन की गई राशि निष्ठा बीमा पालिसी के अन्तर्गत वसूल भी कर ली गई है, जिसके अन्तर्गत सम्बन्धित कर्मचारी का बीमा हुआ था ।

PRODUCTION IN THE MINISTRY OF DEFENCE (SHRI A. M. THOMAS): (a) Yes, Sir.

(b) The concerned employee was dismissed from service after necessary enquiries. On the basis of the crimi-

t [] English translation.

nal proceedings instituted against him by the Special Police Establishment, he was convicted and sentenced to three years' rigorous imprisonment. The misappropriated amount was also realised under the Fidelity Insurance Policy which covered the concerned employee.]

t [AGREEMENT WITH CHINA ON BASIS OF

'एडजस्टमेंट' के आधार पर चीन से समझौता

* ६०५ { श्री ए० बी० वाजपेयी :
श्री राम साहय :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कांग्रेस संसदीय दल की हाल में हुई एक बैठक में भाषण करते हुए उन्होंने चीन के साथ कुछ "एडजस्टमेंट्स" के आधार पर समझौता करने की बात कही थी ; और

(ख) यदि हां, तो 'एडजस्टमेंट' से उनका वस्तुतः क्या अभिप्राय था ?

ADJUSTMENTS

SHRRI A. B. VAJPAYEE: \ SHRI
RAM SAHAI:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that while addressing a recent meeting of the Congress Parliamentary Party he spoke about having an agreement with China on the basis of certain 'adjustments'; and

(b) if so, what he actually meant by that expression 'adjustments'?

प्रधान मंत्री (श्री लाल बहादुर) : (क)
नहीं ।

(ख) प्रश्न नहीं उठता ।

THE PRIME MINISTER SHRI LAL
BAHADUR): (a) No.

(b) Does not arise.]

TELEVISION UNIT IN DELHI

♦606. SHRI SITARAM JAIPURIA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Government have decided to expand the television unit in Delhi and introduce a daily entertainment programme for two hours; and

(b) if so, when the programme is likely to be introduced?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): (a) and (b) Arrangements for expanding the present limited television service in Delhi from the 26th January, 1965 are in hand. The object is to find out by experience what type of programmes are likely to be educative as well as popular and (also) to prepare material for the future programmes. The social educative programme telecast at present only, twice a week will now 'be telecast every evening, and the rest of the programme will provide entertainment as well as educative for growing boys and girls.

TANSEN FESTIVAL

*607. SHRI R. S. KHANDEKAR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what are the probable dates of holding Tansen Festival at Gwalior; and

(b) what type of assistance is being given by the Central Government for holding of this festival?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): (a) 12th, 13th and 14th February 1965.

(b) All India Radio assists the Tan-sen Festival Committee of the Madhya Pradesh Government in the selection of artists to be invited for participating in the festival as well as in finalising the details of the items to be performed by them. All India Radio also pays to the Committee a fee of Rs. 4,000 for relaying the music concerns.

यूकेरिस्ट कांग्रेस

{ श्री विमलकुमार मन्नालालजी
*६०८. { चौरडिया :
{ श्री गिरिराज किशोर कपूर :

क्या सूचना तथा प्रसारण मन्त्री यह बताने की कृपा करेंगे कि यूकेरिस्ट कांग्रेस के जो अधिवेशन हाल में बम्बई में हुआ उसमें भारत सरकार द्वारा विदेशियों को क्या-क्या साहित्य किन-किन भाषाओं में दिया गया ?

t[EucHARisTic CONGRESS

fSHRI V. M. CHORDIA: b0B1)
SHRI G. K. KAPOOR:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state what are the details of the literature, given to foreigners by Government at the Eucharistic Congress recently held in Bombay and the names of the languages in which the literature was printed?]

सूचना तथा प्रसारण मंत्री (श्रीमती इन्दिरा गांधी): बम्बई के इसी सम्मेलन में बाहर से आये हुये लोगों को जिन भाषाओं में साहित्य तैयार करके उन्हें बांटा गया उसका ब्योरा राज्यसभा की मेज पर रखा जाता है।

विवरण

नीचे लिखी हुई प्रचार सामग्री बांटी गई :-

सामग्री	भाषा
(1) बम्बई फोल्डर-कम-इन्सर्ट	अंग्रेजी
(2) गोआ फोल्डर	अंग्रेजी

† [] English translation

- (3) गोआ पोस्टर . अंग्रेजी
(4) यूकेरिस्ट कांग्रेस ब्रोशर (1) अंग्रेजी
(2) फेंच
(3) इतालवी
(5) पिक्चर पोस्ट कार्ड
चर्चिज . (1) अंग्रेजी
(2) स्पेनिश
(3) फेंच

2. नीचे लिखी हुई अंग्रेजी की पुस्तिकाएं बिक्री के लिए रखी गई :-

- (1) चर्चिज इन इंडिया
(2) क्रिस्टियन्स इन इंडिया
(3) पिक्टयूरेस्क गोआ
(4) फैक्ट्स अबाउट इंडिया।

3. जो विदेशी सम्वाददाता प्रेस इंफार्मेशन ब्यूरो के तैयार किये हुए प्रेस रूप में आए उन्हें नीचे लिखे अंग्रेजी के प्रकाशन दिए गए :-

- (१) फैक्ट्स अबाउट इंडिया
(२) दि चेंजिंग फेस आफ इंडिया।
(३) विद्युत्, वैज्ञानिक अनुसन्धान, परिवहन, कृषि, मूल उद्योगों और पंचवर्षीय योजनाओं पर ६ पुस्तिकाओं का सेट।
(४) सांस्कृतिक महत्व के तस्वीरों वाले एलबमों का सेट।
(५) क्रिस्टियन्स इन इंडिया।
(६) चर्चिज इन इंडिया।

४. मांग पर नीचे लिखे अंग्रेजी के प्रकाशन प्रेसमैनों को उपलब्ध किए गए :-

- (१) ए० बी० सी० आफ काश्मीर।
(२) इंडिया-चाइना कान्फ्लिक्ट।
(३) गोआ इन बाइंडर पस्पेक्टिव।
(४) स्टोरी आफ डिफेंस।

(५) कम्यूनिटी डेवलपमेंट, पंचायती राज एण्ड कोऑपरेशन ।

५. नीचे लिखे हुए प्रकाशन प्रेस इन्फार्मेशन ब्यूरो के प्रेस रूम में रखे गए ताकि जो लोग इनमें रुचि रखते हों, वे इन्हें देख सकें :—

(१) स्टोरी आफ डिफेंस . . . अंग्रेजी

(२) गोआ इन वाइडर . . . अंग्रेजी और पस्पकिटव । फ्रेंच

(३) ए० बी० सी० आफ काश्मीर . अंग्रेजी और फ्रेंच

† THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): Statement showing the details and the languages in which the literature was produced and made available to the foreigners at the Eucharistic Congress held in Bombay, is laid on the Table of the Rajya Sabha.

STATEMENT

The following items of printed publicity material were distributed: —

Sl. No.	Name of job	Language
1.	Bombay Folder- <i>am</i> -Insert	English
2.	Goa Folder	English
3.	Goa Poster	English
4.	Eucharistic Congress Brochure	(1) English (2) French (3) Italian
5.	Picture Post Card Churches.	(1) English (2) Spanish (3) French

2. The following English pamphlets were made available for sale:—

- (1) Churches in India
- (2) Charistians in India
- (3) Picturesque Goa
- (4) Facts about India

† [] English translation.

3. The following English publications were given to the Foreign Correspondents who visited the Press Room set up by the Press Information Bureau: —

- (1) Facts About India
- (2) The Changing Face of India
- (3) Set of six pamphlets on Power, Scientific Research, Transport, Agriculture, Basic Industries, and Five Year Plans
- (4) Set of five picture albums of cultural interest
- (5) Christians in India
- (6) Churches in India.

4. The following English publications were made available to the Pressmen on request: —

- (1) ABC of Kashmir
- (2) India-China Conflict
- (3) Goa in Wider Perspective
- (4) Story of Defence
- (5) Community Development Panchayati Raj and Co-operation.
- (5) Community Development, kept in the Press Information Bureau's Press Room for reference purpose for those who felt interested: —

1. Story of Defence . English
2. Goa in wider per-^Vspective . English and
3. ABC of Kashmir . J French.

भूतपूर्व सैनिकों के लिए सुविधायें

*६०६. श्री भगवत नारायण भार्गव : क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि १९६४ में भूतपूर्व सैनिकों तथा भूतपूर्व सैनिक पेंशनरों को क्या-क्या नई सुविधायें दी गई हैं ?

t [FACILITIES TO EX-SERVICEMEN

*609. SHRI B. N. BHARGAVA: Will the Minister of DEFENCE be phased to state the new facilities that have been provided to ex-servicemen and ex-service pensioners in 1964?]

प्रतिरक्षा मंत्री (श्री वाई० बी० जव्हाण) : १९६४ के दौरान सरकार द्वारा निम्न सुविधाएँ स्वीकार की गई हैं :—

(१) जहाँ पेंशन पाने वाले भूतपूर्व सैनिकों की 'पेंशन की वर्तमान दर' पेंशन में तदर्थ वृद्धि सहित २५ रुपये मासिक से कम है, वह १ जनवरी, १९६४ या उसके पश्चात् सेवा निवृत्त होने वालों की हालत में २५ रुपये मासिक तक बढ़ा दी गई है।

(२) भारतीय सैनिकों, नाविकों, वायुसेना सैनिकों के बोर्ड निधि से, युद्ध में ग्रंथे हो गए भूतपूर्व सैनिकों के देय १० रुपये मासिक की विशेष पेंशन उन सभी ग्रंथे हो चुके भूतपूर्व सैनिकों के लिये प्राप्य कर दी गई है जिनका अन्धापन सेवा के कारण था।

उपरोक्त के अतिरिक्त भूतपूर्व सैनिक सैविवर्ग के पुनर्वास के लिए विभिन्न प्रस्ताव सरकार के विचाराधीन हैं।

t[THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN) : During 1964 the following concessions have been sanctioned by Government: —

(i) Where the existing rate of pension of ex.service pensioners together with the *ad-hoc* increase in pension is: less than Rs. 25 per month, it has been raised to Rs. 25 per month in the case of those retiring on or after 1st January, 1964.

f[] English translation.

(n; The special pension of Rs. 10 per month admissible to ex-servicemen blinded in action from the Indian Soldiers', Sailors' and Airmen's Board Fund has been made available to all blinded ex-servicemen whose blindness is or was attributable to service.

Besides the above, various proposals for the rehabilitation of ex.service personnel are under the consideration of Government.]

BAN ON EMPLOYEES FOR SENDING APPLICATIONS FOR GOVERNMENT JOB

*_{om} /SHRI NIREN GHOSH:

\SHRI M. BASAVAPUNNAIAH:

WiH the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that there is a ban on employees of the Central Board for Workers' Education with regard to making applications for any other Government posts;

(b) if so, what are the reason* therefor; and

(c) whether Government are considering removal of the ban?

THE MINISTER OF LABOUR AND-EMPLOYMENT (SHRI D. SANJIVAY-YA): A ban was imposed in September, 1962 on the forwarding of applications of the following teaching and administrative staff of the Central Board for Workers' Education: —

(i) Regional Directors promoted from the ranks of Research Officers and Education Officers;

(ii) Research Officers; and (iii)

Education Officers.

(b) Workers' Education is a new and specialised field, and qualified teachers in this line are not readily available. The teaching and administrative staff of the Board is recruited directly after countrywide advertisement, and is trained at the expense of the Board which is financed entirely by the Central Government. Some of these officers are also sent abroad for further training in workers' education. The Board cannot afford to have its existing strength of staff trained at the expense of the public exchequer depleted by allowing them to apply for posts elsewhere without jeopardising its interests and its commitments under the Third Five Year Plan.

(c) The position will be reviewed in September, 1965.

VISIT OF COMMANDER-IN-CHIEF OF THE PAKISTAN AIR FORCE

531. SHRI P. ABRAHAM: Will the Minister of DEFENCE be pleased to state:

(a) whether the Commander-in-Chief, Pakistan Air Force, was invited officially to visit India on 7th November, 1964; and

(b) if so, what were the issues discussed?

THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN) : (a) An informal invitation was extended by Chief of Air Staff to Air Marshal Asghar Khan, C.-in-C, Pakistan Air Force to visit India. He stayed in India for two days *i.e.* from the 7th to 9th November, 1964.

(b) The following issues were discussed:—

- (i) Flight clearance of I.A.F. aircraft staging through Pakistan and P.A.F. aircraft staging through India.
- (ii) Problems of air violations,
- (iii) Visits by respective Air Advisers to Air Force Training Establishments.

RENTAL CHARGES OF TELEPHONES

532. THAKUR BHANU PRATAP SINGH: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are contemplating to enhance the charges of telephone calls; and

(b) if so, the extent to which rates are proposed to be increased?

THE DEPUTY MINISTER IN THE DEPARTMENT OF COMMUNICATIONS (SHRI B. BHAGAVATI): (a) and (b) A Committee has been set up for a review of the existing tele, phone tariffs for various local telephone services. Review of charges of local telephone calls also comes within the terms of reference of the Committee.

नौवहन सम्बन्धी चार्ट

५३३. श्री भगवत नारायण भार्गव : क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि क्या सरकार ने १९६४ में कोई नौवहन सम्बन्धी चार्ट बनवाये हैं और यदि हां, तो उन चार्टों में किन-किन स्थानों को दिखाया गया है ?

t [NAVIGATIONAL CHARTS

533. SHRI B. N. BHARGAVA: Will the Minister of DEFENCE be pleased to state whether Government have got prepared any navigational charts in 1964 and if so, the names of place* shown in the charts?]

प्रतिरक्षा मंत्री (श्री वाई० बी० चव्हाण) : जी हां। नौसेना के जल सर्वेक्षण कार्यालय द्वारा १९६४ में अब तक निम्न नक्शे बनाए गए हैं :—

(क) बेलकेरी लंगरगाह
तथा होनावर
लंगरगाह . मैसूर तट

† [] English translation.

- (ख) नागप्पट्टिनम
लंगरगाह . मद्रास तट
- (ग) अल्लपै लंगरगाह . केरल तट
- (घ) ओखा बन्दरगाह . गुजरात राज्य
- (ङ) सामयिक खण्डी-
करण चार्ट—अन्त-
राष्ट्रीय हिन्द सागर
अभियान के संबंध
में, जो संख्या में
५ है।

२. उपरोक्त के अतिरिक्त २ अन्य नक्शे भी बनाए गए हैं। जो गोपनीय हैं। सुरक्षा के कारण इन नक्शों के विस्तार प्रकट नहीं किए जा सकते।

३. १९६४ के শেষ भाग में कुछ अन्य नक्शों के प्रकाशित किए जाने की आशा है।

; ?[THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN): Yes, Sir. The foil owing charts have been produced 'so far by the Naval Hydrographic Office in 1964:—

- (a) Belekeri Anchorage and Honavar Anchorage—Mysore Coast.
- (b) Nagappattinam Anchorage—Madras Coast.
- (c) Alleppey Anchorage—Kerala Coast.
- (d) Port Okha—Gujarat State.
- (e) Oceanic Plotting Sheets—5 in number in connection with International Indian Ocean Expedition.

2. In addition to the above, two 'more charts of Confidential nature have also been produced. The details of these charts cannot be disclosed for security reasons.

i, A few more charts are also expected to be published during the remaining part of 1964.]

t [] English translation. j IOI

RS—3.

COMMITTEES IN I. AND B. MINISTRY

534. SHRI SITARAM JAIPURIA: With the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the names of the committees which are at present working under the Ministry of Information and Broadcasting; and

(b) whether the personnel working in the committees which have recently been abolished have been retained in service?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): (a) Statement showing the names of the 24 Committees at present working is placed on the Table of the Rajya Sabha.

(b) No whole-time personnel was working in connection with any of the 48 Committees abolished, since disbanded or merged. As such the question of their retention does not arise.

STATEMENT

Names of the Committees Working in the I. and B. Ministry

1. Inter-Media Standing Committee attached to the Ministry (with which will be merged the C.I.S. Board).
2. Newsprint Advisory Committee.
3. Press and Publicity Group.
4. Central Programme Advisory Committee.
5. Film Consultative Committee.
6. Central Press Advisory Committee on Raw Film.
7. Committee for Direction and Co-ordination in Plan Publicity, attached to the Ministry.
8. Editorial Board for 'Ajjal', Hindi and Urdu.
9. Central Advisory Board for Music.

10. A.I.R. Scientific Committee on Broadcasting.
11. Film Advisory Board.
12. Advisory Committee for Song and Drama Division.
13. Enquiry Committee on Small Newspapers.
14. Central Press Advisory Committee.
15. Non-Official Central Advisory Committee for Advertising and Visual Publicity (Committee for drawing up of a panel or outside artists—to be Sub-Committee).
16. Advisory Board for "Collected Works of Mahatma Gandhi".
17. Editorial Board for 'Kuru kshetra' 'Yojana'.
18. Panel Committee.
19. Examining Committees of the C.B.F.C.
20. Revising/Reviewing Committee of the C.B.F.C.
21. Composite Committee for pre-censorship of previewed material.
22. Advisory Committee for Film Institute of India, Poona.
23. Advisory Committee for National Film Archives of India, Poona.
24. Board of Studies for the Film Institute of India, Poona, for (a) Direction and Screenplay Writing, (b) Motion Picture Photography (c) Film Editing (d) Sound Recording and Sound Engineering (e) Film Acting (f) Film Appreciation.

DEATH OF 'LIFE AND TIME' CORRESPONDENT IN NEFA

SHRI NIREN GHOSH:
 J SHRI M. BASAVAPUN-
 M5 - -) NAIAH:
 I^SHBI P. RAMAMURTI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it has come to the notice of Government that a Correspondent of 'Life and Time' magazine died recently in an accident in NEFA:

(b) if so, whether he was given permission to take photographs in that area; and

(c) whether similar permission, was given to any other Correspondent and News Agency?

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): (a) Yes, Mr. James Burke, Correspondent and Photographer of the 'Life and Time' magazine slipped off a precipice on 2nd October, 1964 while taking photographs on the Bhalukpung-Bomdila Road and died.

(b) Yes.

(c) Not in the recent past.

P.M.'s VISIT TO USA AND USSR

536. SHRI M. P. BHARGAVA: Will the PRIME MINISTER be pleased to state:

(a) whether the Prime Minister proposes to visit the United States of America and the Union of Soviet Socialist Republics in the near future; and

(b) whether any date has been fixed for the British Prime Minister's visit to India?

THE PRIME MINISTER (SHRI LAI BAHADUR): (a) The Prime Minister intends to visit the United States of America and the Union of Soviet Socialist Republics sometime in 1966.

(b) Not yet.

HOSPITAL AT LEH

537. SHRI SITARAM JAIPURIA: Will the Minister of DEFENCE be pleased to state:

(a) whether there is any proposal under consideration by Government to open a self-contained hospital for the jawans in Leh; and

(b) if so, what are the details of the proposal?

THE MINISTER OF DEFENCE (SHRI Y. B. CHAVAN): (a) and (b) A 200-bedded hospital with facilities for specialist treatment has already been established in Ladakh for the Indian Army personnel, in temporary accommodation. 150 beds are located in the main hospital at Leh and 50 beds in the section hospital at Kargil. Construction of a new hospital building for 200 beds at Leh is in progress. Provision is being made therein for central-heating and the installation of facilities for the management of high-altitude diseases. The estimated cost of the new building is Rs. 48.86 lakhs. The building is expected to be ready by about the middle of 1965.

11 BOMB-EXPLOSION IN AMBALA

538. SHRI G. K. KAPOOR: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that two jawans

अम्बाला में बम का विस्फोट

५३८. श्री गिरिराज किशोर कपूर :
क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २६ जनवरी, १९६४ को अम्बाला में एक बम के फट जाने के कारण दो जवान मारे गये थे ; और

(ख) यदि हां, तो इस दुर्घटना का क्या कारण था ?

were killed on account of a

bomb explosion near Ambala on the 26th January, 1964; and

(b) if so, what was the cause of this accident?

प्रतिरक्षा मंत्रालय में उपमन्त्री (डा० डी० एस० राजू): (क) तथा (ख) अम्बाला या उसके आस पास २६ जनवरी, १९६४ को कोई विस्फोट नहीं हुआ था जिसमें दो जवान मारे गए हों ।

[THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJU): (a) and (b) There was no bomb explosion at or near Anibala on the 26th January, 1964 resulting in the death of two jawans.]

PURCHASE OF BOOKS BY THE MILITARY TRAINING (EDUCATION) DIRECTORATE

539. SHRI ABDUL GHANI: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the Military Training (Education) Directorate purchases books in bulk for the service personnel; and

(b) if so, what is the number of books purchased in 1963-64 in Urdu, Bengali, Punjabi and Tamil languages?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJU): (a) Yes.

(b) Nil. Books purchased centrally by Army Headquarters are generally only in Hindi and English languages. Books in regional languages are purchased by Units themselves to meet their requirements.

पाकिस्तानी रजाकारों का अवैध प्रवेश

५४०. श्री राम सहाय : क्या प्रतिरक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १७ और १८ नवम्बर, १९६४ को कुछ पाकिस्तानी रजाकार भारतीय प्रदेश में घुस आये ;

(ख) इस वर्ष के प्रारम्भ से अब तक कितनी बार कितने रज़ाकार भारतीय प्रदेश में घुस आये ; और

(ग) उनके पास से पकड़े गये हथियार किस देश के थे ?

(•[INTRUSION BY PAKISTANI RAZAKARS

540. SHRI RAM SAHAI: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that on the 17th and 18th November, 1964 some Pakistani Razakars intruded into the Indian territory;

ib) the number of attacks made by the Razakars together with their number who entered into the Indian territory each time since the beginning of this year; and

(c) the country of manufacture of the arms seized from them?]

प्रतिरक्षा मंत्रालय में उपमंत्री (डा० डी० एस० राजू) : (क) १७ और १८ नवम्बर, १९६४ को पाकिस्तान अधिकृत काश्मीर पाकिस्तानी सैनिकों द्वारा नौशहरा और मेंढर क्षेत्रों में उल्लंघन की दो घटनाएं हुई थी, न कि पाकिस्तानी सशस्त्र असैनिकों द्वारा।

(ख) चालू वर्ष में एक दिसम्बर तक पाकिस्तानी सशस्त्र असैनिकों ने जो प्रायः साधारण वस्त्रों में पाकिस्तानी सैनिक होते हैं, भारतीय भूक्षेत्र का १२० बार उल्लंघन किया है। अतिश्रमियों की संख्या समय समय पर विभिन्न रही है। प्रत्येक हानत में सम्बन्धित संख्या ठीक-ठीक बता पाना सम्भव नहीं है, क्योंकि अधिकतर उल्लंघन रात के अन्धेरे में हुए थे।

(ग) पाकिस्तानी सशस्त्र असैनिकों से बरामद किए गए शस्त्र कई हालतों में यू० के०

निर्माण के थे। कुछ राइफलें १९२७ वर्ष के भारतीय निर्माण की थीं। इसके अतिरिक्त कुछ देसी निर्माण के पिस्तौल और तोड़े वाली बन्दूकें भी पकड़ी गई।

[THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJ(U): (a) On the 17th and 18th November, 1964, there were two cases of intrusions by Pakistan-occupied Kashmir/Pakistan troops—and not by Pakistani armed Civilians—in Nau. shahra and Mendhar Sectors.

(b) During the current year upto 1st December, Pakistani armed civilians, who quite often are Pakistan troops in mufti, carried out about 120 intrusions into the Indian territory. The number of intruders varied from time to time. It is not possible to state correctly the number involved in each case, as many intrusions took place during the hours of darkness.

(c) The arms recovered from the Pakistani armed civilians were in some cases of U.K. manufacture. Some rifles were of Indian manufacture of the year 1927. In addition, some country-made pistols and muzzle loaders were recovered.]

SUPPLY OF COAL TO P. & T. EMPLOYEES IN HILL AREAS

541. SHRI V. M. CHORDIA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether it is a fact that the supply of coal during winter to the Posts and Telegraphs employees in the hill areas of Punjab, Uttar Pradesh and Himachal Pradesh has been discontinued since this winter;

(b) whether it is also a fact that the allowance given in lieu of the coal supply has also been stopped;

(c) if so, what are the reasons therefor; and

[] English translation.

(d) what are the measures that Government propose to adopt to provide relief to the affected Post and Telegraph employees?

THE DEPUTY MINISTER IN THE DEPARTMENT OF COMMUNICATIONS (SHRI B. BHAGAVATI): U) to (d) Supply of coal to P&T offices or allowance in lieu thereof being given in the past has not been discontinued this season.

Winter Allowance to P&T employees with effect from 1st June, 1964 is admissible only to those employees who are posted at places which are at a height of 1750 metres and above. However the employees who were getting winter allowance under orders in force prior to 1st June, 1964 have been given option to continue to draw the same so long they continue to work there uninterruptedly.

SITES OF INDIAN CULTURAL INTEREST IN FOREIGN COUNTRIES

542. SHRI D. THENGARI: With the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that our Embassy officials have been directed to identify and locate the sites and other articles of Indian cultural interest in the country where they are posted; and

(b) if so, how many such sites and articles have so far been identified?

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): (a) The matter was considered in great detail in 1956. It was decided by the late Prime Minister that our Missions abroad should not be addressed on this subject at all.

(b) Does not arise.

विदेशों में रहने वाले भारतीय

५४३. श्री विमलकुमार मन्नालालजी
चौरङ्गिया : क्या वैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि इस समय किन-किन अन्य

देशों में भारतीय मूल के कितने-कितने लोग रह रहे हैं ?

t [INDIANS LIVING ABROAD

543. SHRI V. M. CHORDIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state the number of persons of Indian origin who are residing at present in foreign countries and the names of the countries where they are residing?

वैदेशिक कार्य मंत्री (सरदार स्वर्ण सिंह):
भारतीयों तथा भारत मूलक लोगों को लेकर
१९६२-६३ की सूचना संलग्न विवरण में
दिखाई गई है।

विवरण

विदेशों में भारतीयों और भारतमूलक लोगों की संख्या

देश का नाम	संख्या
आबू डुबाई	१,५००
अदन	१५,०००
अफगानिस्तान	१२,०००
अल्जीरिया	३५
अर्जन्टीन	२००
आस्ट्रेलिया	२६०
आस्ट्रिया	कोई नहीं
बहरीन	५,०००
बेल्जियम और लक्समबर्ग	१६०
ब्रिजिल	४०
ब्रिटिश शिमाना	२,५६,७६०
बर्मा	५,००,०००
बसुतोलण्ड	६००
ब्रुनेई	२,०००
बल्गेरिया	कोई नहीं
कम्बोडिया	२००
कनाडा	२,६४३
चीन	३३
क्यूबा	६
चिली	११

† [] English translation.

देश का नाम	संख्या
कोलम्बिया	१०
चैकोस्लोवाकिया	३००
कोस्टा रिका	१५
कांगो	२५०
कनारी द्वीपसमूह	५३६
साइप्रस	५
श्रीलंका	६,७५,०००
डेन्मार्क	६०
डोमिनिकन गणराज्य	२
इथोपिया	०,०४४
फ्रांस	३५०
फिनलैंड	८
फ्रीजी	१,५६८
गामा	१,२००
जर्मनी (लोकतंत्र गणराज्य)	१२५
जर्मनी (संघीय गणराज्य)	१,३३४
ग्रेनेडा (वस्ट इंडीज)	४,०००
ग्वातेमाला	२
जिब्राल्टर	१२५
यूनान	५
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([THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): The information which includes Indians and persons of Indian origin, pertaining to the year 1962-63 is shown in the attached statement.

STATEMENT Number of Indians including Persons of Indian Chipin in Frtreipv) Cntmtrity

Name of the country	No.
Abu Dubai	1,500
Aden	18,000
Afghanistan	12,000
Algiers	35
Argentina	300
Australia	260
Austria	Nil
Bahrain	5,000
Belgium and Luxemburg	190
Brazil	40
British Guiana	2,89,790
Burma	5,00,000
Basutoland	900
Brunei	2,000
Bulgaria	Nil
Cambodia	200
Canada	2,943
China	33
Cuba	6
Chile	11

t [] English translation.

Name of Country	No.
Colombia	10
Czechoslovakia	300
Costa Rica	15
Congo	250
Canary Islands	539
Cyprus	5
Ceylon	9>75.000
Denmark	60
Dominican Republic	2
Ethiopia	2,044
France	350
Finland	8
Fiji	1,568
Ghana	1,200
Germany (Democratic Republic)	125
Germany (Federal Republic)	1,334
Grenada (West Indies)	4,000
Guatemala	2
Gibraltar	125
Greece	5
Netherlands	120
Hong Kong	4,000
Honduras	20
Haiti	2
Hungary	38
Italy	200
Indonesia	30,000
Iran	1,030
Iraq	1,500
Ivory Coast	20
Japan	850
Jamaica	30,000
Jordan	20
Kenya	1,76,000
Kuwait	15,000
Liberia	100
Lebanon	200
Libya	100
Leeward Islands	69
(a) Antigua	6
(6) Monte serrati	Nil
(c) St. Christopher	60
(d) Virgin Islands	3
Morocco	496
Malayasia	7,00,000
Mauritius	4,90,000
Mexico	20
Malagasy	935
Muscat	800

Name of the country	No.
Norway	21
New Zealand	4,000
Nepal	125
Malawi	9*630
North Vietnam (Democratic Republic^)	6
Nicaragua	2
Philippines	1,600
Peru	4
Poland	50
Panama	1,000
Qatar	1,400
Rumania	Nil.
Reunion Islands	400
Senegal	80
Seirra Leone	350
South Vietnam	1,600
Sudan	3,000
Southern Rhodesia	6,390
Sweden	200
Switzerland	300
Surinum	1,05,000
South Africa	5,00,000
Syria	23
Saudia Arabia	3,000
Spain	26
Spanish Morocco	100
Sharjah and Dubai	2,500
Tanzania	98,500
Trinidad and Tobago	3,02,000
Turkey	3
Tunis	5°
Thailand	17,000
U.A.R.	90
U.S.S.R.	556
Uganda	63,130
U.S.A.	39.363
U.K.	1,30,000
Laos	185
Venezueala	12
Yugoslavia	16
Zambia	7.110J

PLACES ASSOCIATED WITH NETAJI IN
FOREIGN COUNTRIES

544. SHRI D. THENGARI: WUI the Minister of EXTERNAL AFFAIRS be pleased to state whether Government

have located the places associated with the memory of Netaji Subhash Chandra Bose and Azad Hind **Fawj** which are situated outside India?

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): The information is being collected and will be laid on the Table of the House,

नौशेरा में पाकिस्तानी फौजों द्वारा भारतीय
फौजों पर गोली चलाया जाना

५४५. श्री राम सहाय : क्या प्रतिरक्षा
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २ दिसम्बर
१९६४ के आसपास पाकिस्तानी फौजों ने
नौशेरा-मेंढर सेक्टर में भारतीय फौजों पर
लगभग दो दिन तक घुंघ्राघार गोली चलाई,

(ख) क्या भारतीय जवानों को कोई
हानि पहुंची; और

(ग) यदि हां, तो इस बारे में क्या
कार्यवाही की गई ?

f [FIRING BY PAK FORCES ON INDIAN
TROOPS IN NAUSHERA

545. SHRI RAM SAHAJ: WUI the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Pakistani troops resorted to heavy firing on the Indian troops in Naushera, Mendhar sector, for nearly two day* by about the 2nd December, 1964: and

(b) whether Indian troops suffered any loss; and

(c) if so, what steps were taken in this regard?]

t[] English translation.

प्रतिरक्षा मंत्रालय में उपमंत्री (डा०
डो० एल० राजू) : (क) जी हाँ। पाकिस्तानी
सैनिकों ने २ और ३ दिसम्बर, १९६४ को
नौशेरा और मेंडर क्षेत्रों में, हमारी चौकियों
और पिकेटों पर भारी गोलाबारी की थी।

(ख) जी नहीं।

(ग) जहाँ आवश्यक हुआ, हमारी
सुरक्षा सेनाओं ने उत्तर में गोली चलाई।
इन घटनाओं से, संयुक्त राष्ट्र के प्रेक्षकों को
भी सूचित कर दिया गया है।

[THE DEPUTY MINISTER IN THE
MINISTRY OF DEFENCE (DR. D. S-RAJU):
(a) Yes, Sir. Pakistan troops directed, heavy
firing on our posts and picquets in Naushera
and Mendhar Sectors on 2nd and 3rd
December, 1964.

(b) No, Sir.

(c) Wherever necessary, our security
forces returned the fire. U.N. Observers were
also informed about these incidents.]

**STATEMENT ON THE SITUATION
ARISING OUT OF THE REPORTED
RESIGNATION OF THEIR SEATS BY
ELEVEN OPPOSITION MEMBERS
OF NAGALAND LEGISLATIVE
ASSEMBLY**

MR. CHAIRMAN: There is a calling
attention to a matter of urgent public
importance by Mr. Om Mehta. He is not
present. I would ask the Minister to lay the
Statement on the Table. No supplementary
will be allowed on it.

THE MINISTER OF STATE IN THE
MINISTRY OF EXTERNAL AFFAIRS
(SHRIMATI LAKSHMI N. MENON) : Sir I beg to
lay on the Table a statement on the situation
arising out of the re

ported resignation of their seats by eleven
Opposition Members of Nagaland Legislative
Assembly.

PAPERS LAID ON THE TABLE

**REPORT OF THE CHIEF INSPECTOR OF
MINES ON THE ACCIDENT THAT TOOK PLACE
AT PATNIBONA. STONE QUARRY (BAKUDIH)
DISTRICT SANTHAL PARGANAS, BIHAR**

THE DEPUTY MINISTER IN THE
MINISTRY OF LABOUR AND EM-
PLOYMENT (SHRI RATANLAL KISHORILAL
MALVIYA) : Sir, I beg to lay on the Table a
copy of the Report of the Chief Inspector of
Mines on the fatal accident which took place
on the 13th October, 1964, at Patnibona Stone
Quarry (Bakudih) District Santhal Parganas,
Bihar. [Placed in Library. See No. LT-
3609/64.]

**RESOLUTION SETTING UP A WAGE BOARD FOR
ENGINEERING INDUSTRIES EXCLUDING THE
STEEL PLANTS**

SHRI RATANLAL KISHORILAL
MALVIYA: Sir, I also beg to lay on the Table
a copy of the Ministry of Labour and
Employment Resolution No. WV-4(3)/64,
dated the 12th December, 1964, setting up a
Wage Board for the engineering industries ex-
cluding the steel plants. [Placed in Library.
See No. LT-3632/64.]

**LEAVE OF ABSENCE TO SHRI MAHESH
SARAN**

MR. CHAIRMAN: I have to inform
Members that the following letter dated the
8th December, 1964, has been received from
Shri Mahesh Saran:

"I have been ill for some time and though I
am better now still the Doctors have advised me
not to exert myself and so I do not think I will
be able to attend this Session I of the
Parliament.

I therefore, request you to grant me leave of absence from attending this Session of the Parliament."

Is it the pleasure of the House that permission be granted to Shri Mahesh Saran for remaining absent from all meetings of the House during the current Session?

(*Nn hon. Member dissented*)

Permission to remain absent is granted. ,

ALLOTMENT OF TIME FOR CONSIDERATION OF THE KERALA APPROPRIATION BILL, 1964

MR. CHAIRMAN: I have to inform Members that under rule 186(2) of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I have allotted one hour for the completion of all stages involved in the consecration and return of the Kerala Appropriation Bill, 1964. by the Rajya Sabha, including the consideration and passing of amendments, if any, to the Bill.

THE WEALTH-TAX (AMENDMENT) BILL, 1964—continued

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): Mr. Chairman, I am indeed very grateful to hon. Members who participated in this discussion and I have been very much benefited by the valuable suggestions they have made. It is also heartening that this Bill found a very large measure of support in this House from all quarters. The Bill, as the House knows, is the result of a Committee appointed a few years ago and the report of that Committee is very well known to this House and some hon. Members of both Houses were members of that Committee. The Committee, known as the Direct Taxes Admi-

nistration Enquiry Committee, went into the entire gamut of the direct taxes. Some hon. Members asked as to why it is that although the Committee submitted the report in 1961 it took three years to come up with this measure.

[THE DEPUTY CHAIRMAN in the Chair]

It is true but as the hon. Members who made this point would appreciate, this Committee not only dealt with the Wealth Tax but also with the direct taxes, some of them larger taxes like the Income-tax, the Estate Duty Act, etc. and the House is aware that immediately after, we went into this question and came with a very comprehensive Income-tax Amendment Bill.

It went to a Joint Select Committee and the Committee went into it and only after that we could take up the other Bills like the Estate Duty Act and the Wealth Tax Act. So the Government has not wasted any time after the submission of the report of this Committee and I think it is in good time that this measure is before the House and this has already got the approval of the other House.

Then the hon. Member referred to the Commissioner's power to transfer the Wealth-tax cases and said that the assesses should have the facility . . .

SHRI V. M. CHORDIA (Madhya Pradesh): The facility is available.

परन्तु उसमें उसको इतनी तकलीफ होती है कि वह आसानी से नहीं होता।

SHRI B. R. BHAGAT: I am quite aware of the force of the point he has made but, as it is, also, any case, whether it is of the Wealth Tax or Income-tax, is transferred by the Commissioner of Income-tax either on his own accord in the interest of revenue, or on the application of the assessee himself to suit his convenience. So it is true that on the request of the assessee the case is transferred but

the Member will appreciate that in the administration of this revenue clause and others, these cases will only be exceptional and will be in the interest of revenue as well as the convenience of the assessee and so I think subject to that, the cases are transferred.

Then regarding his point about alienation of assets to defraud the revenue, the Bill provides that only a dishonest transfer of assets will not be recognised and it is provided that if the transferor has notice of the wealth tax proceedings against the assessee, only then the transfer will be considered as void. His point was that anybody wanting to purchase some property against which such a case is pending may not know about it and so this should be notified. But the hon. Member knows that the Secrecy proceeding is now abolished and now anyone who wants to purchase a property wanting to know if there is any Wealth-tax case proceeding going on, can approach the Wealth-tax Officer and get the information.

SHRI V. N. CHORDIA: It is not so easy.

SHRI B. R. BHAGAT: Why not approach the Wealth-tax Officer?

श्री विमलकुमार मन्नालालजी चौरडिया :
आपको इस में क्या आपत्ति है कि सम्पत्ति का जो रजिस्ट्रार है उनके वहाँ सूचना भेज दी जाय कि इन इन लोगों की वेल्थ टैक्स के बारे में प्रोसीडिंग चल रहे हैं और उनके रजिस्ट्रेशन के बारे में ध्यान रखें।

SHRI B. B. BHAGAT: Then it will add to the welter of confusion. Even then from those big notifications one has to find out. In this case the law provides that it is obligatory on the Wealth-tax Officer or any Revenue Officer to provide information if it is asked for in due form and according to the rules.

Then a point was made about the levy of minimum penalty as not justifi-

fied as the valuation of assets is to be taken on estimate. Penalty will be levied under this Bill only where there is wilful understatement of wealth. He said it should be added but it is not necessary. I have consulted the legal officers and it is said that according to the Bill as drafted, it is only wilful understatement that will be attracted, under this clause. Already there is a maximum penalty. Under this particular provision only minimum is prescribed. It does not apply to cases where there is honest difference of opinion about valuation.

श्री विमलकुमार मन्नालालजी चौरडिया :
यदि उसमें फर्क होगा यदि उसके रिटर्न में अंतर होगा तो पेनेल्टी तो मिनिमम लगानी ही होगी।

SHRI B. R. BHAGAT: That is not the point made by him. The point was made by some other Members also and with due respect to him, I say that the idea is, if somebody does not include in his return this or that property—one or two—the law attracts it but if somebody gives a whole statement of the property but does not give the correct valuation, the law will not be applicable. To meet that situation it has been said that when there is a deliberate understatement or concealment of the property or valuation, then the law will also be applied and it was said that in the case of honest difference of opinion about the valuation, this will not be applied and only in this case there is no imprisonment as the Member seems to think. It is only a penalty but suppose there is an understatement by an assessee, if he has expert opinion or some way in which he can prove it then it is only a presumption and if he can rebut it, it is all right. As it is it will not attract.

On the question of valuation then another point was made about the Rules. Some hon. Members said that the Rules that are made will be rigid and they will make the valuation difficult. But the position today is that the valuation is based on the break-up

[Shri B. R. Bhagat.] value, and in many cases the breakup value does not represent the correct value or the market value, which the hon. Member had in mind when he said that, a palace may be there in some place in Rajasthan and that if the present, method followed for its valuation is taken away, it might lead to the difficulty which he imagines in the new arrangement. The Finance Minister has said and given an assurance in the other House that the Rules will be made equitable and rational so that it conforms to the realities of the market value and the economic life and it will be more realistic in respect of the problems of valuation that are thrown up, and the present arrangement; creates far more difficulties. The Rules will be laid on the Table of the House. If there is any difficulty, if the Rules are not as equitable as the House thinks they should be, the House can certainly discuss them and make them more rational. The idea is exactly the same as the hon. Members have, namely that the valuation should not be *ad hoc* and should not be arbitrary. Some hon. Member said that such cases should be referred to arbitration. But there is already a provision in clause 23 of the Bill, the machinery for arbitration in the matter of valuation has been provided for in the Bill under this clause. So about that there is arbitration also. What I was trying to point out was that it was all in the interests of a correct valuation, so that it should not lead to harassment, should not also lead to evasion of Duty. In order that these objectives might be attained this measure is sought to be passed; it is not to create more difficulties. (*Interrupted*). It is better if I finish the argument and then be interrupted.

श्री बिनलकुमार मन्नालालजी चौरडिया :
 आज जो दिक्कत है उनके बारे में कहना
 चाहता हूँ, अगर आप आगे के लिए करेंगे
 तो उस लिए धन्यवाद ।

Hon B. R. BHAGAT: Yes, it is always in the spirit that the law is observed and administered and the diffi-

culties can be removed that way. In the present arrangement of *ad hoc* valuation, maybe the Wealth-tax Officer may have more discretion, may not have the correct guidance, a set of principles, rational and equitable principles on which he can value, and that is what we want to provide by this amendment, so that he will have a norm to go by, a certain basis, a certain mode or a certain guidance in valuation, and this is exactly to the advantage of the assessee, and I think the Finance Minister has already assured the other House that he will see that the Rules are as rational and as equitable as possible.

Then it was said that where the assessee had only one residential house he should not be taxed, because he will have to sell the house to pay the tax. But there is already the minimum exemption, of one lakh of rupees, and if the house of an assessee is not more than one lakh of rupees in value, the provision of this Bill is not attracted. Only when an assessee has a residential house which is worth more than one lakh of rupees, or his total wealth is more than one lakh of rupees including the taxable value of the house, well, then this Bill is attracted. So I do not think it will mean distress sales in all cases

Then it was said that the exemption from Wealth-tax of new companies should be reintroduced as otherwise it would hamper capital formation. Sir, in this case, in the case of income by way of dividends from new companies engaged in industrial undertakings, the relief is given under the Income-tax Act.

SHRI BABUBHAI M. CHINAI (Maharashtra): It should be included in the Wealth-tax Act also.

SHRI B. R. BHAGAT: Well, the more appropriate incentive would be in the shape of relief from income-tax as provided for in that Act. The hon Member, I think, knows all about the business, and he will appreciate

that the exemption was removed because exemption from wealth-tax is, firstly, more difficult to give, and secondly, it is not as good a method of incentive as the one where we can increase it or decrease it as the situation demands, and I would only submit that incentives (by way of income-tax relief or development rebate) are better. We have given incentives for new industries.

Then, in the provision relating to penalty, it was suggested that instead of providing that the penalty "may be levied", it should be provided that the penalty "shall be levied", that an obligation or an element of compulsion should be introduced. This is again a drafting matter, and I am advised by my legal advisers that the word "may" here has, more often than not, the same effect as "shall". Further, it is used to impart a certain amount of flexibility in the levy of penalty, especially in cases of honest persons making *'bona fide'* mistakes. So I think it would be better if we **keep** it as it is.

Then about prosecutions it was said that in the few cases in which prosecutions were launched, the court awarded only a nominal fine. This is the reason for the prescription of a minimum punishment in the Income-tax Act and now in the Wealth-tax Act.

SHRI RAJENDRA PRATAP SINHA
(Bihar): How many prosecutions
-were launched in the last three years?

SHRI B. R. BHAGAT: I am sorry I could not get that figure. I shall try to give it later on.

Then let me reply to Mr. Gujral. 'Self-assessment and provisional assessment are both on the returned wealth. Provisional assessment can be made in the Act but, when making the provisional assessment, no revaluation of assets is made. It is only at the final-assessment stage that the Wealth-tax Officer will examine the Value of assets. Therefore his suggestion that it would be better to have

provisions for self-assessment and provisional assessment rather than penal provisions does not hold good in this case. He also suggested that just as in the valuation of properties let out on rent twenty times the net rental income is taken as the value of the property, similarly the valuation of self-occupied properties should be based on twenty years' average of house tax in respect of such properties. Even at present the amount of house tax paid in respect of self-occupied properties is taken into consideration in determining the net rental income of the properties and the valuation based thereon. The suggestion, however, can be given due consideration while framing the Rules in this regard.

With these words, Madam, I move.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Wealth-tax Act, 1957, 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. May I put clauses 2 to 41 for adoption?

SHRI RAJENDRA PRATAP SINHA: No, Madam. I would like to say a few words on clause 29. I object to **it**.

THE DEPUTY CHAIRMAN: At this stage? You have spoken on this Bill.

SMA RAJENDRA PRATAP SINHA: I have spoken on the general discussion and I now want to speak on clause 29 before you put it to vote.

THE DEPUTY CHAIRMAN: **Then** let me put clauses 2 to 28 to vote.

Clauses 2 to 28 *were added to the*

Bill

Clause 29—Omission of section 34.

SHRI RAJENDRA PRATAP SINHA: Madam, the provision in clause 29 is that section 34 shall be omitted. Now, for the benefit of the House I shall read out section 34.

"34. Where any document required to be registered under the provisions of clause (a), clause (b), clause (c) or clause (e) of subsection (1) of section 17 of the Indian Registration Act, 1908, purports to transfer, assign, limit or extinguish the right, title or interest of any person to or in any property other than agricultural land valued at more than one lakh of rupees, no registering officer appointed under that Act shall register any such document, unless the Wealth-tax Officer certifies that—

(a) such person has either paid or made satisfactory provision for the payment of all existing liabilities under this Act, or

(b) the registration of the document will not prejudicially affect the recovery of any existing liability under this Act."

Madam, I would also like to draw your attention to the explanation given in respect of this amending clause 29. It says that clause 29 omits section 34 as a comprehensive provision in this regard is being introduced in the income-tax Act.

I would like to draw your attention to the words used—"Is being introduced." I do not know what the Minister has in view. I do not know whether he proposes to bring forward another Bill amending the existing Income-tax Act, in order to provide for the contingencies referred to in section 34. I have looked into the existing Act and I find that in the existing Income-tax Act there is no such provision as we have in section 34 of the Wealth-tax Act. The purpose of this section 34 was to avoid any transfer of property with a view to evade taxes. I may point out the provision he referred to just now, I mean the clause in which there is a limit put on the transfer

of property. That is in clause 31 of the present amending Bill by which, we are introducing another provision, section 34B, on page 24 of the Bill. The hon. Minister just now has been referring to this provision when replying to the points raised by my hon. friend Shri Chordia. In this clause 31 it is proposed to introduce a new section, section 34B. This section says that a transfer of property will be void in case the assessee transfers any asset during the pendency of any proceedings under this Act. Section 34 says that no transfer can be done, no transfer can take place unless under the Registration Act a clearance certificate is obtained from the income-tax authorities. But the provision in this section 34B is a very limited one. It only deals with cases when proceedings are going on under this Act. In the original section 34, the provision served two purposes. Firstly, you could stop all transactions of properties and all changing hands in properties done without getting a tax clearance certificate from the Income-tax authorities. It is not possible to transfer or in any way affect the right on a property without getting a tax clearance certificate from the Income-tax Department. The point made by Mr. Chordia is this. How will the purchaser be able to know that there is a case pending before the Wealth tax authorities and therefore, he should not buy that property from the assessee whose case is pending before the Wealth-tax Officer? If section 34 were also in operation then at least for properties above Rs. 1 lakh, the assessee would not be able to transfer them and therefore it would not have affected the purchaser. Today the purchaser is at a great disadvantage. He purchases the property without knowing if proceedings are pending or not. The provision now made by the hon. Minister is rather cumbersome and it is difficult for the purchaser to find out whether there are pending proceedings or not. Under section 34, you cannot have any transfer of property unless a clearance certificate has been

obtained. Therefore it was an in direct guarantee to the purchaser. The other point is that it kept an automatic check upon all fraudulent transactions, on transactions made in order to defeat the interests of revenue. The Direct Taxes Commission also enquired into this question and many Commissioners of Income-tax made this point that all transfers should be made subject to the obtaining of a clearance certificate in order to see that the interests of revenue are safeguarded and in order that people may not be able to do away with their properties when there were arrears of taxes. This was opposed by many witnesses. The Direct Taxes Enquiry Commission thought that so long as this provision in section 34 remained in the Wealth-Tax Act, it was not very necessary to have another provision in order to meet the demands of the Department itself. Therefore, I do not understand why this section 34 is being omitted now.

I would also like to know from the hon. Minister what he has in view when he says that something is being introduced. Are some new provisions being made in the Income-tax Act or has he something else in view? This I would like to know.

SHRI B. R. BHAGAT: Madam, if I explain the position then the point that the hon. Member has in mind will be met. This is one of the purposes of the present Bill, namely, to bring this law in line with the other Acts passed, for instance, the Income-tax Act. This particular section in the Wealth-tax Act is found to be unnecessary and redundant because of the existence of a similar provision in section 230A of the Income-Tax Act, 1961 as inserted by the Direct Taxes (Amendment) Act of 1964. There you get the clearance certificate which includes everything. That certificate will also include the wealth-tax due from the person. Therefore, this section 34 is not necessary here. This was done in order to facilitate the ad-

ministration, because as you know, a person may have tax liabilities, may be his income-tax or may be his wealth-tax. But if he obtains one clearance certificate then that will include also the wealth-tax.

SHRI RAJENDRA PRATAP SINHA: Which section is that?

SHRI B. R. BHAGAT: I am referring to section 230A of the Income-Tax Act inserted by the Direct Tax (Amendment) Act of 1964. That Bill has been passed into an Act and as a result of that amending Bill, this section 34 has become redundant in the Wealth-tax Act and in future any clearance certificate will include the wealth-tax due from the person and so any intending purchaser will be in a position to immediately know the facts.

SHRI RAJENDRA PRATAP SINHA: In that provision there is a limit put on the transfer of property?

SHRI B. R. BHAGAT: The limitation and the dues are also there.

SHRI RAJENDRA PRATAP SINHA: Please read out the provision.

THE DEPUTY CHAIRMAN: Does the explanation satisfy you?

SHRI RAJENDRA PRATAP SINHA: Yes, Madam, I am satisfied.

THE DEPUTY CHAIRMAN: The question is:

"That clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Clauses 30 to 41 were added to the Bill.

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

SHRI B. R. BHAGAT: Madam, I move:

"That the Bill be returned."

The question was put and the motion was adopted.

THE MINERAL OILS (ADDITIONAL DUTIES OF EXCISE AND CUSTOMS) AMENDMENT BILL, 1964.

THE MINISTER OF PLANNING . <
 SHRI B. R. BHAGAT) : Madam, I beg to move:

"That the Bill further to amend the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958 as passed by the Lok Sabha, be taken into consideration."

Madam, the House will recollect that as a result of discussion with the oil distributing companies Government were able to secure a reduction of prices in respect of certain categories of mineral oils with effect from the 28th May, 1958. These reductions were individually of small amounts and the benefit was not likely to reach the consumer if a corresponding reduction was made in the ceiling prices. It was accordingly decided that the amounts accruing from the negotiated price reductions should be transferred to the Consolidated Fund of India. This decision was given effect to by a levy of additional Duties of Excise and Customs by an Ordinance issued on the 30th June, 1958, which was subsequently replaced by the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958. An express provision was made in the Act that the additional duties of Excise and Customs levied thereunder were not to be added to the price of goods for sale. By this it was ensured that the levies were not passed on to the consumer by making any increase in the prices of the products concerned. Since the reductions were

only provisional and further reductions were expected, the Act provided for ceiling rates and authorised the Government to fix effective rates from time to time by notification.

Since then, as a result of further examination and negotiations with oil companies it has been possible to effect some further price reductions. But as they likely effect in each case was only marginal, on each such occasion it was decided to mop up the benefit arising out of the reduction to the Consolidated Fund of India by suitably adjusting the effective rates of the additional duties of excise and customs. A temporary amendment was also made in the Act for the period 1st April 1959 to 31st October 1959 raising the ceiling rates to enable quick adjustment of certain amounts standing in favour of Government.

As the House is aware, a Committee was appointed in August, 1960 to examine the principles and elements according to which the selling prices of various petroleum products in India should be determined. In the light of the Committee's recommendations the effective rates of additional duties of excise and customs were adjusted taking into account the reduction proposed by the Committee from 1st October 1961.

In terms of the pricing principles applicable under the Refinery Agreements and the recommendations of the Oil Price Enquiry Committee, adjustments have to be made for variations in the f.o.b. cost at Abadan and the marine freight applicable from time to time from Abadan to the Indian port* of discharge. Due to fall in these figures since 1961, a sum of nearly five crores of rupees has accrued in favour of Government and further sums are accruing at the rate of nearly sixty lakhs of rupees per month. These amounts have to be appropriated to the Consolidated Fund of India. But after the adjustment of the effective rates from the 1st October 1961, very little margin is left between the ceiling and the

effective rates within which it is not possible to make a quick recovery of the amount accruing in favour of Government or to take care of further reductions which may accrue in further. It is, therefore, necessary that the ceiling rates fixed in the Act should be raised sufficiently.

I now come to the new items. The Act does not at present include a levy on asphalt and bitumen nor on lubricants, greases and other similar products. Envisaging the possibility of increase in consumption of these products, and keeping in view the recommendations made by the Oil Price Enquiry Committee, two new entries are being added so as to enable recoveries being made from the oil companies in respect of future price reduction on them. For these reasons, the Bill seeks to raise the ceiling rate, of duty in respect of the products which are already covered by the Act as also to bring asphalt and bitumen and certain other petroleum products, liable to excise duty under Item No. 11A of the Central Excise tariff, within the scope of the Act and to fix the ceiling rates of additional duties for them. The effective rates, both on the existing products as well as on those proposed to be included now, will continue to be fixed by notification. Government have also carefully considered the possibility of passing on the benefits arising from the price reductions to the consumer, but we are satisfied that in the existing circumstances, it would be desirable to continue the present arrangements of crediting all such accruals to the Consolidated Fund of India.

Hon. Members would have observed that a declaration under the Provisional Collection of Taxes Act, 1931, has been inserted in the Bill. In view of the urgency of the matter and revenue consideration it was thought expedient to insert this declaration in the Bill. The effective rates of duty on the existing commodities have already been raised from the existing ceiling rates provided in the 1101 RS—4.

Act. However, no imposition has so far been made on asphalt and bitumen or on the products covered by Item No. 11A of the Central Excise Tariff which are now proposed to be included in the Act.

Madam, I am sure that in consideration of the facts that I have tried to explain, the House will unanimously support the measure.

SHRI DAH.YABHAI V. PATEL:
(Gujarat): No.

The question was proposed.

SHRI DAHYABHAI V. PATEL: Madam, I have listened patiently to the speech of the Mover. I am sorry to say that he is utterly unconvincing. He trotted out reasons that were given in the year 1953 when prices were being discussed with the oil companies and the oil companies were asked to give some relief and reduction in oil prices. We were told at that time that the reduction was so small that it could not be passed on to the consumer. Therefore, Government appropriated or misappropriated that sum also. The same story was repeated in the two subsequent years, 1959 and 1961. The principle of the thing is wrong, the principle of the Bill. The Public Accounts Committee has been pointing out for the last five, six or seven years, that the Government of India overestimates its Budget in regard to expenditure, in regard to its power to spend money, even wastefully as it is doing. The estimates are always inflated so far as expenditure is concerned and are the lowest so far as income is concerned. The Public Accounts Committee has pointed out this very bad feature in our budgeting. If the Minister is inclined to think that the increase that will come as a result of this measure is very small, why does he not give it to the consumer?

SHRI B. R. BHAGAT: It can't be given. It is very marginal.

SHRI D. DAHYABHAI V. PATEL: If it is marginal, and a little more because you are always taking too much from the people.

SHRI B. R. BHAGAT: From where?

SHRI DAHYABHAI PATEL: If it is only a marginal reduction that you get, add a little more margin yourself and then give it to the consumers. You are 'making transport more and more costly. There is a tax on oil—there is a tax on petrol and now you want to add bitumen, tar, which is so essential for the making of good roads of which there is a great lack, particularly in certain areas like Gujarat where I come from. There are hardly any tar roads worth the name except in the cities. You have fortunately good roads and competing roads on this side or I understand in South India but even in this year of Grace nineteen hundred and sixty-four, which is shortly to end, you cannot drive your car from Bombay to Ahmedabad safely. Your life will be in danger.

{THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) in the Chair}

The two principal cities of Surat and Baroda are not connected by a good road. Why can't it be done? Government says, cost and why does the cost go up? It is because of the faulty policies of the Government. Therefore in principle this is a tax on transport and I object to it. The duty of the Government is to provide cheaper transport.

SHRI B. R. BHAGAT: May I explain? It is reduction; it is not cost; it is not adding anything.

SHRI DAHYABHAI V. PATEL: But you are giving no reduction to the consumer. You are trying to appropriate it to yourself.

SHRI B. R. BHAGAT: There is no adding to the cost; there is no tax on the consumer. I am sorry to say that it has not been understood.

SHRI DAHYABHAI V. PATEL; I am sorry if I have not been able to make myself sufficiently clear. I say that

whatever reduction the Government gets in the cost of oil should be passed on to the consumer. If it is marginal, if it is very small, if it is half an anna per gallon, make it one anna because you are already getting too much from everywhere else. (*Interruption*). If Mr. Khandubhai Desai was sitting on this side, I am sure he would have also advocated this. Oh, it is Mr. Abid Ali, Mr. Khandubhai Desai's old lieutenant and right hand; it applies to both of them equally.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Or it is possible you might be on this side.

SHRI DAHYABHAI V. PATEL; I do not know but what I wish to say is that it is not right to appropriate in this manner the gains that the Government is getting. They should have got more by quicker negotiations. I am glad that they are getting a little reduction but I am sure it is possible to get more. There are countries in the world that have no oil; they depend on countries abroad for refining, yet they have their own refineries. But we have not. We made the initial mistake of giving too much to the refining companies and giving them very long leases. When we have found oil in our own country, the pace of oil is rather slow. If the pace of exploration was faster and more efficient our dependence on the foreign oil companies would become much less and therefore all this would not be necessary. But that is going a little beyond the scope of the Bill that is before us. Here what I wish to say is that I do not like this principle of appropriating everything that you get. In 1958 when they started getting some concession they told the House that it is too small. They negotiated and got something more in 1959 and now they have got still something more. I do not know—all told what it would amount to but if the Government is getting a concession, a reduction in cost it should be for the Government to give a reduction in cost to the consumer. The cost of petrol and the cost of oil in terms of the rate at which they are

sold in the market is preposterous. If you look around, nowhere in the world is oil sold with so much profit or with so much tax imposed on it. One-third or even less than one-third is the actual cost, whether it is cost of import or cost of refining and three-fourths of the cost is made up of tax by the Government tax at every stage, at the first stage, second stage, third stage and so on and by the time it reaches the consumer for every rupee the consumer pays twelve annas is towards taxes. Therefore I think the Government should have taken a more reasonable view, a more practical view and tried to give some relief to the consumer. So in principle I am not inclined to support this Bill.

SHRI D. THENGARI (Uttar Pradesh): Sir, in the first place, whatever amounts accrue as a result of this measure must be passed on to the consumer. It has been argued that the amount is too small. If the benefits are too small, that is an additional argument why the Government should not hesitate to pass it on to the consumer. As a matter of fact there is a widespread impression in the country that the Government is not consumer-conscious and this impression must be removed. It has been said that the burden arising out of this measure will not be passed on to the consumers but at the same time we all know that these companies have a knack of passing on the burden over their shoulders to the consumers and the Government; invariably finds itself helpless in such matters. Therefore we will not be prepared to accept any assurance from the Ministry that the road transport will not be dearer on account of this measure. Even if it is decided that the benefits accruing from this shall not be passed on to the consumers it is necessary that the amount recovered should be appropriated to the Roads Fund because we have not yet fulfilled the targets set out in the Nagpur Plan. According to my information, probably with the only exception of West Bengal, no

other State has fulfilled the Nagpur Plan targets. If the amount is appropriated to the Consolidated Fund we are not confident that it would be properly utilised or that it would be utilised specifically for the development of road transport. And I need not emphasise the need to develop road transport at the present stage of our economic development. Sir, the hon. Minister may or may not express it in so many words but it is certain that as a consequence of this measure the burden of taxation is bound to increase. I am more interested in reduction of prices of some essential commodities such as kerosene, diesel or petrol. All these commodities are of common use and the Government must assure us that their prices would be reduced. It will not do for the hon. Minister to shirk the responsibility and say that reduction in their prices or taxation on these commodities or such matters pertain properly to the Budget and that this Bill is something different and therefore this matter of reduction of prices should not be brought in at this stage. I should like to say that we must have an integrated financial policy and such an integrated policy cannot suffer separation of the Budget from other Acts or Bills concerned with Finance.

One more point I should like to add. The Government has given a certain guarantee about profits to these various companies. I should like to point that foreign companies like the Burmah Shell, and ESSO are giving indecent treatment to their employees. It is not merely a question of employer-employee relationship. The Finance Ministry cannot absolve itself of its responsibility by saying that employer-employee relationship is a matter entrusted to the Labour Ministry. Unless you close the nose, the mouth will not be opened. It is a question of our national honour. Our employees in Burmah Shell and ESSO are not likely to get decent treatment unless and until the Finance Ministry emphatically and boldly asserts that no guarantee of profits can be given unless this*

[Shri D. Thengari.] foreign companies assure the Government that they would give a fair and decent treatment to their employees.

With these words I close.

SHRI SURESH J. DESAI (Gujarat): Mr. Vice-Chairman, the Mineral Oils (Additional Duties of Excise and Customs) Amendment Bill, which is before the House, is a simple Bill and it is not a controversial Bill as it ought to be made out. In fact, the principle of the Bill was accepted as early as 1958 when, as the hon. Minister, Mr. Bhagat, pointed out, after protracted negotiations, certain reductions in the prices of mineral oils were secured. At that time it was thought that these reductions if reflected in ceiling sale price to be fixed by the oil companies would not be such as to reach the consumer and therefore it was thought it would be better if the benefit was mopped up by the Government. Because the oil prices were likely to vary from time to time, only ceiling rates of duty were fixed in the original Act. After that there have been certain further reductions and a sum of Rs. 5 crores has accrued to the Government. So, the Government have come forward with this Bill for revising the additional rates of duty, that is, fixing new ceilings under which, from time to time, all variations in the oil prices can be mopped up by the Government. There is nothing controversial about it. The principle was already accepted as early as 1958. My friend, Shri Dahyabhai Patel, asked whether this reduction can be reflected in the price to the consumers, but these reductions are not as much as that. Even the sum of Rs. 5 crores, if it is effected in the price of petrol or diesel oil or kerosene all over the country, would be hardly worth while. That would be very little. That is why these reductions from time to time which are secured in the oil prices are mopped up by way of these additional duties by the Government. In the case of kerosene, for instance, it is not merely a question of reducing the price of kerosene to

the people. The poor people use kerosene. That is a fact. But then we have to restrict the consumption of kerosene because the imports are getting larger and larger each year and we have to pay for these imports of kerosene. That is why certain duties have to be levied in order that the consumption of kerosene is restricted. It is not possible that the reductions from time to time which are secured in the prices of mineral oils can be passed on to the consumer. There is some misunderstanding about it. They are too small to be reflected in the ceiling selling price and that is why the hon. Minister said that the principle was laid down that whatever benefits accrued should be mopped up by the Government from time to time by way of these additional duties of excise and customs.

Another point which some hon. Members have made is about the road fund and the development of roads. Of course, whatever be the revenue, which accrues out of these additional rates of duties, it goes to the general exchequer. They go to the Consolidated Fund. Only a part of the duty on petrol and motor spirit and a part of the motor tax go to the road fund.

Now, as far as the development of roads is concerned, the Nagpur target has been exceeded already by about 14 per cent. Of course, the road development has not been uniform all over the country. For instance, in West Bengal, the road development has been 120 per cent of the Nagpur target. In the case of the State from which Mr. Dahyabhai Patel comes and I also come i.e. Gujarat even at the end of the Third Five Year Plan, the target will be only something like 65 per cent. But that is the case in Orissa and Assam also. Orissa, Assam and Gujarat are backward in road development. At the same time, it must be remembered the money which will accrue to the Government as a result of this Bill, by way of these additional rates of duty, does not go to the road fund. This will only go to the general exchequer, to the Consolidated Fund. Road fund

and the development of roads is a separate item and certainly attention should be paid to these States which are backward as far as road development is concerned. But I do not know whether that point is pertinent to the Bill under consideration. As far as the general targets of road development, as far as the Nagpur targets, are concerned, they have been exceeded by 14 per cent if you take the road development all over the country. So, this is a Bill which is (if a non-controversial nature. The principle has already been accepted and I do not think any controversy should be raised.

With these words, I support the Bill.

SHRI B. R. BHAGAT: Mr. Vice-Chairman, I do not know how to describe the attitude of the hon. Member opposite who chose to oppose this measure. Frankly I think if he has second thoughts he will see the wisdom of a measure like this. His main grounds for opposition were two. One is that the whole of it should be passed on to the consumer. The other is that all these duties making the petroleum products costly are coming in the way of development. I think these were the two grounds. I wish to join issue with him on these two points. Firstly, so far as passing the benefits on to the consumer is concerned, as I explained while moving this Bill for consideration, the benefits were marginal not in terms of the total. The total may be Rs. 5 crores as I myself have said. Now, it is assumed that Rs. 60 lakhs per month is accruing, but it is distributed over a large number of products. In respect of each of them it may be one paisa or two paise or four paise per unit. Practically, administratively and for various other reasons it is very difficult to transfer it.

Then, the question of transferring it to the consumer is not a laudable object by itself. This money that accrues to the Government whether it goes to the Consolidated Fund or for any special benefits or for road development or anything else—instead of

going to these laudable objects would lie frozen. The consumer does not get any advantage of the money. It is lying frozen. Even as it is there is no increase in the burden on the consumer as a result of this. Actually over a period we have been trying successively to break the monopoly of the oil companies. The hon. Member knows their strength. He knows the dangerous powers they have in their having monopoly power and it goes to the credit of this Government. Pursuing it persistently and perseveringly we have tried to bring about reductions successively and we have come to this stage. We have provided a ceiling for this. We may reach, the ceiling in reductions and correspondingly we will take the benefit to the exchequer. Now, that ceiling also is being pierced and so we have come to this House to give us another ceiling. So, the effort of the Government in persuading the oil companies: to bring down the prices, I think, should have got at least one word of cheer from the hon. Member. He did not do that. He only chose to attack the Government on things which do not exist. There is no burden or any additional cost to the consumer. And we have said that in future if we find that this reduction is large or sizeable, we might consider passing on the benefit to the consumer.

As far as the other point is concerned

SHRI LOKANATH MISRA (Orissa): Let him continue after lunch.

SHRI B. R. BHAGAT: I will take only two or three minutes.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Let him continue.

SHRI B. R. BHAGAT: I will finish in two or three minutes and the House may grant me this indulgence. Then, he said that by making all these levies we are making road transport costly.

Already the hon. Member pointed out that part of the petroleum duty

[Shri B. R. Bhagat.] goes for the Road Development Fund, both for the Central fund and for the State Fund. Already we are appropriating a part of it.

SHRI DAHYABHAI V. PATEL: We see only the appropriation. We do not see the development of roads.

SHRI B. R. BHAGAT: I have all sympathies for the hon. Member if the roads are not developed in Gujarat. But I have faith in the ingenuity of the people of Gujarat. They are a very industrious and sagacious people. They have advanced in many fields. They will advance also in road development. It is news to me that road development in Gujarat is lagging behind. But I have all sympathies for it because I would like it to develop faster, and the money will come out of the Consolidated Fund of India. We are doing a lot for road development and more should be done. I would like to correct the hon. Member when he said that almost twelve annas out of a rupee are by way of tax. That is not correct. On many items, for instance kerosene, we have deliberately put in the last Budget the duty high. For what reason? To conserve foreign exchange, to prevent the large consumption of kerosene, because most of the kerosene is imported; and therefore to conserve foreign exchange we raised the duty. The House appreciated it. But on other items the duty is not that high, whether it is the diesel oil or other vaporous oil or other things.

SHRI DAHYABHAI V. PATEL: Why don't you give the break-up of the cost of petrol, imported cost and the duty? You will see that what I am saying is true.

SHRI B. R. BHAGAT: I will give the break-up respect of the major items.

श्री विमलकुमार मन्नालालजी चौराड़िया:
(मध्य प्रदेश) यह आफ्टर लंच ठीक रहेगा।
तब ब्रेक अप भी हो जायेगा और हमें भी
आसानी रहेगी समझने में।

SHRI M. P. BHARGAVA (Uttar Pradesh): Sir, he can continue after lunch.

SHRI B. R. BHAGAT: If the House so wishes, I have no objection.

SHRI DAHYABHAI V. PATEL: We would like to have a break-up of those things.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The House stands adjourned till 2.30 p.m.

The House then adjourned for lunch at four minutes past one of the clock.

The House reassembled after lunch at half past two of the clock, The DEPUTY CHAIRMAN in the Chair.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE.

REPORTED FIRING BY POLICE ON DISPLACED PERSONS FROM EAST PAKISTAN AT COIMBATORE

THE DEPUTY CHAIRMAN: Mr. Vajpayee.

SHRI A. B. VAJPAYEE (Uttar Pradesh): Madam, with your permission, I rise to call the attention of the Minister of Rehabilitation to the reported firing by police on the displaced persons from East Pakistan at Coimbatore.

THE DEPUTY MINISTER IN THE MINISTRY OF REHABILITATION (DR. MONO MOHAN DAS): Madam, on behalf of my senior colleague, Shri Mahavir Tyagi, I beg to read the following statement:—

मुझे कोयम्बटूर में मद्रास राज्य सरकार प्रशासन के आधीन खोले गये शिविर में इस दुर्घटना के बारे में जानकारी बहुत दुःख हुआ। जिन परिस्थितियों में यह गोली

चलाई गई इसके सम्बन्ध में पूर्ण व्योरा हमारे पास उपलब्ध नहीं है । ज्यूहो १४ दिसम्बर के प्रातःकाल के दैनिक पत्रों में यह समाचार पाया गया, गृह विभाग मद्रास सरकार तथा कर्नल कौयम्बटूर से टेलिफोन पर बात-चीत की गई । कर्नल तथा उप आरक्षक-महानिरीक्षक दोनों ही घटना स्थल पर गये ।

कर्नल से जो हमें प्रारम्भिक सूचना प्राप्त हुई उस से ऐसा प्रतीत होता है कि शिविर में एक पुलिस कर्मचारी तथा विस्थापितों के समूह में कुछ झगड़ा हुआ । विस्थापितों ने संतरी का पीछा किया किन्तु ड्यूटी वाले संतरी ने उस पर प्रहार करने से रोका । इस पर विस्थापितों ने संतरी पर पत्थर आदि चलाने आरम्भ कर दिये, जिससे उसे सिर पर चोट आई और उसकी एक उंगली भी टूट गई । संतरी ने आत्म रक्षा के लिये गोली चलाई जिससे एक व्यक्ति की मृत्यु हो गई तथा एक घायल भी हुआ । घायल व्यक्ति तथा संतरी दोनों को हस्पताल में दाखिल कर दिया गया है । गोली चलाने के लिये किसी भी सरकारी अधिकारी ने आदेश नहीं दिया था । चूंकि कानून तथा व्यवस्था की जिम्मेदारी राज्य सरकार की है, राज्य सरकार ने मैजिस्ट्रेट द्वारा जांच करने के लिये आदेश दे दिये गये हैं । जांच के पूरा होने पर ही घटना के व्योरे का पूर्ण पता चलेगा । शिविर में अब शांति है तथा किस और घटना का समाचार प्राप्त नहीं हुआ है ।

SHRI A. B. VAJPAYEE: Madam, are we to understand that the police had been posted inside the camp and, if so, for what reasons?

D*. MONO MOHAN DAS: Inside the camp there is a police post. We have to keep it to maintain law and order.

SHRI A. B. VAJPAYEE: I cannot understand why there should be police

inside the camp. I can understand the police being posted on the gate of the camp but the police has no business to be inside the camp.

DR. MONO MOHAN DAS: Why not? It is necessary for the police post to be there inside the camp.

SHRI A. B. VAJPAYEE: How is it necessary?

THE MINISTER OF REHABILITATION (SHRI MAHAVIR TYAGI): As my colleague has already stated, the camp is under the administrative charge of the State Government and for the purpose of the safety of the inhabitants there, the displaced persons there, they have to maintain the police force.

SHRI A. B. VAJPAYEE: The reply is not yet clear. The police has to be there to safeguard the camp but why should the police be inside the camp?

SHRI MAHAVIR TYAGI: It is to be inside the camp because the camp is a colony just like a town. You will not see the policemen being kept outside the town, they will be inside the town. The police people are meant for the camp; they are going about inside and outside the camp and the boundaries.

SHRI A. B. VAJPAYEE: May I know the number of displaced persons in this particular camp?

SHRI MAHAVIR TYAGI: At pre-sent the population is 357 only.

SHRI M. P. BHARGAVA (Uttar Pradesh): May I know from the hon. Minister whether it is not possible to control the camp by remote control or it is absolutely necessary for the police to be within the camp if law and order is to be maintained?

SHRI MAHAVIR TYAGI: It is lot the purpose of maintaining law and order. Wherever there is a population, police is there. They are not kept

[Shri Mahavir Tyagi.] under guard like the prisoners. They are free people inside the camp. But even then for the purpose of maintaining peace and law and order, there is some police posted. Some of them are outside on the gate, some go about in the camp.

SHRIMATI SHAKUNTALA PARANJ-PYE (Nominated): How many policemen would be there in the camp?

SHRI MAHAVIR TYAGI: This information is not readily available.

SHRI LOKANATH MISRA (Orissa): As the Minister said, the policemen were there for some time. What was the particular occasion? From the reply given by the Minister, I could not understand what was the particular occasion on that particular day. Why was the policeman chased out by these refugees? Did he behave improperly with any of the refugees or else, what was the reason for this altercation?

SHRI MAHAVIR TYAGI: These are matters which are under enquiry and as the House was informed, a Magistrate has been deputed. The difficulty with the administration there is that all the officers do not know the Ben. gali language. So, along with the Magistrate, an officer who knows Bengali has been sent there so that a thorough enquiry may be made, and as soon as the enquiry is complete, they will send the report here, I might inform the House.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): The hon. Minister has just stated that the number of the refugees is only 300. Our experience is that police is not posted for a population of 300. So, the Minister would have to give some reason, special reason, for posting a police force for a population of 300. In a village where the population is only 300, generally police is not posted. So, there should be some special occasion or special reason for posting! a police force in this particular refugee colony.

SHRI MAHAVIR TYAGI: I do not think that there is any reason or that any explanation is called for for the presence of the policemen inside the camp. The camp is not like a barrack. It is a small colony spread over; there are roads and passages in between. It is a colony type of thing. They are not huddled together in a small, little barrack and therefore

SHRI CHANDRA SHEKHAR: Perhaps I could not make my question clear. The camp is not like a barrack, the camp is just like a village. Our experience is that in a small village with a population of 300, generally police is not posted, there is no police force in a village of 300. The hon. Minister will have to give some special reason. Is this colony in the remotest corner or is there any special danger to the security of these refugees? What were the reasons for posting a police force there in that particular locality where only 300 people are inhabited? That was my question.

DR. MONO MOHAN DAS: I may inform this hon. House that there are often altercations and quarrels amongst the refugees also. And sometimes the refugees go out of their camp and create some disturbance in the neighbouring villages. This has come to our notice. Moreover sometimes these refugees take a very strong attitude when some occasion comes for reducing their doles or something like that. So, even for the functioning of the officers who are in charge of the administration of the camp police is necessary.

SHRI B. K. P. SINHA (Bihar): May I know if this particular camp is an enclosed camp, enclosed by wall or wires or is it an open camp? Secondly, may I know whether this pattern of posting a police force inside a camp is an all-India pattern or is peculiar to this camp?

SHRI MAHAVIR TYAGI: It is an all-India pattern. Wherever these displaced persons are established in any camp, for the purpose of guarding the camp and for keeping peace there, some policemen are posted on the gate as well as outside.

Well, as regards barbed wire fencing, etc. I am afraid I have not got complete information with me. Just now but this pattern of keeping police, a police station—a temporary police station—is also there so that if there is any complaint from any of the displaced persons living in that camp—and if they want to lodge my report, they might have the police station nearby to lodge their own reports.

DR. SHRIMATI PHULRENU GUHA (West Bengal): I want to know whether there was a police force there or a single policeman was posted there?

THE DEPUTY CHAIRMAN: How many policemen were posted there?

SHRI MAHAVIR TYAGI: It is not an armed police force. It is like ordinary civil police and some of the people are deputed in to the camp.

SHRI D. THENGARI (Uttar Pradesh): May I know, Madam, whether anybody from the police force was suspended for firing? Who ordered the firing and was he competent enough to order the firing?

THE DEPUTY CHAIRMAN: That investigation is going on.

SHRI MAHAVIR TYAGI: As I have just submitted, the matter is under investigation. If the policeman is found at fault, not only suspension but definitely something further might come. If it is proved action will be taken. Immediately action has been taken on the very day. A magistrate has gone there. He is making a thorough enquiry and as soon as the result of the enquiry is in the hands of the authorities, they

will take proper action either against the police or the person concerned.

SHRI R. S. KHANDEKAR (Madhya Pradesh): May I know, Madam, whether the Magistrate is an executive magistrate or judiciary magistrate because often the experience has been that an enquiry by an executive magistrate is not a proper enquiry? So I should like to know whether the Central Government will advise the State Government to appoint a judicial Magistrate to enquire into this firing.

DR. MONO MOHAN DAS: We are not prepared to agree to the allegation that has been made.

THE DEPUTY CHAIRMAN: He only wants information. He is not making any allegation.

SHRI MAHAVIR TYAGI: The only information we have in our possession is as already telephoned by the District Magistrate that a Magistrate has been deputed and a magisterial enquiry has been ordered. And with him is going one officer who knows Bengali so that the enquiring Magistrate might take down the statements of the displaced persons there and look into their grievances.

SHRI R. S. KHANDEKAR: Is it an Executive Magistrate or a Judicial Magistrate?

THE DEPUTY CHAIRMAN: Mr. Bhagat.

THE MINERAL OILS (ADDITIONAL DUTIES OF EXCISE AND CUSTOMS) AMENDMENT BILL, 1964—contd.

SHRI B. R. BHAGAT: I had all but finished my reply when the House desired that I should give some information about the percentage of the tax element in the price of petroleum products. I have tried to go through it hurriedly and worked out the percentage. Although it may not be

[Shri B. R. Bhagat] exactly accurate, it is to the closest approximation. For example in the inferior kerosene which goes into the consumption of the common people more so in the villages, the excise duty works out to 39 per cent. In the superior kerosene it works out to 50 per cent. I may add that there has been considerable step-up in the duty in the last Budget because of the reasons that the Finance Minister wanted, and rightly, to conserve foreign exchange and not allow the consumption of kerosene to go up very high. That is why there had been a large step-up in the duty in the last Budget.

Then I come to the high speed diesel oil that goes into trucks. It is 69 per cent. Motor spirit is 64 per cent.

SHRI DAHYABHAI V. PATEL: Have you taken sales tax into consideration?

SHRI B. R. BHAGAT: In Gujarat, I am told the sales tax is twelve paise per litre. That again, by approximation, comes to about 3 per cent, or a little more. So, that will make it up to 67 per cent, or so.

In any case it is not twelve annas in the rupee.

SHRI DAHYABHAI V. PATEL: What is the difference, Mr. Minister?

SHRI B. R. BHAGAT: It is not twelve annas in the rupee.

SHRI DAHYABHAI V. PATEL: If you claim to be near approximation with all that staff in the official corner, my approximation from memory is very nearer to the correct position.

SHRI B. R. BHAGAT: I am only trying to make it as accurate as possible.

Madam, the last point that I want to say is that this additional impost should not have been there. Then, what was the alternative? This was the result of the reduction that the

Government were able to bring about in the price of petroleum and petroleum products after protracted negotiations with the company. If we had not done it, what would have happened? Then the company would have made the profits, and I think the hon. Member would not have liked that.

SHRI DAHYABHAI V. PATEL: I am asking for lowering the price I am not saying that you take from the company.

SHRI B. R. BHAGAT: The price has not been increased and, as I said . . .

SHRI DAHYABHAI V. PATEL:
It is already high.

SHRI B. R. BHAGAT: As I said it related to a large number of items in which the difference was only fractional. In some cases the reduction may be 2, 3, 4 or 5 paise which it would have been difficult to pass on to the consumer in each case. Therefore, it has to go to the Consolidated Fund of India. And that, as I said earlier in the day, goes there. Take the motor spirit cess. Out of this impost from the motor spirit, a road cess fund for development of roads in the States as well as at the Centre is being created. It goes for the development of transport and other things. It is not as if the Government has not been able to bring about this reduction and it has not been able to pass it on to the consumer that a very great hardship has been caused. Nothing of the kind. I am very glad, Madam, that the House has given full support to the measure. The two points that the hon Members have raised I have tried to meet and I am sure the House will be convinced by it. With these words I move.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958,

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.

Clauses 2 to 5 *were added to the Bill*

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

THE DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The motion was adopted.

THE PROVISIONAL COLLECTION OF TAXES (AMENDMENT) BILL- 1964

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR SAHU): Madam, I move:

"That the Bill further to amend the Provisional Collection of Taxes Act, 1931, as passed by the Lok Sabha, be taken into consideration."

Madam, this is a simple measure and I will not take much of the time of the House in explaining the purpose of the Bill. As the hon. Members know, by virtue of a declaration under the Provisional Collection of Taxes Act, 1931, any provision of a Bill purporting to impose or increase any duty of Customs or Central Excise can be brought into effect immediately upon the introduction of the Bill in Parliament. The imposition or increase in the rates of duty in respect of which such a declaration is made comes into effect immediately on the expiry of the day on which the Bill is introduced and they continue to remain in force for a period of 60 days. In case the Bill does not come

into operation as an enactment before the expiry of that period the whole of the duty collected by virtue of the declaration has to be refunded.

A declaration under the Provisional Collection of Taxes Act is almost invariably inserted in every Finance Bill or any such Bill which seeks to impose or increase any duty of customs or excise. This becomes necessary) as the markets react immediately to any proposal for the imposition or increase of any commodity tax and the consumers have to pay increased prices almost from the very time the proposals are announced. The application of the Provisional Collection of the Taxes Act to some extent helps in mopping up the unearned profit at least on the stock of goods which are still with the manufacturers or in the warehouses or are about to be cleared from the docks.

Of late, due to the large tax effort that have had to be made, the Finance Bills have many more clauses and sub-clauses than in earlier years. It is but natural, therefore, that the hon. Members in the two Houses of Parliament should desire to have more time for consideration of the proposals. It is with this object in view that it is proposed to increase the time limit from sixty days to seventy-five days. I am sure that the House will unanimously support the measure.

The House will recollect that in 1957 because of the General Election, consideration of the annual Budget and the Finance Bill had to be spread over two sessions of Parliament. To meet that situation the Provisional Collection of Taxes Act was temporarily amended extending the period from 60 days to 120 days for that year only. The amendment was operative up to the 31st December, 1957 only.

Madam, I move the Bill for consideration.

The question was proposed.

SHRI SANKAR PRATAP SINGH DEV (Orissa): Madam, I may not have any hesitation in agreeing to the increase of the period from 60 days to 90 days in validating the change in taxes, direct or indirect, by the Executive but I do so with reservation.

I have repeatedly said that taxes have been on the increase from year after year. In 1957-58 the total revenue from taxes was Rs. 695.7 crores. In 1963-64, within a period of six years, it rose to Rs. 1,478.4 crores, more than 100 per cent, increase. Do you not think it is staggering? In our country where the per capita income is the lowest and stands at Rs. 300, out of this about 25 per cent, go to taxation. Forty per cent, of our lowest income group earn only five annas per day and out of that about two annas goes to direct and indirect taxation. Can we commit a worse crime than this, to tax a man by two annas a day whose income is only five annas a day? The newspaper report says that in Delhi the other day, within this week of cold wave, about nine people died because they could not clothe themselves. This was the reported number of deaths but what would be the actual death roll? Nobody knows. Is that the result of your seventeen years of planning? I do appreciate the problem which the Government are faced with in mobilising internal resources. Developmental planning has received considerable attention in our country in the last decade. The Government can borrow money, increase taxes, etc. for financing the lopsided Plan. That the Plan is lopsided is obvious from the failure on all fronts. We have hardly achieved any target. Numerous people are dying of hunger. While foodgrains import has been progressively increased, still we have failed to meet the internal requirements. You can see the long queue outside the fair price shops. People have to wait for hours before they get their turn and even at times when they get to their turn, the shopkeeper says that the stock

has exhausted. From the taxation figure which I have quoted above, you will see that the incidents of taxation on commodities and services has shown an increase of more than 100 per cent. There cannot be two opinions that such an increase specially on indirect taxes is not conducive to the interest of equity as the main burden of indirect tax is borne by the common man. The Government can come forward with numerous explanations to defend their action of taxing the poor people.

The Finance Minister himself will bear me out that the tax proposal in the country must be realistic and should not inflict undue hardship in sections of the community which are known to be weak. A broad analysis of indirect taxation shows that it has been particularly oppressive on the less fortunate sections. Can there be a worse thing than taking away two annas out of five annas a day which a poor man earns? Of course excise duties on items like iron and steel, cement, motor spirit, etc. directly do not enter into the consumption budget of the poor section. However, the Government cannot deny that induced effect of such taxation on housing, with to a greater extent have its effect on the poor sections by directly increasing the cost of construction as a result of increase in the price of other materials which are taxed and be a sympathetic increase in the price of substitutable items. These are some of the problems which the Government should not lose sight of before the Finance Bill is prepared and rates of direct and indirect taxation are fixed from time to time.

The aim of planning, if I have understood it correctly is to achieve the various goals laid down in the Directive Principles of our Constitution. This can only be achieved if we concentrate all our efforts in ameliorating the most weaker sections of our society and that can only happen by progress-

sively decreasing their duties on con-] sumer goods and other items which' are generally consumed by our poor people. This can be done by taking away levy on agriculture a majority of our population depends on the land. Anything which helps to reduce the burden 'on the agriculturists is welcome. With these words I conclude.

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): Madam, if I have understood the hon. Member aright, I think he did not object to the extension of time of the provisional collecting from 60 to 75 days. So I am very happy to learn that he agrees with this Bill. But what he has said was probably his concern about the increase in the resources by way of taxation successively every year and also by the incidence of various duties on the various classes of people. That is what he meant to say. I think that particular matter the House is free to take up at any moment in the Budget discussions. So far as increase in internal resources is concerned, that is one of the dictates of this House. This House having accepted the Third Plan, has also accepted the policy of raising internal resources. So we, in the Government, take it as more or less a commitment or a duty towards the House to raise the resources so that the Plan targets are fulfilled and instead of expressing satisfaction that the Government has done its duty in raising the resources to the maximum extent, anxiety should not be expressed. Secondly, about the incidence on various classes of the various types of duties, that is very carefully gone into while formulating the Budget. The main policy is, whether the direct tax impost or indirect tax impost, the imposts should be levied in a manner so as not to hinder the production and they should not affect the common people generally they should try to mop up unproductive wealth and encourage productive investments and give relief to the smaller people, the middle-income group, etc. All these devices which

have been devised from year to year have been implemented in our tax policy, but certainly any tax when imposed, will hurt but so long as the burden is distributed very equitably, so long as the Fund is going towards the development of the country which is to increase the real, income of the people, I think it will go to help the common man about whom the hon. Member who spoke is worried. With these words, I move.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Provisional Collection of Taxes Act, 1931, 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 B. R. BHAGAT: I move:

"That the Bill be passed."

The question was put and the motion was adopted.

(I) RESOLUTION RE. THE ESSENTIAL COMMODITIES (AMENDMENT) ORDINANCE, 1964 AND (II) THE ESSENTIAL COMMODITIES (AMENDMENT) BILL 1964.

श्री ए० बी० वाजपेयी (उत्तर प्रदेश) :
महोदया, मैं निम्नलिखित संकल्प उपस्थित करता हूँ :

“यह सभा ५ नवम्बर, १९६४ को राष्ट्रपति द्वारा प्रख्यापित अत्यावश्यक वस्तु (संशोधन) अध्यादेश, १९६४ (१९६४ का अध्यादेश संख्या ३) का अनुमोदन करती है।”

महोदया, ५ नवम्बर को केन्द्रीय सरकार ने एक अध्यादेश जारी किया। उस अध्यादेश

[श्री ए० बी० बजपेयी]

को कानून का रूप देने के लिये अब एक विधेयक सदन के सामने लाया जा रहा है। प्रश्न यह है कि जब संसद् की बैठक १६ नवम्बर से शुरू होने वाली थी, तो ५ नवम्बर को अध्यादेश जारी क्यों किया गया? खाद्य मंत्री महोदय सदन को यह बतायें कि इन ११ दिनों में, ५ नवम्बर को अध्यादेश जारी करने के बाद और १६ नवम्बर को संसद् की बैठक शुरू होने तक, इस अध्यादेश के अन्तर्गत कितने लोगों के खिलाफ कार्यवाही की गई? जहाँ तक मुझे पता है, एक दो मामलों को छोड़ कर इस अध्यादेश के अन्तर्गत कार्यवाही नहीं की गई। क्या उन एक दो मामलों को, और अधिकार जो शासन के पास हैं, उनके अन्तर्गत दंडित नहीं किया जा सकता था? क्या यह जरूरी था कि संसद् की बैठक आरम्भ होने से ११ दिन पहले सरकार अध्यादेश जारी करती? क्या इन ११ दिनों में ही खाद्य-स्थिति बहुत बिगड़ने वाली थी? क्या ५ नवम्बर को कोई ऐसा विषम संकट पैदा हो गया था, जिस का सरकार न तो संसद् की पिछली बैठक में अंदाज लगा सकती थी और न जिस संकट को रोकने के लिये सरकार के पास जो असाधारण अधिकार हैं, उनको सरकार पर्याप्त समझती थी?

महोदय, संसदीय लोकतंत्र में अध्यादेश केवल उसी समय जारी किया जाना चाहिये जब उस अध्यादेश के बिना काम न चलता हो और उस अध्यादेश के अभाव में ऐसी परिस्थितियाँ पैदा होने का डर हो, जिन्हें शासन साधारणतया नियंत्रण में न कर सके। अभी तक शासन की ओर से यह बात स्पष्ट नहीं की गई है कि ५ नवम्बर को ही अध्यादेश जारी करने की आवश्यकता क्यों पड़ी। शासन अगर चाहता तो संसद् की पिछली बैठक में जो इस ओर से चेतावनी दी गई थी कि खाद्य की परिस्थिति और भी बिगड़ेगी, इस तरह का कानून में संशोधन कर सकती थी। लेकिन उस समय हम से कहा गया कि

परिस्थिति बिगड़ी जरूर है, लेकिन हमने उसे संभाल लिया है और थोड़े ही दिनों में परिस्थिति पर काबू पा लिया जावेगा। अध्यादेश का जारी करना यह बताता है कि शासन दूरदर्शिता से काम नहीं ले सका। हम शासन को अधिकार देने में संकोच नहीं करेंगे, अगर शासन इस बात का औचित्य सिद्ध कर दे कि उन अधिकारों के बिना वह खाद्य संकट पर विजय प्राप्त नहीं कर सकेगी।

इसके साथ यह भी देखना होगा कि अध्यादेश जारी करने के लिये कौन से कारण दिये गये हैं। इसके साथ जो वक्तव्य जारी किया गया है, उसे पढ़ कर हमें घ्रांती है। यह कहा गया है कि देश में संकटकाल की स्थिति है। भारत सुरक्षा अधिनियम लागू है, लेकिन यह स्थिति स्थायी नहीं है, अस्थायी है, बदल सकती है और भारत सुरक्षा अधिनियम हर दम नहीं रहेगा, इसलिये इमेजियल कमिडिटीज ऐक्ट में संशोधन करने जरूरी है। मैं जानना चाहता हूँ कि क्या शासन यह समझता था कि १६ नवम्बर को संसद् की बैठक शुरू होगी, उससे पहले इमर्जेंसी खत्म हो जायेगी और भारत सुरक्षा अधिनियम रद्द कर दिया जायेगा? यह ठीक है कि यह स्थिति हर दम बनी नहीं रह सकती, लेकिन आज तो यह स्थिति है कि भारत सुरक्षा अधिनियम के अन्तर्गत शासन को असाधारण अधिकार प्राप्त हैं और उन अधिकारों का उपयोग कर के शासन अनाज के व्यापारियों पर, जबीराबाजों पर, संघट्ट करने वालों पर, कठोर कार्यवाही कर सकता है। लेकिन संकटकाल की स्थिति आगे नहीं रहेगी, इसलिये अध्यादेश जारी करने का समर्थन नहीं किया जा सकता। जो वक्तव्य दिया गया है उसमें यह बात स्पष्ट नहीं की गई कि यह अध्यादेश दो दृष्टियों से प्रभाव डालेगा। एक तो इस अध्यादेश के अन्तर्गत समरी ट्रायल की व्यवस्था की गई है और दूसरे कुछ मामलों में अपील करने की अनुमति

छीन ली गई है। बकतव्य में केवल एक तथ्य पर प्रकाश डाला गया है और दूसरे तथ्य को छिपाया गया है। मैं नहीं जानता कि ऐसा किस कारण हुआ है।

अध्यादेश अगर ५ नवम्बर को न भी जारी होता, तो १६ नवम्बर को संसद् की बैठक आरम्भ होते ही, खाद्य मंत्री महोदय अपना संशोधन विधेयक ले कर हमारे सामने आ सकते थे और सदन को स्वीकृति प्राप्त कर सकते थे। मैं जानना चाहूंगा कि केन्द्रीय सरकार ने किन कारणों से प्रेरित हो कर ५ नवम्बर को अध्यादेश जारी किया? क्या खाद्य मंत्री महोदय इस सदन को संतुष्ट कर सकते हैं कि अध्यादेश जारी किये बिना काम नहीं चल सकता था? उन्हें बताने होंगे कि कितने मामले ऐसे हैं, जिन में इस अध्यादेश के अन्तर्गत मुकदमे चलाये गये? शायद दिल्ली का एक मामला छोड़ कर और तो मुकदमे नहीं चलाये गये हैं। दूसरे सदन में २ दिसम्बर को एक प्रश्न पूछा गया था कि इस अध्यादेश के अन्तर्गत कितने मामले सरकार के सामने आये हैं और उसका यह जवाब दिया गया था कि अभी तक कोई मामला नहीं आया है। शायद २ दिसम्बर के बाद कुछ तथ्य खाद्य मंत्री महोदय के पास आये हों, तो उन्हें सदन को विश्वास में लेकर के बताना चाहिये कि कितने मामलों में अध्यादेश के अन्तर्गत कार्यवाही की गई है। लेकिन यह समझने का कोई कारण नहीं है कि ऐसे मामलों की संख्या ज्यादा है।

अच्छा होता, अगर सरकार यह अध्यादेश जारी न करती। कभी कभी यह संदेह होता है कि क्या खाद्य के मोर्चे पर अपनी असफलताओं पर पर्दा डालने के लिये सरकार अधिकाधिक अधिकार अपने हाथ में लेना चाहती है। अभी शासन के पास अधिकारों की कमी नहीं है। सरकार के तरकश में तीर नहीं हैं, इसीलिये एक और तीर खाद्य-मंत्री महोदय मांगते हैं, यह बात नहीं है। कटु सत्य यह है कि जो अधिकार संसद् ने

शासन को दिये, उन अधिकारों का प्रभावी रूप से उपयोग करके शासन खाद्य स्थिति को संभाल नहीं सका। नजरबन्दी कानून का उपयोग किया जा सकता है, किया गया है, भारत-सुरक्षा-अधिनियम सरकार के पास है, एम्प्लॉयमेंट कंट्रोल एक्ट में अगर आर्डिनंस द्वारा संशोधन न भी किया जाता तो भी ऐसे अधिकार सरकार के पास थे जिनको काम में लाया जा सकता था। लेकिन शायद सरकार सोचती है कि अधिकारों को बढ़ाने मात्र से समस्या हल हो जायेगी। मेरा इसमें मतभेद है। जब तक अधिकारों को दृढ़ता से उपयोग में नहीं लाया जायेगा तब तक जिस उद्देश्य के लिए यह अध्यादेश जारी किया गया है या जिस उद्देश्य के लिए सरकार यह विधेयक ला रही है, वह उद्देश्य पूरा नहीं होगा।

इस बात से कोई इंकार नहीं कर सकता कि खाद्य स्थिति गम्भीर है और चेतावनियों के बावजूद सरकार दूरदर्शिता से काम नहीं ले पा रही है। सरकार की कठिनाइयां भी हैं, उनमें मैं अपनी दृष्टि ओझल नहीं करता, किन्तु व्यापारियों का समरी ट्रायल किया जाय। इसका प्रावधान करना सरल है, उन्हें सजा दे दी जाये और उन्हें उस सजा के खिलाफ अपील करने की इजाजत न हो, यह अधिकार भी सरकार प्राप्त कर सकती है, लेकिन यह इस बात की गारंटी नहीं है कि जो शासन का तंत्र है वह सचमुच में जिन मामलों में कार्यवाही होनी चाहिए उनमें कार्यवाही करेगा। अनुभव ऐसा है कि जब तौकरशाही के हाथ में व्यापक अधिकार रख दिये जाते हैं तो उनका दुरुपयोग होता है और ईमानदार व्यापारी भी, छोटे व्यापारी भी उनकी चपेट में आ जाते हैं।

सरकार मुनाफाखोरों के खिलाफ कड़ी कार्यवाही करे, इस में दो मत नहीं हो सकते। जो अन्न को दबाए हुए हैं या अन्न के अभाव का लाभ उठा कर कमाई कर रहे हैं वे दया के पात्र नहीं हैं, वे हमारे समाज के शत्रु हैं और वे कठोर से

[श्री ए० बी० ब्राजपूरी]

कठोर दंड के भागी है, लेकिन उन्हें दंड देने में सरकार अभी तक विफल रही है और यह विफलता इसलिए नहीं है कि सरकार के पास दंड देने के अधिकार नहीं हैं पर इसलिए भी नहीं है कि वे अर्पण में छूट जाते हैं और इसलिए भी नहीं है कि समरी दायल नहीं होता है; बल्कि जिनके खिलाफ कार्यवाही होती चाहिए उनके खिलाफ कार्यवाही नहीं होती। क्योंकि कुछ राजनीति जीव में आती है और जिनके खिलाफ कार्यवाही नहीं होती चाहिए उनके खिलाफ असाधारण अधिकारों में कार्यवाही हो सकती है। मैं दिल्ली का उदाहरण जानता हूँ। एक व्यापारी के यहाँ केवल इसलिए तलाशी ली गई— मैं नदन में नाम नहीं लेना चाहता, अगर खाद्य मंत्री महीनय जानना चाहेंगे तो मैं उन्हें नाम बताऊँगा—दिल्ली के एक प्रतिष्ठित व्यापारी के यहाँ केवल इसलिए तलाशी ली गई कि वह व्यापारी विरोधी दल से सम्बन्ध रखते हैं, वे व्यापारी मत्तारूढ़ दल के खिलाफ हैं। तलाशी लेने के बाद कुछ निकला नहीं, यह बात अलग है। लेकिन जिनके यहाँ तलाशी ली गई और माल मिला, ऐसी के खिलाफ भी कठोर कार्यवाही नहीं की गई; क्योंकि वह मत्तारूढ़ दल से सम्बन्धित है। दिल्ली का मेट्रोल कोऑपरेटिव स्टोर किस तरह के गोलमाल कर रहा है, यह नदन को बताने की आवश्यकता नहीं है। उसके अध्यक्ष के विरुद्ध कार्यवाही नहीं की गई क्योंकि वे मन्द के सदस्य हैं, कांग्रेस से सम्बन्धित हैं, यद्यपि उनके नीचे के जो कर्मचारी हैं उन्हें शिफ्टार किया गया है, पुलिस उनको अदालत में ले जा रही है। लेकिन अगर राजनीति बाधक बनेगी तो फिर सरकार कितने भी अधिकार प्राप्त कर ले समस्या मूलजने वाली नहीं है। जब हम इस और में सरकार को अधिक अधिकार देने में शिथिल हैं, संकोच करते हैं, विरोध करते हैं तो इसलिए नहीं कि हम मुनाफाखोरों का समर्थन करना चाहते हैं, लेकिन

हमें डर है कि इन अधिकारों का दुरुपयोग होगा, राजनैतिक आधार पर भेदभाव की नीति अपनाई जायेगी। हमें यह भी डर है कि बड़े और बड़ेमान व्यापारियों के साथ छोटे और ईमानदार व्यापारी भी फँसेंगे। हमें यह भी डर है कि किसान की स्थिति क्या होगी? अगर किसान घर में अनाज रखना चाहेगा और वह समय आने पर उस अनाज को बेचने का विचार करेगा तो क्या यह जा विधेयक आ रहा है उस विधेयक के अन्तर्गत वह ईश्वर की श्रेणी में, व्यापारी की श्रेणी में नहीं आवेगा? क्या उसके खिलाफ भी कार्यवाही होगी?

खाद्य मंत्री महीनय स्वीकार कर चुके हैं कि जो अनाज इकट्ठा गया है उसमें बड़े व्यापारियों और बड़े किसानों की एक संघि का हाथ है, उनके एक्सिस का हाथ है, एक एक्सिस है बड़े व्यापारियों में और बड़े किसानों में। इस एक्सिस को कैसे खत्म किया जायेगा? आज बड़े व्यापारी अपने गोदामों में अनाज नहीं रखते, उन्होंने किसानों को रुपया दिया हुआ है और उस रुपये के बदले में वह अनाज खलिहानों में रखते हैं, किसानों के भंडारों में रखते हैं। सरकार के लिए यह तो संभव नहीं है कि वह गांव गांव में छापे मारे, किसानों का भंडार उनके खलिहानों में निकाले और व्यापारियों के यहाँ अगर छापे मारे जाएंगे तो अनाज नहीं मिलेगा; वह छूट जाएंगे क्योंकि उनकी तरफ से अनाज बड़े किसानों ने अपने यहाँ रखा हुआ है। इस परिस्थिति का निराकरण इस अध्यादेश से कैसे होगा? जो कठोर सजा के अधिकारी हैं उन्हें सजा मिलनी चाहिए, लेकिन समरी दायल हो, अर्पण की छूट न हो वे कोई ऐसी चीजें नहीं हैं जिनका स्वागत किया जा सके। हाँ, मुनाफाखोरी भी ऐसी चीज नहीं है जिसका स्वागत हो। देश में जब भुखमरी फैली हो तो हम किसी को आवश्यकता से अधिक अनाज का संग्रह करने की छूट नहीं दे सकते। लेकिन क्या केवल कानून को

कठोर बनाना, कानून में संशोधन करना ही काफी है ? अगर कानून में संशोधन करने मात्र से समस्या हल हो जाती तो यह समस्या कभी पैदा नहीं होती । यह पहला ही मौका नहीं है कि जब एग्रेसिवल कमोडिटीज एक्ट में संशोधन किया जा रहा है, इससे पहले भी संशोधन किए गए थे, मगर उस संशोधन के आधार पर कितने मामलों में कार्यवाही की गई ? यह सवाल अलग है कि शासन-तंत्र वही बना है और देश का राजनैतिक स्वरूप भी बदला नहीं है । केवल अधिकार ले लेने मात्र से ही सरकार अन्न-संकट पर विजय प्राप्त कर लेगी, इस राय का कम से कम मैं तो नहीं ।

कुछ सुझाव दिये गये थे कि कम से कम एक महीने की सजा और अपील न करने का जो प्रावधान है इसको बढ़ा दिया जाये, कम से कम तीन महीने की सजा की जाये जिससे कि क्रिमिनल प्रोसीजर कोड की सतह पर यह संशोधन आ सके । यह सुझाव कांग्रेस के सदस्यों ने भी दिया था, लेकिन शायद खाद्य मंत्री महोदय उसे स्वीकार नहीं कर सके । यह भी सुझाव दिया गया था कि जो टेक्निकल डंग के अपराध हैं उनमें सजा कम होनी चाहिए, उनकी गरिमा, उनका महत्व उतना नहीं होना चाहिए जितना कि बड़े डंग के अपराधों का होता है, लेकिन यह अध्यादेश इस बात में भी कोई फर्क नहीं करता । अगर कोई गलती से सूची लट-काना भूल जाये तो वह भी उतनी कड़ी सजा का भागी होगा जितनी बड़ी सजा किसी को बहुत बड़े पैमाने पर अनाज का संग्रह करने पर मिलेगी ।

महोदय, देश के अन्न संकट के निराकरण के लिये तात्कालिक और दूरगामी दोनों तरह के उपाय अपनाने होंगे । सरकार दूरगामी दृष्टि से कौन से उपाय अपनाने जाय यह अभी निश्चित नहीं

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कर पा रही है । आज अंग्रेजी के एक समाचार-पत्र ने एक कार्टून दिया है, मैं उसका उल्लेख करने के लोभ का संवरण नहीं कर सकता । उसमें खाद्य मंत्री हमारे प्रधान मंत्री जी से यह पूछते हुए बताए गए हैं कि आज की हमारी खाद्य नीति क्या है, जिसका संकेत यह है कि खाद्य नीति रोज बदलती है । कभी कहा जाता है कि खाद्य नीति पर, खाद्य संकट पर कब्जा पा लिया, काबू पा लिया और कभी कहा जाता है, यह खाद्य संकट वर्षों चलेगा । कभी कहा जात है हमने कानून बनाया है, उसका रामबाण का प्रभाव होगा—दाम कम हो जायेंगे, पर्याप्त मात्रा में अनाज मिलेगा । लेकिन कोई भी उपाय कारगर साबित नहीं हो रहा है । मुझे कभी कभी बड़ा आश्चर्य होता है, हमारे प्रधान मंत्री जी आजकल जहाँ जाते हैं, विद्यार्थियों को गांवों में जाने का उपदेश देते हैं और विद्यार्थियों से कहते हैं वे गांवों में जाकर किसानों को समझाएं कि अधिक अनाज किस तरह से पैदा किया जा सकता है । आजकल विद्यार्थियों के पढ़ने के दिन हैं, परीक्षा निकट आने वाली हैं, विद्यार्थी गांवों में जायें यह कहने का कोई अर्थ नहीं है । और विद्यार्थी गांव में जाकर क्या करेंगे ? वे गांव वालों के ऊपर भार बनेंगे । उन्हें यह तो पता नहीं है कि जो की बाली कौन सी होती है, गेहूं की बाली कौन सी होती है, उन्होंने कृषि का अध्ययन नहीं किया है । जो कृषि कालिजों से निकले हैं वे भी गांव वालों की कोई सच्ची सहायता नहीं करते । कहने का क्या अर्थ है कि विद्यार्थी गांवों में जायें और किसानों से कहें कि वे अनाज की पैदावार बढ़ाएं । मगर सरकार के सब काम बेतरतीब हो रहे हैं । ऐसा लगता है जैसे सरकार की पकड़ ढीली हो गई है, जैसे सपड़ा बिगड़ गया है, जैसे संकट का सामना करने के लिये दृढ़ता-पूर्वक कौन सी नीति अपनाई जाये, यह शासन तय नहीं कर पा रहा है । इसलिये कभी दो साल की योजनाएं बनती हैं, कभी दस साल की बात कही जाती है । इन तरीकों से खाद्य संकट हल नहीं होगा । खाद्य मंत्री महोदय अगर अधिक अधिकार देते

[श्री ए० बी० बाजपेयी]

हैं, तो हम उसके मार्ग में बाधक नहीं बनेंगे, हम शासन को यह कहने का मौका नहीं देंगे कि हमने अधिकार मांगे थे, आपने अधिकार नहीं दिये। इसलिये हम अन्न संकट पर विजय प्राप्त नहीं कर सके। हमारे स्वर्गीय प्रधान मंत्री कहा करते थे/कोई अगर मुताफाखोरी करेगा, चौकजारी करेगा तो हम बिजली के खंभों से उसको लटका देंगे—तब अंग्रेजों का राज था यहाँ। जब आजादी आई और आजादी के सेनानी हमारे प्रधान मंत्री बने तो सत्रह साल तक हम देखते रहे—बिजली के खंभे पर लटका हुआ कोई दिखाई नहीं पड़ा। अब तो खैर किसी को लटकाने की बात नहीं कही जाती और किसी को लटकाना ठीक भी नहीं है। हमारे यहाँ लोकतंत्र है, हमारे यहाँ संविधान है, मौलिक अधिकार हैं और मौलिक अधिकारों की रक्षा के लिये न्यायपालिका है और हम चाहते हैं जिस किसी व्यक्ति को सजा दी जाये कानून के अंतर्गत सजा दी जाये और उसे इस बात की छूट होनी चाहिये कि वह अपील कर सके। यह ऐसा कानून जो अपील की छूट नहीं देता, मुझे पसन्द नहीं है। लेकिन अगर मंत्री महोदय ऐसा ही कानून चाहते हैं मैं विरोध नहीं करूँगा, वे ऐसा कानून बनाएँ और जिनको सजा देना चाहते हैं, सजा दें। अगर गेहूँ के साथ घुन भी पिस जायें तब भी संकट काल में हम अनाज नहीं उठावेंगे। लेकिन, गेहूँ के साथ घुनों के पिसने के बाद भी अगर यह शासन बढ़ती हुई कीमतों को नीचे नहीं ला सका, अगर यह शासन पर्याप्त मात्रा में अनाज जनता को मोहय्या नहीं कर सका तो यह शासन शासन चलाने का अधिकारी नहीं होगा।

मैं एक बार फिर से निवेदन करना चाहता हूँ कि ५ नवम्बर को अध्यादेश जारी करने की कोई आवश्यकता नहीं थी। मंत्री महोदय सदन की बैठक होने के लिये रुक सकते थे। मगर मंत्री महोदय ने एक ओर तो दूरदर्शिता से काम नहीं लिया और दूसरी ओर जल्दबाजी

से काम लिया। इन ग्यारह दिनों में कोई आसमान टूटने वाला नहीं था। अध्यादेशों से शासन करने की नीति कोई बड़ी लोकतंत्रवादी नीति नहीं है और इसीलिये मैंने यह प्रस्ताव पेश किया है कि यह अध्यादेश समाप्त कर दिया जाये; क्योंकि जो विधेयक लाया गया है उसमें रेट्रोस्पेक्टिव एफेक्ट से सजा देने की बात कही गई है। अगर सदन मेरा प्रस्ताव मान ले और अध्यादेश रद्द हो जाय तो भी कुछ बिगड़ने वाला नहीं है। मंत्री महोदय का बिल पास लिया जा सकता है। एक ही फर्क पड़ेगा कि दो चार मामले जो आर्डिनेन्स के अंतर्गत चलाए गए हैं उनको रेट्रोस्पेक्टिव एफेक्ट में लाकर सजा नहीं दी जा सकेगी।

The question was proposed.

THE MINISTER OF FOOD AND AGRICULTURE—(SHRI C. SUBRAMANIAM): Madam, I beg to move:

“That the Bill further to amend the Essential Commodities Act, 1955, and the Criminal Law Amendment Act, 1952, as passed by the Lok Sabha, be taken into consideration.”

Madam, at this stage I do not propose to make any elaborate speech. The hon. Member who moved the Resolution put forward his points of view with regard to this Ordinance and also with regard to this Bill. I am sure there would be many hon. Members who would be putting forward many other points of view also with regard to these. Therefore, I would reserve my reply to the end of the discussion over the Resolution and also over the Motion for consideration of the Bill but even at the outset I would like to say only this particularly with regard to why an Ordinance was issued on the 5th of November while Parliament was to meet on the 16th of November. Madam, the point for consideration is this: Once a Bill of this sort is moved and then passed, it requires

some time for implementing the provisions of the Bill, for making the machinery ready. Therefore whenever a Bill might be passed/ if action is to be taken subsequent to that then it takes a few weeks before; the machinery could be got ready, before proper action could be taken on the basis of the law. Therefore, if this Bill had come forward in the usual course and had been passed, as it is being passed now, then from that time it would take another month to get the machinery ready, but it was necessary, in the interests of dealing with the situation, that the State Governments should be enabled to take the various steps necessary for the purpose of dealing with a case in a summary way. This is one aspect. When you provide for a measure of this sort, it is not merely for the purpose of using it immediately but it is also for the purpose of making it as a deterrent. For this reason also you enact certain penal provisions and therefore simply because you arm yourselves and you do not use that arm; it does not mean that the arms are not necessary. It might be that because of the very fact of the presence of the arm in the hands of a particular person certain instances might take place. Therefore, this appreciation of the overall situation is what has got to be taken into account not the number of cases which have been launched in finding out whether we could or could not have waited for a four days more before issuing this Ordinance. It is the urgency of the problem and the situation prevailing in the country that had to be taken into consideration in issuing this Ordinance and also the creation of an atmosphere in the country in which antisocial elements will have to be put down with a firm hand. For the purpose of creating that atmosphere it was absolutely necessary. Apart from this, with regard to the provisions which are contained in the Bill which has got to be passed here, I would only like to say that we are only making procedural changes with regard to the trial of cases. Summary trial is nothing new to criminal juris- I

prudence in our country. As a matter of fact the Criminal Procedure Code provides summary trial but it has been provided for petty cases. Now we are providing this summary trial for the purpose of disposal of cases in a summary way, as quickly as possible taking into account the necessity to deal with these offences in a quick way. It is from this point of view that this amendment is being made.

Another aspect which I would like to place before the House is, I thought the hon. Member was making a point that a minimum punishment was being provided for in this Bill. There is no such thing which is being provided for. Whatever the punishment, it is already provided for in the Essential Commodities Act and the Criminal Law Amendment Act. What is prescribed in this Bill is that after a summary trial punishment up to a certain extent alone could be given. If a Magistrate has to pass a sentence of punishment beyond that then the summary trial procedure should not have been followed in that case. It is only from that point of view that one year's punishment is being indicated here. If in any particular case a punishment for more than one year has to be given then the summary trial cannot be followed. It is only in that connection that the expression 'not exceeding one year' is made use of here.

And with regard to the appeal provisions, it is also a well known fact that if a certain minimum sentence is passed no appeal is provided. This does not mean that any injustice would be done to the accused. Simply because there is no appeal, it does not mean that there are no provisions of law under which a convicted person can get redress. There are revision provisions under which any case can be taken to the High Court if there is any illegal irregularity or patent injustice done. In such cases the High Court has got always the power to interfere. Therefore taking into account the situation in the

country only to deal with the situation in an effective manner, in a firm manner and in a quick manner these provisions are being made and therefore as I could see, I do not see any possible objection could be taken to this Bill. To feel because there is summary trial innocent persons also-would get convicted, I am afraid, is an unnecessary fear. Simply because it is a summary trial proof of guilt is not being dispensed with; the Evidence Act is not being abrogated. That an accused is presumed to be innocent till he is proved guilty is not being abrogated; that the benefit of doubt goes to the accused is not being abrogated. Only the procedure is being made more brief and to that extent I am sure our judiciary also ■will be careful to see that innocent persons are not punished simply because of these summary trials and I have no doubt that this House will have full faith in the judiciary. After all these powers are not being conferred upon the executive; if that were so then hon. Members may complain that the executive may misuse this power. Whatever power is being conferred for the purpose of summary trials is being conferred on the judiciary in which we all have more or less confidence. By and large we have confidence in the judiciary and therefore unless we think that the judiciary is likely to misbehave in using this power, I do not think any argument can be brought forward that these powers which are being conferred under this Bill -are likely to be misused. These are not powers which are being conferred on the executive; I want to repeat it. These are all powers which are being conferred on the judiciary for the purpose of ■disposal of the cases in a particular manner following the procedures which have already been laid down. We are not laying down any new procedure unknown to criminal jurisprudence in our country. Therefore I move that the Bill may be taken into consideration. If hon. Members make any points, I shall try to reply to them at the time of my reply.

The question was ■proposed.

THE DEPUTY CHAIRMAN: The Resolution and the Motion, both are before the House.

PANDIT S. S. N. TANKHA (Uttar Pradesh): I want to seek a clarification on one point. The hon. Minister told us that by keeping three months as the maximum punishment under the Bill . . .

SHRI C. SUBRAMANIAM: One year.

PANDIT S. S. N. TANKHA: . . . it is not his intention that the court's powers should be limited to that punishment. On the other hand he says that if the court wishes to give a higher punishment, then it would be open to it not to proceed in a summary trial but treat it as a warrant case. But what I have not been able to understand is how the court will determine this point at the initial stage when the prosecution starts the case. It is only from the facts of the case as may be brought out during the progress of the trial, that is, at a later stage only that he can determine whether he should give three months imprisonment or a higher term. At the initial stage the prosecution too can not ask the court not to proceed in summary trial but to treat the case as a 'warrant case because the court is not bound to decide at the initial stage and say 'I am going to give a higher punishment and therefore this will be a warrant case'. Therefore I have not been able to follow how the court will determine the procedural point •and at what stage it will do it.

THE DEPUTY CHAIRMAN: You are answering it now or later?

SHRI C. SUBRAMANIAM: If the hon. Member wants I can answer immediately. Madam, the point for consideration is this. When a charge

sheet be laid, then the offences committed and whatever the prosecution case is, all that is put in the charge sheet. From that the magistrate will have to come to a conclusion whether it is a serious case in which if all the facts are proved it is likely th.it the accused would merit a higher sentence or a sentence within one year would be adequate. Therefore at that time he has to take a view with regard to the allegations made by the prosecution that if all the allegations are proved whether a sentence within one year would be all right or it should be more. So it is a matter of judgment which the magistrate or the judge will have to exercise at that time and then proceed with the case. I do not think there will be any further disclosures during the trial which will aggravate the offence; all the aggravating circumstances would have been stated already in the charge sheet.

SHM R. S. KHANDEKAR (Madhya Pradesh): Madam Deputy Chair-man, this Bill seeks to replace the Ordinance which was promulgated on the 5th November 1964. I take strong exception to the promulgation of the Ordinance when Parliament was being convened only a week or ten days later. I am therefore entirely in agreement with my hon. friend, Mr. Vajpayee, who spoke in favour of the Resolution.

[THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair]

Sir, the situation had not developed all of a sudden; it was developing for a long time and warnings were given to the Government now and then by various parties that the situation was not going to be very favourable and therefore the Government ought to take some positive steps but the Government remained complacent. If the Government had forethought they could have brought a suitable legislation in the last session of Parlia-

ment. The hon. Minister said that it would have taken some time to prepare the machinery and that was why the Ordinance had to be issued. But these arguments to my mind are not convincing. When the British used to rule over this country they often used to rule with Ordinances and we used to very vehemently criticise the ordinance-making power of the then Government. Now this Government also after proclaiming that we are a democratic people, that we have enshrined this principle in our Constitution, have assumed these extraordinary powers to themselves when there was only a few days for Parliament to be convened. This is really misuse of power according to my humble opinion. It was not necessary to promulgate such an Ordinance. This step is most undemocratic and unconstitutional. This also sets a very bad precedent for the Governments to come afterwards. In fact we had expected a model behaviour from this Government which has ruled this country all these years but unfortunately we are seeing that this Government is setting up bad precedents for the Governments to follow. I wish now this should be the last occasion when such Ordinance-making power is used for the benefit of the Government. v

Now, according to the Bill there are only two sections which require some amendment in certain Acts. Proposed section 12A seeks to give powers to try cases summarily. Now, I am opposed to it. I know that there is a procedure for summary trials in our Criminal Procedure Code and this is not a new procedure as the hon. Minister has just pointed out. But summary trials, according to me, deprive the accused of a fundamental right. I know the Evidence Act and the other Acts do not deprive the benefit of these Acts to the accused and the courts have to follow them. But as far as I know, summary trials do not record the full evidence of the witnesses. Only a summary of the evidence is recorded in the statement. You must have read in the

newspapers that in Delhi courts evidence was not recorded and even the judgments were not recorded and the accused persons were sentenced to various terms of imprisonment. It was a shocking disclosure to us and also to the authorities who inspected the courts recently. This was reported in the newspapers. When those convicted applied for copies, they did not give even copies for months together. How can they appeal to higher courts in the absence of written judgments? So, summary trial is a very dangerous precedent.

We have proclaimed that in order to strengthen democracy we must have rule of law, in this country and rule of law means that we must be governed according to the prescribed procedure of giving full benefit of all the facilities to the accused. In a summary trial the accused is deprived of so many facilities which are given under ordinary law. That does not mean that I am supporting the cause of the profiteer or the blackmarketeer. He should be punished no doubt. The complaint is that in spite of various stringent measures, in spite of sweeping powers with the Government, the Government is not able to bring to book the offenders regarding food and other essential commodities.

The hon. Minister has said that the accused has got the opportunity to approach the High Court, but may I submit that when there is no specific provision even in the law, the High Court is reluctant to interfere in such matters? At the most the accused can go to a High Court in regard to revisionary matters, but revision is allowed only on legal matters, if there is an infringement of law. On facts the High Court will not interfere in any case.

Then, summary trial is provided for all the offences. The only difference is this. If the sentence is less than a month or a fine not exceeding

Rs. 2,000, then there is no appeal. But if the sentence is more than a month and a fine exceeding Rs. 2,000, then appeal is provided. Now, as I said, in summary trial no evidence is recorded. Only a summary is recorded. I have doubts whether opportunity to cross-examine the witness will also be afforded to the accused in summary trials. Only the gist of the statement of the witness is given on a paper and the accused is convicted or discharged on that evidence. Now, when an appeal is provided, if this meagre statement or meagre evidence goes to a higher court, the higher court will not be able to find out the real crux of the matter because there will not be a detailed statement of the accused nor there will be any cross-examination report fully, nor there will be any statement of the accused and all that. So, it would be very difficult for the higher courts in summary trials—even when the provision for appeal is there—to find out the real issue and come to a conclusion whether the accused is innocent or not. So, I would like the Minister to explain whether in regard to summary trials directions will be issued to note all the evidence which is furnished in the trial. I quite understand that in these days there is a long delay in judicial cases. Even in criminal matters where instructions are there that the trial should be speedy, we find that criminal cases are pending for a long time in various courts. Justice delayed is justice denied and such important cases should not be lingering on in courts for a long time. I quite understand the necessity of providing for quicker trials, but I submit that in haste for quicker trials, to get speedy justice, we should not overlook the Fundamental Rights, the fundamental privileges and the fundamental points of law. All the facilities which are given to an ordinary accused in our legal jurisprudence should not be denied to the accused.

Then, in summary trials, as has been pointed out, there is a possibility

of an innocent person being involved in such cases, because there will not be any elaborate evidence.. The Government has armed itself with such sweeping powers and the experience of the Government is not a very happy one. As has been pointed out many times, politics play a very important part even in the administration of justice as well as in the functioning of the executive. In order to have some vindictiveness or some personal grudge, if the executive, is armed with such sweeping powers by such legislation, which gives wide powers and sweeping powers to the executive, there is a danger of their being misused. . Though the Government may give assurances on this floor of the House, the experience is a very sad one in this matter. Many a time very innocent persons are involved. Many a time only on grounds of, personal jealousies or personal matters, many innocent persons are involved, in such cases. So, I would like that strict care should be taken so that innocent persons should not be harassed in the name of speedy justice, in the name of bringing to book various profiteers and blackmarketeers.

Now, proposed section 8A is almost similar and, therefore, I would not say much on that.

Lastly, I would say only this. Although the Government may take such sweeping powers with them, such wide powers with them, they have not been able to curb inflation in this country. As has been pointed out on so many occasions, the Government are not without any powers. They have got immense powers. The hon. Minister said that this Ordinance or this Bill would be a sort of deterrent. But I would ask. Have they not enough legislation with them? Have they not the Defence of India Rules? Have they not so many laws which they could employ against these defaulters? But for the last so many days we have not been able to find that the prices have come down or the inflation is checked or the food articles are easily

available. So what is the use of having such a deterrent? My complaint is that, those who indulge in such anti-social activities, all those who are blackmarketeers or profiteers, they fully know the real strength of the Government. They know that these are only paper tigers, if I am not using a bad expression, they know that the Government cannot do anything because, although they have got such wide powers with them, they have not been able to do anything. They have not been able to implicate any such man who is breaking the laws every now and then. So, what is the use of adding one more weapon in the armoury of Government thinking that it may cause a deterrent to the blackmarketeers? In fact I would like to ask this. After the promulgation of this Ordinance how many cases have been challaned under this Ordinance so far in the whole of India? How many blackmarketeers have been sentenced? How many profiteers have been dragged into the court? If I am not wrong, Government are taking a long time to produce statistics from all the States, or if at all they produce, it will be a very minor one. Only recently I had asked a question about the use of the Defence of India Rules against the profiteers and blackmarketeers and against the persons who were implicated for political offences. The Government could not give that answer. I am quite sure that more political persons were arrested under the Defence of India Rules than persons who were arrested under the Acts relating to black-marketing of food articles. My submission is that without resorting to this Ordinance the Government could have waited for some more time. If it was so urgent, they could have brought such a legislation in the last session of Parliament and there was no necessity of adopting this extraordinary, undemocratic method.

I have already submitted about the precautions to be taken at the time of the summary trials. With these observations I conclude.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Mr. Vice-Chairman, I heard with attention the two learned speeches from the side opposite of the hon. Member, Shri Vajpayee, and the hon. Member, Shri Khandekar. The point before the House relates entirely to procedure, and the Bill proposes not only to have summary trial - but in certain cases the Bill also proposes that the right of appeal will also not be exercised. As one connected with the legal profession for some time my first reaction to this Bill is naturally against it, and I would very much like in the normal circumstance that a person should have full opportunity and should have all the facilities which, the Criminal Procedure Code prescribes for a full trial. I would very much like that the judgment should have at least an appeal so that the person concerned may have a further opportunity to vindicate himself by explaining his position to the appellate court. Normally Sir, that is perfectly correct, but when I see the situation prevailing in my country, when I see the scarcity of food, when I see that the food available is also at a cost or at a price which is not within the means and the power of the common man when I see that the distribution and the availability are in a very very hopeless position, when these are the conditions and when the country is passing through difficult times, obviously the question comes as to what should be done.

Sir, I entirely agree that there should be more production on all accounts, and if you look into the history of this enactment, the Essential Commodities Act, through the years—1946, 1955, 1961 and 1964—you will see that during the war and after the war also when the demand was more and the commodities available were less, the Government had to come forward with a Bill so that the commodities available should be distributed properly, and it should not be the case that only those who can afford, who can exercise power, should get the

commodity and the common man should be deprived of it. That was the genesis, that was the basis of the Essential Commodities Act that in difficult circumstances when there is a shortage of commodity, it should be properly distributed, it should be equitably distributed and fair play should be given to all people concerned. Now I see that if one goes to the market and is prepared to give any price, he can get any amount of wheat, any amount of rice, and in the ordinary course of things to the ordinary people, to the common man, it is not available. Naturally, although according to our ancient culture we are used to tolerating things to a great extent, still the present situation has made people to demand that those who blackmarket, those who indulge in profiteering, should be flogged. The demand was that they should be hung, the demand was that they should be shot. That was the tempo of the country that had been created. That being the tempo and those being the difficulties that our common men were feeling, I should say that our Food Minister as well as our Prime Minister with folded hands and bended knees made an appeal to all concerned. They appealed to the traders and to all concerned to see that things were available to the common man. But all these appeals, all these requests, failed. Our condition, our culture, our temperament, does not permit even at this stage that we should prescribe flogging or hanging or shooting at a public place. The utmost that they can do is to curtail the procedure so that the matter may be dealt with expeditiously. It is the only object of this Bill, and the thing should not prolong in such a way that the people may feel well, we can carry on with this matter and see that the case goes on for a couple of years. When I saw the Resolution of the hon. Shri Vajpayee, I thought that I must be prepared, and my party should be prepared, for a scathing condemnation of the Bill and the circumstances therefor. But I was happily surprised: when I heard that Vajpayeeji, if I may

say so, gave his fullest support to the Bill that is before the House. Of course, he expressed his misgivings; sitting on the opposite side, he has to say something. He mixed politics. He said that political advantage might be taken although he knows very well that in these matters we are very careful . . .

SHRI A. B. VAJPAYEE: No, no Not at all.

SHRI AKBAR ALI KHAN: Although he has supported the Bill, he is not sure how far the Government will go. In this, you and I share the anxiety of the public.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Akbar Ali Khan, he said, even if my Resolution is accepted, nothing will be lost because the Bill can be proceeded with. He has not supported the Bill.

SHRI AKBAR ALI KHAN: What I am saying is that the Resolution condemning the Ordinance obviously condemns the Bill also, and as he has said . . .

SHRI A. B. VAJPAYEE: Not necessarily.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): He does not support in that way.

SHRI AKBAR ALI KHAN: If he supports it, it is still, more welcome. On the question of the Ordinance, if he limits himself as to why the Ordinance was brought in or was promulgated, the Minister has answered him there also. I would appeal to him. I mean, this is not a matter where not a single day should be wasted.

SHRI A. B. VAJPAYEE: You wasted so many days. Why was this Bill not brought forward during the last session of Parliament? Why was this Ordinance promulgated on the 5th November?

SHRI AKBAR ALI KHAN: Even if I concede that to my hon. friend, with he also appreciate . . .

SHRI A. B. VAJPAYEE: Thank you.

SHRI AKBAR ALI KHAN: When I felt it necessary, should I wait further more? It is possible that it might not have struck us, we might not have thought it to be necessary when we were in the session. . .

SHRI A. B. VAJPAYEE: You could have waited for 11 days.

SHRI AKBAR ALI KHAN: I say, in this matter of food, the urgency of even a single day counts very much. I am sure that my hon. friend will not say that the public has suffered because it was an Ordinance. I mean, it was for public good, it was in the interests of the public, and the Bill has been brought forward as soon as the session has started.

SHRI A. B. VAJPAYEE: In how many cases have there been summary trials? The hon. Minister could not give even figures. He does not have them.

SHRI AKBAR ALI KHAN: My hon. friend will appreciate that the very fact that the Ordinance was brought in must have controlled the people from committing these things. It is always the case. When a law is brought in, that itself acts as a deterrent (*Interruptions*) and I am sure that my hon. friends will appreciate that the necessity and the urgency and the delicacy of the situation was such that if the Government had made even a day's delay you would have taken the Government to task.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Is he right in making the claim that it has proved to be a deterrent? Is he right in making this claim in the House?

SHRI AKBAR ALI KHAN: I am speaking out my views on that, and I think the Minister might have many-reasons.

SHRI CHANDRA SHEKHAR: Can you claim that this Ordinance has proved to be a deterrent from the 5th November to the 16th November? As a responsible leader of the Coar gress Party for whom we have every regard, can you claim that this Ordinance has proved to be a deterrent from the 5th November to the 18th November?

SHRI A. B. VAJPAYEE: And that there has been no blackmarketeering and hoarding?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You cannot ask him that question directly.

SHRI AKBAR ALI KHAN: I am in possession of the Chair.

THE VICE-CHAIRMAN: House.

SHRI AKBAR AU KHAN: I was addressing the Chair and the Chair was addressing the hon. Member. I do feel the urgency and importance of the matter. When once you come to the conclusion that things are proceeding slowly, that summary trial should be there and that this matter should not be delayed, and if you approve the substance of the Bill, then I think the objection regarding the Ordinance atleast loses the force of it. Technically you are right because we have the background—I do not say you, we have the background—that the Britishers used to pass Ordinances, and naturally, ous--reaction was very strong, but they were for a definite purpose. These Ordinances are for the benefit of the public, for the good of the country, for improving the condition, the situation, that has become already difficult. So, I would appeal to my friends: You appreciate the motive and the objective with which this Ordinance was promulgated and the Bill has been presented before the House. So, having that in mind, I think the steps that we have taken in view of the difficulties that we are facing in the matter of foodgrains are very, very

modest. We could have taken even stricter measures. But as I told you, Sir, suppose somebody is hanged today, I am sure, not only friends from this side but friends from the' either side also, will resent it because we do not want such strict measures and such strict punishments that are given in dictatorial or totalitarian countries. So, as I mentioned, I was very happy with the substance of hisi. speech, though he was not supporting the measure that is before the House.

Now, coming to my hon. friend, Shri Khandekar, he went on in the same way as a legal mind normally goes—well, this procedure, well, this summary; ..well this appeal.** I concede that. Well, I mean, the first reaction on me was absolutely against it. But when I see the condition of the country, I think that those things should not deter us from supporting the Bill. But we should make the country feel that in the matter of food, in the matter of hoarding, in the matter of black-marketeering, , to the matter of profiteering, this Parliament will not tolerate anything and, if necessary, will pass severe measures so that the situation-in the country is fully under control. *(Interruptions)*. And you wiH also appreciate—probably you must have noticed it—that we have applied the same thing or the Government officers who commit offences in the same way. For that also we have provided for summary trial. I mean, we feel those difficulties. After all, whether they are officials.or traders or cultivators, they are the kith and kin of you and me. They are part and parcel of my blood, of my life, of my country, and in that situation whatever I -do L.do with great pain, when there is no alternative. So I do hope that this amendment will make it abundantly clear to all concerned that Parliament is very serious about the food' situation today. Sir, I am glad that this Session will be remembered. We had the Anti-Corruption Bill

■wherein we have made it absolutely definite and clear to the people that no corruption at any stage, including the Ministers, can be tolerated. We have made it clear that so far as this Essential Commodities (Amendment) Act is concerned, we would modify the procedure and see that the matter is dealt with strictly. Very soon we will be having another measure regarding adulteration of foodstuffs. 'So all these things put together, and with the help and co-operation of all of you, specially our friends on the Opposition side, I am sure this difficult task we will be able to grapple with and see that the food situation is brought under control and really the present difficulties that are experienced by our people will be very soon obviated. With these observations, Sir, I support the measure.

SHRI S. S. MARISWAMY (Madras): Sir, after the eloquent speech of Mr. Vajpayee—even though I could not understand verbatim what he said for he spoke in such a fluent Hindi. . .

THE VICE-CHAIRMAN: (SHRI M. P. BHARGAVA): You could have used the instrument.

SHRI S. S. MARISWAMY: What I could understand from the apparatus that you have provided for translation, I did understand a gist of his speech. And after the speech of Mr. Akbar Ali Khan, I rise to speak disagreeing completely with what Mr. Akbar Ali Khan said so far.

Sir, the Bill reminds me of a similar measure that was introduced in Soviet Russia immediately after the downfall of the Czar regime by Lenin in which he brought a new phrase, "summary trial" for the first time in the political history. And we know what happened after the introduction of that Bill. Even though he was following a policy which he termed it as "New Economic Policy" which gave some room for free trade, eventually his assurance got whittled down and the free trade was totally

abolished. Then a totalitarian regime came into being in Soviet Russia. In the same manner our Government has brought this Bill with the provision of summary trial, and I am quite sure that this Congress Government by bringing this Bill has proved again and again that it is on the threshold of a Communist regime in India. The Bill when passed into an Act and put into operation will be an instrument for political victimization. This bill will be used as a political weapon by the ruling party indiscriminately specially after the elections. Sir, I come from a State where this sort of Central power taken with the obvious innocent intentions has been used to victimise the opponents. In the same manner this Bill will also one day be used as a political weapon against the enemies of the ruling party.

Sir, I heard, with a feeling of little amusement from the hon. Food Minister, Mr. Subramanian, the unique definition that he gave about the ordinance. He said the ordinance was brought with a view to preparing the necessary machinery for the incoming Bill. He also said that this measure was brought for producing deterrent effect. The speakers before me questioned the Minister as to how it would act as a deterrent because from the statistics that I have collected. I understand that after the passing of the Ordinance there were three instances wherein six small traders holding four quintals of this or that grain have been so far hauled up in Madhya Pradesh. The Ordinance is in operation for the last three weeks and they have so far hauled up only six small dealers in Madhya Pradesh. Beyond this there have been no prosecutions under this ordinance and it appears to me that they have upturned the Himalayas to catch a mouse. When the Britishers were here they brought forward a number of ordinances, but later on when they came before the Parliament for legalising them, they never said that the ordinances were brought

[Shri S. S. Mariswamy.] with a view to preparing the machinery. An ordinance is brought in emergency, to avert a crisis and chaos but not in this flamboyant manner. The hon. Minister suggested that this Bill will be strengthening the hands of the judiciary. Sir, I do not say that our judiciary is bad. Our Judges do not lag behind anyone. But we cannot say that all the members of the judiciary are above board. We know instances of bad people getting into the judiciary and behaving wrongly. There are instances where the Judges have given false age with a view to continuing in office. The hon. Minister knows this because both he and I come from the same State.

SHRI T. V. ANANDAN (Madras): Is the hon. Member aware that in his own State the food situation has eased and there are no more long queues standing for hours together?

SHRI S. S. MARISWAMY: May I remind the hon. Member that this is not because of this wonderful ordinance? The queues stopped there long before this ordinance was brought in.

SHRI T. V. ANANDAN: There is no opportunity now for the Opposition parties to create propaganda among the public.

SHRI S. S. MARISWAMY: Sir, I do not answer. The judiciary is not totally above board but, as I just said, there are some bad eggs. But the fact remains that the judiciary what we had during the British days is no more. There are certain people—I do not say all—who have fallen from the esteem.

THE VICE-CHAIRMAN; (SHRI M. P. BHARGAVA) : Mr. Mariswamy, you cannot generally criticise the judiciary like that.

SHRI S. S. MARISWAMY: But there are certain cases. The hon. Minister said that the Central Government is

strengthening the hands of the judiciary and also he said Sir, summary trial is not a new thing. We know that some petty cases have been tried and we also know how they have been tried. The people who are caught up are taken to the Magistrate. The lawyers who appear for them tell them that if they admit their guilt levelled against them, they would be fined lesser. Sometimes innocent people are also made to stand in the dock and say, "I admit". And they are fined Rs. 5. But if he refused to admit or tried to deny the charge he was fined Rs. 3P That is the fashion of the summary trial that goes on. I do not know whether the hon. Minister wants to apply the same sort of summary trials for merchants also.

SHRI P. N. SAPRU (Uttar Pradesh): In England in almost 50 per cent, of the cases the accused plead guilty. They do not come forward with false defence. And if this sort of thing is being done here this is simply a credit to the administration.

SHRI S. S. MARISWAMY: Fifty per cent. But what about the rest of the cases? Shri Vajpayee said that we have the D.I.R. and also we have the Essential Commodities Act of 1955. With all that we are unable to put an end to the rise in prices. I wonder whether this Bill is going to solve the problem. The root cause for the rise in prices or of scarcity of foodgrains is that system of our planning. We have inflation on the one hand and we have disincentives on the other as far as agricultural production is concerned and you expect plenty of grains to be available without making any efforts towards that end. I am quite sure that this Bill, if it is passed, will make this day the blackest day in the history of our Indian Parliament

DR. SHRIMATI PHULRENU GUHA (West Bengal): Sir, I welcome th* Essential Commodities (Amendment)

Bill 1964. I wish the Government brought this Bill long ago. We find that it is very difficult for the common people these days to get foodstuffs. People have to stand for hours in queues to get the foodstuffs. If it is only a question of standing in a queue people may not mind so much but even after standing here for hours it often happens that people do not get the foodstuffs. Even when food is available, it is often beyond the means of the common people. Even when foodstuffs and medicines are available, they are again often adulterated. A section of traders have behaved most miserably. In fact some businessmen have organised Blackmarketing in foodstuffs and some of these people are doing better, far better than those who are doing honest business. Some of the traders are anti-social. In fact these anti-social traders have made the life of the common man most miserable to-day. The Government tried the method of appeasement with these traders, anti-social personnel and exploiters. If I can blame the Government, it is for the way that they have so far followed. They have followed a policy of appeasement with these anti-social trading community far too long. They appealed to the exploiters again and again to behave properly and the exploiters and antisocial elements never behaved properly. But this Bill indicates that the Government are discarding the policy of a peasegment any more. I welcome this Bill but I again say that a Bill of this type should have been "brought long ago instead of giving so much chance to the anti-social traders to hoard foodstuffs and make the life of the common people so miserable.

I would like to point out that the punishment of one month and Rs. 2,000 as fine will not mean much to these traders. Personally I would have welcomed this Amendment more if it had provided a more severe punishment—at least punishment for a year or Rs. 20,000 as fine which

may mean something to them but one month or Rs. 2000 means nothing to them. It must be certainly admitted that nothing can be done by mere legislation. To implement the law, improvement must be there in the mechanism of administration. There should be a complete overhaul of the mechanism of administration to implement this Bill.

With these words I welcome this Bill and I hope it will be implemented properly to eradicate the miseries of the common man.

SHRI T. CHENGALVAROYAN (Madras): Sir, I should have contended myself with casting a vote in support of this Bill but the very vehement speech of my hon. friend, Mr. Vajpayee, rather stirred me to my epths to intervene in this debate in support of this Bill. Mr. Vajpayee was pleased to state certain factors that have to be taken into account while considering the necessity and the timely necessity of this Bill. Doubts were expressed, despair was stated, danger was visualised when this Bill is to be passed. One Member was pleased to state that it would be the blackest day of our Parliament to have passed" this Bill but may I, with your leave, try to analyse the six points of opposition that Shri Vajpayee was pleased to make? First he stated: 'Why should there be a resort to an Ordinance on the day of November 5th?' There was no particular charm and no particular significance, much less a sinister significance in the selection of the day of November 5. May I respectfully remind that Ordinances are passed under two set-ups—under a totalitarian regime or under foreign bureaucracy. An Ordinance is always passed as a measure of antagonistic legislation but in a democratic set-up, with a free Constitution—and the Constitution recognises the promulgation of Ordinances—such an Ordinance is anticipatory legislation of Parliament. This Ordinance, if I may say with great respect, belongs to a certain

[Shri T. Chengalvaroyan.]

category of anticipatory legislation by Parliament on the lines of the Ordinance. The second point that was made out was; 'Why resort to this Ordinance and these far-reaching measures of a very stringent kind when we have the D.I.R. and the Act?' May I most respectfully remind Members of that way of thinking that when action was taken, sometimes very rarely taken, under the provisions of the D.I.R. our indignation was the highest, that the D.I.R. was not meant to cover and to deal with such cases. With what face and with what grace we can say: "Why not resort to the D.I.R.?" The D.I.R. is meant for one and only purpose—whether it affects the defence of our country. May I also say in this connection that there were one or two cases where the highest courts of our country have interpreted • that they should not be invoked for dealing with certain ordinary offences or affairs. Therefore if I can read the necessity of the resort to such provisions in this Bill, it is by deference to the decisions of certain High Courts that it would be an abuse of power to resort to these D.I.R. provisions in meeting certain ordinary cases however emergent and however urgent it may be. There was the other point: 'Why this summary trial that is provided in this Act?' One thing is certain. Summary trial as such, if it is to be condemned, it has to be repealed in the provisions of our Criminal Procedure Code. If there could be summary trials for certain offences and if it could be considered to be a civilised Criminal jurisprudence to deal with such petty offences by means of summary trials, I fail to understand and much less appreciate the argument that summary trials should not be provided for in these cases. In very advanced criminal jurisprudence, for two sets of cases summary trials are provided—for petty and mean cases summary trials are provided and equally for very grave anti-social offences summary trials are provid-

ed. Now the ordinary Criminal Procedure Code deals with cases of a petty nature which could be dealt with by summary trials, but the time has come and I think the hour has also struck when such offences relating to the food of the society, when such offences relating to the life of the people itself, such offences have to be dealt with not with the luxury, not with the leisure of the ordinary trials of our courts, but in a summary fashion.

I therefore most respectfully command this provision for summary trials so far as offences relating to food are concerned. There is another argument, Mr. Vice-Chairman, It is said, if there is a summary trial why should there not be a provision for an appeal? The hon. Minister for Food has very clearly and categorically explained it, and I do not think I can add anything to that. He said that it is not wholly a case of not providing for an appeal, that there is provision for an appeal but 'that provision is limited, and it is limited when the punishment is more than what is prescribed. Therefore, Mr. Vice-Chairman, to say that there is no appeal provided for at all is not a proper reading of the Bill. But there is one question, Mr. Vice-Chairman, which Mr. Vajpayee was pleas-ed to put forward as an argument. When an innocent man, a man who should not have been dealt with under the provisions of this Act, is brought to book, what remedy is there? he asked. May I as a lawyer tell him that there are ever so many remedies provided under the law, for example article 226 of the Constitution? There are ever so many writs that could run very high and quick with regard to redress of such abuse of the provisions of the Act. Therefore, Mr. Vice-Chairman, to say that all the remedies now open to the innocent man are taken away by this provision of the Bill is rather too much in my respectful submission.

There was another argument, Mr. Vice-Chairman, that power is given in this case and that power is likely

to be abused. May I respectfully draw a distinction that under this Act power is not conferred on the executive, power is not at all given to court? It is a question and a base of conferment of jurisdiction but not of power. May I just in a minute, Mr. Vice-Chairman, explain a very important legal difference between conferment of power and conferment of jurisdiction? In the case of conferment of power there is always the likelihood of an excess or an abuse or a misuse of that power. But in the case of conferment of jurisdiction it is all a case of acting within the limits, within the ambit of that jurisdiction. One point was made that the executive may use this against certain persons for political considerations. For that, Mr. Vice-Chairman, I see a very salutary provision in this Bill, in clause 2, and there is this statement which is very significant.

"If the contravention of any order in relation to such essential commodity should be tried summarily, the Central Government may, by notification in the Official Gazette, specify such order to be a special order for purposes of summary trial under this section, and every such notification shall be laid, as soon as may be after it is issued, before both Houses of Parliament."

I see in this provision, Mr. Vice-Chairman, a provision for parliamentary scrutiny and control and correction. In other words, if there is an abuse on the part of the Government in reference to such notification, parliamentary scrutiny and control is provided for in this Bill, and I am sure, to those who are anxious to protect the liberty of the citizen and equally the welfare of the society and equally the good conduct of the executive, I think this provision will be more than sufficient and considerably salutary.

One word, Mr. Vice-Chairman, and I have done. There has been some

criticism that this Bill provides for a certain amount of retrospective effect or retro-activity with reference to certain provisions, But may I submit, Mr. Vice-Chairman, that what is provided in clause 4 is not giving retrospective effect to the Ordinance but a question of validation of acts and deeds and things which have been done during and by the terms of this Ordinance. It is far from saying, Mr. Vice-Chairman, that this will be a retroactive measure. It is a validating provision and is usual in all such cases. When actions had been bona fide taken, when action was taken in the interests of society and for good Government, such action should not be called into question subsequently as not being taken under power. It is a well known provision, to be found in all such modern enactments, to include a validating clause, and this validating clause merely states, very innocently—if I may say so—

"Notwithstanding such repeal, anything done, or any action taken under section 12A of the Essential Commodities Act, 1955, or section 8A of the Criminal Law Amendment Act, 1952, as inserted by the said Ordinance, shall be deemed to have been done or taken under those sections as inserted by this Act."

Therefore, Mr. Vice-Chairman, all the doubts that were raised, the despair that was expressed and the dangers that were visualised were, if I may say so, only in their anxiety to see that such far-reaching measures are not given greater scope and unnecessary application. May I assure my hon. friend, Mr. Vajpayee, that the tradition and the training that we have had will certainly lend themselves to such a guarantee that if ever this Act as amended is to be invoked, it will be invoked against those persons to catch whom the present arm of law is not sufficient? My friend, Mr. Mariswamy, was rather in a light vein when he said that after this Ordinance came into force only three

[Shri T. Chengalvarayan.] persons were booked. That itself shows how deterrent this Ordinance has been. But for this Ordinance, Mr. Vice-Chairman, three hundred, even three thousand persons would have gone on with their unsocial activities, without any fear of punishment. Therefore, Mr. Vice-Chairman, this Ordinance was passed timely, and this Bill has come very hourly so that, with the sequence of this Bill, we hope and trust that there will be no occasion to use this Bill. May I take this opportunity and the floor of this House to appeal to, all those concerned not to give any occasion for resorting to this Bill? This is the hope with which I support this Bill most wholeheartedly.

श्री चन्द्र शेखर : महोदय, मैं प्रारम्भ में ही यह प्रकट कर देना चाहता हूँ कि मैं उन सब कदमों के साथ हूँ जो कि जखीरावालों और मुनाफाखोरी करने वालों के खिलाफ उठाए जायें लेकिन जिस प्रकार से यह अध्यादेश लाया गया और इसके पहले भी जिस तरह से नियमों का पालन किया गया, जो कि सरकार ने बुद बनाए हैं, उससे संदेह होता है कि इन नियमों का पालन भी कहां तक होगा और इसी दृष्टिकोण से मैं माननीय अटल बिहारी वाजपेयी को बधाई देना चाहता हूँ कि जनसंघ ऐसी पार्टी से ताल्लुक रखते हुए भी, उसके नेता होने हुए भी, कभी-कभी वे अच्छी बातें कहते हैं।

श्री ए० बी० वाजपेयी : कभी कभी ?

श्री विमलकुमार मन्नालालजी चौरङ्गिया
(मध्य प्रदेश) : हमेशा कहते हैं ।

श्री चन्द्र शेखर : मैं यह बात इसलिए कह रहा था कि मैं भी श्री वाजपेयी जी की तरह नहीं समझ सका कि यह अध्यादेश ५ नवम्बर को लाने का विशेष कारण क्या था ? अभी हमारे पूर्व वक्ता महोदय ने बताने की कोशिश की और माननीय भ्रकवर अत्रो खान साहब ने—जिनकी हम

लोग बड़ी इज्जत करते हैं—उन्होंने यह बताने की कोशिश की कि उससे पहले शायद जरूरत नहीं थी और ५ नवम्बर को जरूरत महसूस हुई । महोदय, पिछली बार जब पार्लियामेंट में हम लोग मिन रोज़ थे, मैंने आपको बताया था और इस सदन को भी मालूम है कि दो खबरे एक साथ छीं, एक खबर यह छी कि उत्तर प्रदेश के उत्तराखंड के इलाके में फौज के लोग अपने राशन से कटौती करके वहां के भूखे लोगों को अनाज दे रहे हैं, अपने राशन का एक हिस्सा उन्होंने वहां के भूखे लोगों को बांटा, इसलिए कि उनको खाना मिल सके और दूसरी खबर यह भी छी कि उत्तराखंड के रास्ते से नेपाल और तिब्बत को हमारे देश का चावल चोरी से जाता है । उस समय पार्लियामेंट मिल रही थी, उस समय सरकार के सामने यह दृश्य साफ था लेकिन उस समय यह आवश्यक नहीं समझा गया कि इस तरह का कोई अध्यादेश लाया जाये । पार्लियामेंट के पिछले अधिवेशन में खाद्य मंत्री ने कहा, प्रधान मंत्री ने कहा कि हम परिस्थिति के ऊपर काबू पा रहे हैं, स्थिति पहले से सुधर रही है । चाहे इस अध्यादेश से और कोई बात प्रकट होती हो या न होती हो, इतनी बात अवश्य प्रकट होती है कि पिछले अधिवेशन से और ५ नवम्बर तक खाद्य स्थिति और अधिक बिगड़ी है, जखीरा-वाजों और मुनाफाखोरी करने वालों की प्रवृत्ति और अधिक बिगड़ी है और सरकार को इस बात के लिए मजबूर होना पड़ा है कि इस प्रकार का अध्यादेश लाएं । लेकिन इस अध्यादेश की जरूरत क्यों पड़ी ? क्या इसके पहले सरकार के तरफ से जो हथियार थे उनका इस्तेमाल किया गया ? माननीय खाद्य मंत्री ने कहा और वह ठीक कहा कि हथियार हर दम चलाना पड़े यह जरूरी नहीं है, किसी समय चलाने की जरूरत पड़ सकती है, इसके लिए भी हथियार रखना जरूरी होता है । लेकिन महोदय, हथियार का प्रदर्शन हर दम कोई जरूरी नहीं होता, हथियार अपने पास रखे जाते हैं और उनको

जरूरत पड़ने पर इस्तेमाल करने के लिए निकाले जाते हैं, किन्तु अगर हथियार हर-दम बिना जरूरत चमकाए जायें तो इसके अर्थ ये होते हैं कि हथियार चलाने का कोई इरादा नहीं है। मेरा यही आरोप है इस हुकूमत के ऊपर कि जो कानून बनाए जाते हैं, एक बार नहीं अनेक बार जो वक्तव्य यहां पर दिए जाते हैं वे लागू करने के लिए नहीं बनाए जाते, नहीं दिए जाते। बढ़ते हुए असन्तोष की धारा को मोड़ने के लिये, उस असन्तोष को कुंठित करने के लिये समय समय पर इस तरह की घोषणायें की जाती हैं। महोदय, मैं इस सिलसिले में माननीय खाद्य मंत्री जी को तुलसीदास जी की एक चौपाई की याद दिलाना चाहूंगा :

“सुर समर करनी करहि
कहि न जनावहि आप
विद्यमान रण पाइ के
कायर करहि प्रलाप”

"In the battlefield the brave is known by his chivalry. But laced with the same situation the coward only talks too high."

ने जो कहा है, आज हमारी हुकूमत के बारे में वह सही हो रहा है। खाद्य मंत्री के सारे वक्तव्यों को ले लीजिए, प्रधान मंत्री के सारे वक्तव्यों को ले लीजिए और उनका सारांश निकालिए तो ऐसा लगता है कि इस पार्लियामेंट के फोरम से, समाचारपत्रों के जरिये हम बातें करना चाहते हैं। लेकिन कुछ करने का इरादा नहीं है और अगर इरादा है तो इसको करने की हम में सामर्थ्य नहीं है। जिस हुकूमत में किसी भी नियम को, कानून को लागू करने की सामर्थ्य नहीं है, उस हुकूमत को अधिकार देते समय संसद को बहुत सोच समझ कर अधिकार देना चाहिये। जैसे जिस आदमी को अणु बम चलाने का ज्ञान नहीं है, उसके हाथों में अणु बम को देना खुद उसका संहार करना है, उसी तरह जो हुकूमत अपने द्वारा बनाए गये

कानूनों को लागू नहीं कर सकती उस हुकूमत को और अधिक अधिकार देना इस बात का द्योतक है कि हुकूमत ऐसी परिस्थिति में सदन को पहुंचा देना चाहती है, इस देश को इस हालत में पहुंचा देना चाहती है कि देश का जन मानस यह समझने लगे कि इन वक्तव्यों से कुछ नहीं हो सकता, संसद के नियमों से कुछ नहीं हो सकता और जो कानून बनते हैं, उनके जरिये कुछ नहीं हो सकता। माननीय अकबर अली खान यहां नहीं हैं, मैं उनको बताना चाहता था कि ५ नवम्बर को जब अध्यादेश जारी हुआ था। मैंने बड़े भरोसे के साथ माननीय लाल बहादुर शास्त्री जी के वक्तव्य को पढ़ा था, जिसमें उन्होंने कहा था कि अब जितने अधिकार देने चाहिये सारे अधिकार अधिकारियों को दे दिये गये हैं और उसके बाद भी अगर हालत नहीं सुधरी तो इसके लिये वही दोषी साबित होंगे। लेकिन ५ नवम्बर के बाद क्या खाद्य मंत्री यह कहेंगे कि जमाखोरी में कुछ कमी हुई है, जखीरेबाजी में कमी हुई है, मुनाफाखोरी में कमी हुई है? क्या व्यापारियों का सहयोग मिला है? जहां तक व्यापारियों का सवाल है, हमारे एक माननीय सदस्य ने अभी कहा हमें पुरानी परम्पराओं पर भरोसा रखना चाहिये और उस पर अगर भरोसा रखें तो हमें इस बात का विश्वास हो जायेगा, आश्वासन मिल जायेगा कि उन अधिकारों का दुरुपयोग नहीं किया जायेगा। मान्यवर, मैं आपके जरिये इस सदन को बतलाना चाहता हूं कि भारत सुरक्षा कानून का उपयोग किस पर हुआ? सस्ते शल्ले के दुकान करने वाले, १,००० की पूंजी लगाने वाले सैकड़ों व्यापारी हर राज्य में जेलों में भेजे गये या उन पर मुकदमा चलाया गया। मैं नहीं जानता किसी राशनिंग इन्स्पेक्टर या क्लर्क के ऊपर भी मुकदमा चलाया नहीं लेकिन एक भी बड़ा आदमी, एक भी जखीरेबाज, एक भी ऐसा आदमी जो सारे हिन्दुस्तान की अर्थव्यवस्था को प्रतिक्रियावादी धारा की ओर मोड़ना चाहता है, उसके ऊपर कोई

[श्री विमल कुमार मन्नालाल ज चौधुरिया] कानून नहीं लगता । दिल्ली के अन्दर जखीरों को पकड़ा गया, यहां के कमिश्नर ने बयान दिया, खाद्य मंत्रालय के एक प्रवक्ता ने कहा उन्होंने बड़ा करिष्मा किया है । तीन दिनों बाद पता चला, यह तो केवल बेरीफिकेशन आफ स्टॉक था । फिर यह संदेह होता है कि कानून का उपयोग कैसे होगा । डिफेन्स आफ इन्डिया का एक तो उनके ऊपर उपयोग हुआ और दूसरा उपयोग संयुक्त मोशलिस्ट पार्टी के लोगों पर हुआ । मैं इस मामले को पहले भी उठा चुका हूँ । उन्होंने इस बात के लिये मुजाहिदा किया, प्रदर्शन किया कि खुराक की हालत बिहार में खतरनाक है । इस पर वहां के एक विधायक श्री रामानंद तिवारी एम० एल० ए० के ऊपर लाठियां और डंडे चले, उनको सरे बाजार मारा गया, उनको एक कानून के अन्तर्गत आरा या बक्सर की जेल में रखा गया फिर वह सारे नियम उठाकर अब उनको डी० आई० आर० में बन्द कर दिया । और जिस मजिस्ट्रेट ने मारा उस मजिस्ट्रेट के बारे में—वजीरे आला कहें, मुख्य मंत्री कहें—उन्होंने जवाब दिया कि वह आदमी वहां पर मौजूद ही नहीं था, उनकी जांच से यह साबित हो गया । महोदय, उस मजिस्ट्रेट को मैं जानता हूँ, इसलिये कि एक दिन फस्ट क्लास के स्टीमर के मैलून पर बैठ कर माननीय बलिराम भगत, माननीय राम सुभग सिंह, माननीय जगजीवन राम, वहां की माननीय सुमित्रा सिन्हा और दसों मिनिस्ट्रों को उसने कहा कि ये सब बेईमान हैं, धूसखोर हैं, पार्लियामेंट के असेम्बली के द्वारा सिवाय धूस लेने के और बेईमानी करने के कोई काम नहीं करते । मैंने माननीय कृष्ण बल्लभ सहाय को मार्च में एक खत लिखा । मुझ से कहा गया आप पटना में आकर बयान दीजिये कि इस मामले के बारे में क्या कहना चाहते हैं । मैं गया बयान देने के लिये । मेरे दोस्तों ने कहा मत जाओ । मैंने कहा, जरूर जाऊंगा । और जब मजिस्ट्रेट बयान लेने लगे तो मैंने

कहा महोदय, आप बता सकते हैं मेरा इन मजिस्ट्रेट से क्या ताल्लुक हो सकता है, बिहार से मेरा कोई ऐसा ताल्लुक नहीं रहा, इस आदमी को मैं नहीं जानता । जो जो घटनाएं मिनिस्ट्रों के साथ गुजरी हैं, उसका एक अंश भी मुझे मालम नहीं । लेकिन यही आदमी जब रामानन्द तिवारी, एक सार्वजनिक कार्यकर्ता, एक एम० एल० ए० को मारता है । चीफ मिनिस्ट्र कहते हैं ठीक काम किया—क्योंकि रामानन्द तिवारी यह कह रहे थे कि खुराक की हालत खराब है . . .

SHRI P. N. SAPRU: I rise on a point of order. I think we should not discuss these individual cases and we should not bring in men who are not in the House to defend themselves. It is a matter of vital importance that hon. Members should refrain from commenting Upon the conduct of persons who are not before the House.

SHRI P. N. SAPRU: You have not given

श्री चन्द्र शेखर : मैं समझता हूँ कि यह व्यक्तिगत केस नहीं है, माननीय सप्रू जी के लिये व्यक्तिगत हो सकता है । लेकिन एक पोलिटिकल पार्टी, राजनैतिक पार्टी का नेता अगर डिफेन्स आफ इन्डिया क्लब में गिरफ्तार होता है, उसके साथ ज्यादाती की जाती है, तो हमारे लिये यह उतना ही सार्वजनिक प्रश्न है जितना सार्वजनिक प्रश्न सरकार को बचाने के लिये, उसके साथ हमदर्दी दिखाने के लिये । माननीय सप्रू जी के लिये एक सार्वजनिक प्रश्न हो सकता है, क्योंकि जिस तरह से सरकार की प्रशंसा करना वे अपना गौरव समझते हैं, उसी तरह से एक स्टेट के नागरिक की सुरक्षा करना और उसके अधिकारों का हनन न हो, इस बात को देखना मैं अपना कर्तव्य समझता हूँ ।

your ruling, Sir.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): There is no point of order, Mr. Sapru, I am afraid. You go on.

श्री चन्द्र शेखर : दूसरी बात, महोदय, मैं यह कहना चाहता हूँ कि आखिरकार उन घोषणाओं को क्रियान्वित करने के लिये कोई कदम सरकार क्यों नहीं उठाती। जैसा माननीय वाजपेयी जी ने कहा एक केस भी अभी तक ऐसा नहीं पकड़ा गया जो इस कानून के अन्तर्गत आता है। क्या इसका मतलब यह है कि ५ नवम्बर के बाद हम समझ लें कि इस देश में जखीरेवाजी बन्द हो गई? क्या इस अध्यादेश के बाद हम समझ लें कि जो व्यापारी थे, उन्होंने सरकार के साथ सहयोग करना शुरू कर दिया? ऐसा तो नहीं हुआ, ५ नवम्बर के बाद यह नहीं हुआ। इसलिये नहीं हुआ क्योंकि हुकूमत की जो मशीनरी है, जिसके द्वारा दस दिन पहले माननीय खाद्य मंत्री जी ने अध्यादेश लागू किया, वह आज दो महीने के बाद भी तैयार नहीं है और जो हालत ५ नवम्बर को थी वही हालत आज १५ दिसम्बर का है, दोनों में कोई फर्क नहीं हुआ है और माननीय खाद्य मंत्री जी को इस बात का खयाल रखना चाहिये कि वे जो नियम बनाते हैं, जो कानून बनाते हैं, उनको लागू करने वाली मशीनरी कैसी है? यह वह मशीनरी है जिसको मैं भ्रष्ट तो नहीं कहूँगा लेकिन निकम्मी जरूर हो गई है। अभी एक माननीय सदस्य ने कहा अगर किसी आदमी को ताजायज तौर पर इस एक्ट के अन्तर्गत पकड़ा जाता है,—तो संविधान की धारा २२६ के अन्तर्गत रिट आ सकता है। मैं कानून नहीं जानता, मैं वकील भी नहीं हूँ। लेकिन संविधान की धारा २२६ शायद ऐसे मामलों में लागू नहीं हो सकती, क्योंकि कोई भी उच्च न्यायालय कोई भी हाई कोर्ट, जब तक कि एक्ट का वायलेशन न हो या जब तक मौलिक अधिकारों का उल्लंघन न हो, धारा २२६ के अन्तर्गत कोई रिट मंजूर नहीं करेगा।

एक और बात बड़े जोरों से कही गई—खाद्य मंत्री जी ने भी कहा—कि ये जो अधिकार दिये जा रहे हैं, वे जुडीशियरी को दिये जा रहे हैं। इस सवाल को छोड़ दीजिए जिसकी ओर

माननीय सदस्य ने इंगित किया कि जुडीशियरी के किस स्तर के लोगों को दिया जायेगा। लेकिन जब सरकारी तौर पर मुनवाई होती है, मुकदमों की, उस समय जुडीशियरी के लिये कोई खास मौका नहीं होता, अपनी राय प्रकट करने का—एक आदमी पकड़ा गया, एक राशनिंग इन्स्पेक्टर की या दो अफसरों की गवाही हुई, इधर उधर की बात हुई और सजा कर दी। जुडीशियरी के सामने पूरी तफसील नहीं दी जाती है और न दोनों तरफ के गवाह ही पेश होते हैं। समरी ट्राइल्स में सफाई पेश करने का मौका नहीं होता है और इसका मतलब भी ऐसा ही है। इस संबंध में मैं यह कहूँगा कि संसद सरकार को जो अधिकार देती है, उसका इस देश में दुरुपयोग किया जाता है। लेकिन इससे भी बड़ा खतरा जो मुझको दिखलाई देता है वह यह है कि इन अधिकारों को लेने के बाद हुकूमत कुछ नहीं करेगी। अगर वह नाकामयाब हो जायेगी तो हमारे खाद्य मंत्री जी बजट सेशन जो फरवरी में आ रहा है, उसमें कुछ कहेंगे और जैसा कि हम से पिछले सेशन में कहा गया था कि हमने खुराक की हालत पर काबू पा लिया है। लेकिन ५ नवम्बर को एक अध्यादेश लागू कर दिया गया, जिसको आज संसद के सामने पेश किया गया है। अब इस संबंध में यह कहा जा रहा है कि हम इस कानून के द्वारा खाद्य के मामले में सख्त से सख्त कदम उठाने जा रहे हैं। माननीय श्री अकबर अली जी ने कहा कि इस तरह की भावना देश में जानी चाहिये यह संसद भ्रष्टाचार के मामले में, जखीरेवाजी को रोकने के संबंध में और किसी तरह की मिलावट के बारे में एकमत है। लेकिन मैं माननीय मंत्री जी से बड़े अदब से यह कहना चाहूँगा कि देश के अन्दर इस तरह की भावना पैदा होनी चाहिये कि संसद के अन्दर जो विचार होते हैं, जो निर्णय होते हैं, उनका कोई असर होता है। सरकार इन नियमों को क्रियान्वित कर के लिए तत्पर रहती है। किन्तु यदि संसद में किये गये फैसलों को क्रियान्वित नहीं किया जाता है, तो इसका नतीजा क्या होता है कि लोगों में एक तरह की निराशा

[श्री चन्द्रशेखर]

फैलती है, मायूस फैलता है और इस निराशा तथा मायूसी का एक ही नतीजा होता है कि जिस चीज को रोकने के लिए हम कानून बनाते हैं, वही जहन्नियत और प्रवृत्ति इस मुल्क में और बढ़ती है।

मेरा इस अध्यादेश को लागू किये जाने पर जो सबसे बड़ा विरोध है, वह यह है कि इतने बड़े हथियार को जारी करने के बाद, निकालने के बाद अगर हुकूमत इसका इस्तेमाल नहीं करती है, तो फिर याद रखिये कि इस मुल्क में जो पीड़ित जनता है, उसकी राहत के लिए, उसके भरांस के लिए कोई चीज नहीं रह जायेगी।

मैं एक और बात खाद्य मंत्री जी से निवेदन कर देना चाहता हूँ कि क्या आप यह समझते हैं कि यह जखीरेवाजी की समस्या, यह हॉटिंग की प्राबलम और मुनाफाखोरी की समस्या केवल इस बिल के द्वारा कुछ लोगों को कुछ महीने की सजा देकर या जुर्माना करके हल हो जायेगी ? जैसा कि अभी माननीय श्री वाजपेयी जी ने एक कार्टून का जिक्र किया था। मैं भी यह कहना चाहता हूँ कि जहाँ तक खुराक का मामला है, सरकार मुद्दह नीति क्यों नहीं बनाती है, कोई फैसला क्यों नहीं करती है ? वह इस तरह के च्युनिटिय मेजर्स को लागू करके, छोटे माटे कायदे कानूनों को बनाकर क्या इतनी बड़ी समस्या को हल करना चाहती है ? अगर सरकार इस समस्या को हल करना चाहती है, तो एक बार इस संसद् के सामने आकर कहे, इस देश के सामने आकर कहे और सरकार को यह एलान करना होगा कि सब से बड़ी भूल भारत सरकार ने सन् १९५३ में की जिस समय उसने यह कहा कि हम कंट्रोल को हटा कर, नियंत्रण को हटा कर धीरे-धीरे अनियंत्रित बाजार की नीति लागू करना चाहते हैं। उस समय के खाद्य मंत्री जी अब इस संसार में नहीं रहे और मैं उनके बारे में कुछ नहीं कहूंगा। अब आप सन् १९५३ से १९५५ तक की खुराक नीति को ही ले लीजिये। उस समय श्रीमान् क्या हुआ ? उस समय हमारे

पास जो स्टॉक था, उस समय हमारे पास जो अनाज का भंडार था, उस समय हमारे पास जो विदेशी पूंजी थी, उसको हमने खर्च कर दिया और सारे देश में इस तरह की जहन्नियत पदा हो गई है कि अगर नियंत्रणों को हटा लिया जायेगा, तो देश में खुश्हाली आ जायेगी और कोई परेशानी नहीं रहेगी। श्रीमान्, मैं आपके सामने १९५३ से १९५५ तक की बात बतलाना चाहता हूँ इस बीच एक मौका ऐसा आया जब फसल बरबाद हुई। लेकिन फसल बरबाद होने के बावजूद भी खुराक की चीजों की कीमत नहीं बढ़ी। क्यों नहीं बढ़ी ? इसलिए नहीं बढ़ी कि उस समय आंशिक नियंत्रण था, उस समय पाण्डल कंट्रोल था और व्यापारी यहाँ पर तरह का मन्थपिलेशन करते थे कि नियंत्रण से बिल्कुल हटा दिया जाय। ज्यों ज्यों नियंत्रण पूरी तरह से हटता गया, त्यों त्यों कीमतें भी बढ़ती ही चली गई। सन् १९५५ के अंत में, या सन् १९५६ में मुझे अच्छी तरह से मालूम नहीं है, मैं याददाश्त से कह रहा हूँ, कोई निश्चित तिथि नहीं बतला सकता हूँ, कीमतें बढ़नी शुरू हो गई थीं। दुर्भाग्य से उस समय जो खुराक के वजीर साहब थे, वे भी उसके बाद इस दुनिया में नहीं रहे। वे दो वर्ष इस देश में ऐसे समझे जाते हैं जब कि खुराक के मामले में इस देश में सबसे अच्छी नीति बनाई गई थी। लेकिन मुझे दुःख के साथ कहना पड़ता है कि यही सही नहीं है। इसके बाद सारे देश की जहन्नियत को एक दूसरी दिशा में मेरी दृष्टि में गलत दिशा में मोड़ने की कोशिश की गई। कोई भी अर्ध विकसित देश, कोई भी पिछड़ा देश, कोई भी देश जहाँ सैकड़ों में ४० या ५० प्रतिशत लोग भूखे या अर्धभूखे हों, उस देश में अनाज की खपत आर्थिक विकास के साथ अधिक बढ़ेगी और अनाज के ऊपर लोगों का पैसा भी अधिक खर्च होगा तथा देश में अनाज की कमी भी होगी। ऐसे मौके पर किसी नियोजित अर्थ-व्यवस्था में खाद्यान्नों पर से नियंत्रण हटाना एक भयंकर भूल होगी और उस समय इस तरह की भूल की गई, जिसको आज भी रह

रह कर दोहराया जा रहा है कि सन् १९५३ से १९५५ तक ऐसी नीति अपनाई गई थी, जिसने खराब की समस्या ठीक हो गई थी, हल हो गई थी। श्रीमान्, मैं अब से यह कहना चाहता हूँ कि इस समस्या को हल करने की कोशिश नहीं की जा रही है, बल्कि इस समस्या से जनता का मुँह मोड़ा जा रहा है। कुछ लोगों की ओर से यह प्रचार किया जाता है कि सन् १९५३ से १९५५ तक भारत सरकार ने भी खाद्य नीति अपनाई थी, वह अब नहीं अपनाई जा रही है, जिसका नतीजा हम भुगत रहे हैं। इस प्रचार नीति का नतीजा यह हो रहा है कि देश की हानि हो रही है केवल भौतिक रूप से नहीं, आध्यात्मिक रूप से भी। आज सारे देश का मानस बदला जा रहा है और यह सरकार जो अपने को समाजवादी कहती है, जो नियोजित अर्थ व्यवस्था में विश्वास करती है, कभी कभी यह सोचने लगती है कि यह सारी कठिनाई कहीं नियंत्रणों की वजह से तो नहीं हो रही है? इसी की वजह से पूरा नियंत्रण का हुक्म नहीं देती है। मैं माननीय मंत्री जी से कहूँ कि इनके अलावा कोई रास्ता नहीं है कि सारे खाद्य व्यापार को सारे इस काम को अपने हाथ में लेना होगा। लेकिन इसमें कठिनाइयाँ हैं, दिक्कतें हैं, मशीनरी में भ्रष्टाचार है, लेकिन इसके अलावा इस मुल्क के लिये कोई रास्ता नहीं है। इस कठिनाई को ६ महीने, ८ महीने और अगर इससे भी ज्यादा समय लग जाय तो मुर्खाना डेलकर हल कर लेना चाहिये। हमारे माननीय मंत्री जी को देश के सामने कहना चाहिये, संसद के सामने कहना चाहिये कि वे ८ महीने में, १० महीने में पूरी तरह से आने वाली उस कठिनाई पर नियंत्रण करेंगे। अगर सरकार सारे खाद्यान्न के व्यापार को अपने हाथ में ले लेती है—हो सकता है कि नौकरशाही में भ्रष्टाचार हो, उसमें इस तरह के कार्य करने की क्षमता न हो—लेकिन सारे देश को ८ महीनों तक दिक्कतों को बर्दास्त करना होगा और अपना भविष्य बनाना होगा। लेकिन यह हुक्म

सात्त के साथ इस तरह का कदम उठाने के लिए तैयार नहीं है, खाद्य मंत्री जी साहब के साथ इस तरह का कदम उठा नहीं पाते हैं। इसका कारण यह है कि खाद्य मंत्री जी को विरासत मिली है और उनके चारों तरफ जो निहित स्वार्थ के लोग हैं, वे उनके पीछे लगे हुए हैं और उन्हें इस तरह का कदम उठाने से रोकते हैं। श्रीमान्, माननीय मंत्री जी के चारों तरफ इन निहित स्वार्थी लोगों का दबाव पड़ता है, तब उसकी वजह से वे कभी कभी फिसल जाते हैं और सही बातें सोचते हैं, सही राय देते हैं, लेकिन जब कदम उठाने के लिए जब मौका आता है तो उस समय खाद्यान्नों के ऊपर सरकार नियंत्रण की घोषणा के बजाय वे सदन के सामने आकर कहते हैं कि यह बार्डिनेस पास कर दो। हम सस्ते गल्ले की दुकानें खोलेंगे और जो नियमों का पालन नहीं करेगा, उन्हें तीन महीने की सजा देंगे। इस तरह से देश को भुलाया जा रहा है, इस समस्या के प्रति लोगों में भ्रम पैदा किया जा रहा है। लेकिन मैं एक अदना आदमी होते हुए सरकार को यह चेतावनी देना चाहता हूँ कि आप दो महीने तक, तीन महीने तक, चार महीने तक, साल भर तक, ऐसी बातें कर सकते हैं, टाल-मटोल का रास्ता अपना सकते हैं, लेकिन देश की जनता को धोखे में नहीं रख सकते। इस समस्या का एकमात्र रास्ता वही है जो मैंने कहा है। इस तरह की टालमटोल की बातें करके आप देश के साथ न्याय नहीं कर रहे हैं, समाज के साथ न्याय नहीं कर रहे हैं। सरकार को अपने ऊपर यह जिम्मेदारी लेनी चाहिए कि वह एक-एक आदमी को खाना पहुंचाये। अगर हमारे माननीय सदस्य श्री अकबर अली खान साहब इस फरमान के साथ आते कि पार्लियामेंट के एक-एक मेम्बर को इस काम में हाथ बटाना होगा, तो मैं खुशी के साथ और हमारे दूसरे साथी खुशी के साथ इस काम को अंजाम में इस हुक्म के साथ हाथ बटा कर काम करते हैं। लेकिन आप हम से कहना चाहते हैं कि जिस

[श्री चन्द्रशेखर]

को बड़ी भारी बीमारी हुई हो, जिसको कहिये टाइफाइड हुआ हो या जो कैंसर का मरीज हो, उससे कहा जाय कि वह कुनेन खा ले, तो कम से कम मेरा जैसा मरीज जो डाक्टरों तो नहीं जानता, लेकिन जो थोड़ा ज्ञान रखता है, नेन को खाने के लिये तैयार नहीं होगा ।

Shri AKBAR ALI KHAN: We have brought the Food Corporation Bill. That is one way.

श्री चन्द्र शेखर : वही मैं कह रहा हूँ कि आप को यह देखना होगा कि किस हद तक भर्ज बढ़ गया है और उसी के अनुसार दवा देनी होगी । आपको उसको भी संशोधित

करना पड़ेगा । इसलिये बड़े अदब के साथ मेरा खाद्य मंत्री महोदय से यह कहना है कि निकट भविष्य में आप उसी एक मात्र उपाय से इस समस्या को हल कर सकते हैं और इस बीमारी का इलाज कर सकते हैं, अन्यथा इस प्रकार के अध्यादेशों, इस प्रकार के नियमों और उपनियमों से कुछ नहीं होने वाला है । धन्यवाद ।

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): The House stands adjourned till 11.00 A.M. tomorrow.

The House then adjourned at one minute past five of the clock till eleven of the clock on Wednesday, the 18th December, 1964.