

this is a bad thing. They feel the pinch but then they are the people who have religious sentiments behind them and they feel that this system has acquired religious sanctity and that it has got to be observed even if it means their ruin. In any case, it will be the best thing if this Bill could be withdrawn but if the Government insists that it should not be withdrawn, then I would prefer it to be passed in the present form in which it has come to us for the simple reason that Government would have the satisfaction that it has taken a step forward in regard to social legislation. The provisions of the Bill and particularly the explanations to clause 2 practically nullify the effect which it is hoped that this Bill will have. In the circumstances, I feel that the most satisfactory arrangement would be for Government to withdraw this Bill because it is not going to help us in any way and it will constitute a laughing stock; if Government does not want to withdraw this measure, then it may be passed because Government will then have the satisfaction, as I said earlier, of having taken a step forward and this will be the case with others also who want to take shelter behind this measure.

I cannot support the Bill but then the Bill has to be passed and it may be passed in the present form without accepting any of the amendments which have been given notice of because the amendments are worse than the disease itself.

MR. DEPUTY CHAIRMAN: The house stands adjourned till 2 P.M.

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

The House reassembled after lunch at two of the clock. MR. DEPUTY CHAIRMAN in the Chair.

## MESSAGE FROM THE LOK SABHA

### THE INDIAN STATISTICAL INSTITUTE BILL, 1959

SECRETARY: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary of the Lok Sabha:

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Indian Statistical Institute Bill, 1959 as passed by Lok Sabha at its sitting held on the 14th December, 1959."

Sir, I lay the Bill on the Table.

### THE DOWRY PROHIBITION BILL, 1959—continued.

MR. DEPUTY CHAIRMAN: I have got still about 15 names before me and we have hardly 45 minutes. So, Members will please take 5 minutes each.

SHRIMATI SAVITRY DEVI NIGAM (Uttar Pradesh): In five minutes what can be said?

MR. DEPUTY CHAIRMAN: Everything that has to be said on the Bill has been said.

DR. SHRIMATI SEETA PARMANAND: It is a social measure and

MR. DEPUTY CHAIRMAN: I am calling the hon. Minister to reply at 2.45 P.M.

SHRI B. D. KHOBARAGADE (Bombay): The Chairman has said that the discussion might continue up to 3 o'clock.

MR. DEPUTY CHAIRMAN: We will take up the amendments tomorrow but the discussion will close.

DR. SHRIMATI SEETA PARMANAND: He said that if the House desired, we could sit from 5.00 to 5.30.

SHRI S. CHANNA REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, I rise to lend my hearty support to this social measure but I cannot be very optimistic about the efficacy of the Bill. It is true of all social legislation of this kind. This social evil of dowry is not only deep-rooted but it has been haunting our society for so many years. Of course, of late, it has become very serious and it has assumed enormous proportions. The situation has now come to this pass that having daughters has become a curse upon ill-equipped families. Moreover, there is no more sanctity or piety behind matrimonial relations, they have been reduced to business transactions. Sir, this is a compound social evil; it is dependent upon so many other evils such as caste system, etc. This caste system has made the marriage market very limited and therefore the demand for bridegrooms has become very acute and the people have to pay very high price for bridegrooms. In my opinion, this evil is a bit economic too because the ambitions of our young people, especially educated young people, are soaring very high but the resources at their disposal are not keeping pace with their high ambitions and therefore they want to tap or exploit this source also.

As I have said, this Bill cannot be an entire remedy for this malady which is persistently haunting our society. The society and the public have to be constantly educated; then only a social atmosphere could be created in which the giving of dowry will be prohibited. Socially, this problem is vexing the middle class and upper middle class families very much but as for the lower strata of our society, this evil custom is working the other way round. Generally, it is understood that 'dowry' means the bride's parents giving something in cash or property to the bridegroom's

parents, but in the lower strata of society it is quite the other way round. The bridegroom has to pay something as price for the bride and that is generally called *Kanyasuka*. It is prevalent in 60 per cent. of the population, at least in my part of the country.

Sir, it is very good that the definition has been made very comprehensive so as to cover this point also. But I cannot be agreeable to the Explanation which is added to the definition of 'dowry'. The Explanation would render it impossible to detect actually what is dowry and what is not dowry. Everything, cash or property, can be passed off as a marriage present though it may actually be dowry. So, this Explanation defeats the very purpose of the Bill and therefore, Sir, in my opinion it has to be deleted.

There is much controversy about making this offence cognizable. In my opinion, it is not good because our police is not functioning ideally and it will only be one more instrument in the hands of the police to harass the people.

MR. DEPUTY CHAIRMAN: I am very sorry; it is my unpleasant duty to remind you of the time.

DR. SHRIMATI SEETA PARMANAND: It will not be possible to speak like this. It is such an important legislation; we should get more time. Nobody can speak in less than 10 minutes on this measure.

SHRI S. CHANNA REDDY: In my opinion, it should not be made cognizable. Sir, with these observations, I conclude. Thank you.

SHRI B. D. KHOBARAGADE: Sir, in the very beginning I would request you to allot me a little more time.

MR. DEPUTY CHAIRMAN: You may take one or two minutes.

SHRI B. D. KHOBARAGADE: The present Bill that is under consideration seeks to eradicate the evil of

dowry system from the society. The dowry system is a most pernicious and heinous system and I think there can be no two opinions that this evil should be completely eradicated from the society. There is no individual in India, except a few orthodox persons, who would desire that such an evil system of dowry should be allowed to continue any longer in society. Sir, because of this dowry system, a number of families are ruined. Many promising young girls cannot get married and most of those unmarried daughters usually commit suicide or they have to spend their life in misery; not being able to get married, they are considered to be a burden on the family. In view of these difficulties it is very essential that this evil system of dowry should be eradicated completely from society.

The only question is whether by adopting this measure which is before us we can eradicate this evil. So far as reforming the society by means of legislation is concerned, it is my frank opinion that we can reform society with the help of laws but there are two essential conditions which are extremely important. The first condition is that the law should be capable of being enforced and the second condition is that there should be willingness, zeal and enthusiasm on the part of the Government to enforce the law. If you take into consideration some of the social measures which were passed by this august House with a view to reforming our society, you will see that we have been able to implement those Acts, to enforce them and to reform the society. For instance, take the Hindu Marriages Act which prohibits bigamy. Because we have passed that law, we are noticing that bigamous marriages are not taking place now. There was a huge uproar from orthodox quarters that we should not give any rights of inheritance to women. But when the Act was passed and when it is being enforced, we see that women are getting their legitimate rights.

Sir, I will quote one instance relating to untouchability and that instance is from my district. Some Scheduled Caste people were obstructed by caste Hindus while drawing water from a public well. Unfortunately, the Government did not take any action in spite of repeated reports to the police officers. But when the aggrieved party filed a complaint and the culprits were convicted, it had a salutary effect. In the whole of that tehsil all the public wells were thrown open. Because the people were afraid that if they did not allow the untouchables to draw water from the wells, they would have to suffer the consequences. It is clear, therefore, that social reforms can be carried out by legislation. But, as I said, there are two conditions. The first is that the law should be capable of being enforced and the second is that there should be willingness on the part of the Government to enforce the law. Unfortunately, the Government is not enthusiastic to enforce the law and that is the greatest drawback. So far as untouchability offences are concerned, I can quote a number of cases . . .

MR. DEPUTY CHAIRMAN: Leave alone the Untouchability Act. You come to this Bill.

SHRI B. D. KHOBARAGADE: If the law is not enforced, what can be done? The tenancy legislation is there. It was passed to protect the interests of the tenants. But the Government did not desire to protect the tenants and all tenants are being removed from their holdings. I must say that so far as the Government is concerned, there is a great craze to enact laws which are, as was aptly described by a Communist friend, decorative pieces of legislation . . .

DR. SHRIMATI SEETA PARNANAND: This is in response to popular wish that Government has brought forward this Bill.

MR. DEPUTY CHAIRMAN: Please go on. Your time is limited.

SHRI B. D. KHOBARAGADE: It is still a decorative piece of legislation.

[Shri B. D. Khobaragade.]

So, there is a craze to enact laws which is equally matched by utter incompetence of the Government to enforce the laws. So, if the Government is not competent and it does not desire to enforce the law, then there could be no social reform. If the Government is really desirous of enforcing the law, then we can have a social revolution by these measures.

So far as the Dowry Bill is concerned, I express grave doubt whether we would be able to enforce the law and bring about a social revolution so far as dowry system is concerned. According to the amendments that have been passed by the Lok Sabha, by introducing Explanation I in clause 2, I doubt in what way this law can be enforced. In my opinion, this law is not capable of being enforced. You cannot bring the culprit to book. You cannot take any action against those people even though they contravene the provisions of this Bill by taking dowry. So, if the law cannot be enforced, what is the use of enacting it? If you want the law to be enforced then, at least make one or two improvements in this Bill. The first is, remove that Explanation which allows a number of gifts to be given at the time of marriage. Yesterday the hon. Deputy Minister said that even if he removed the Explanation, the free gifts given would not come within the purview of the Bill. My question to the hon. Deputy Minister is, if Explanation I is redundant, as claimed by him, why should we retain it? Why should we not delete it? It should be deleted, because if it is there the presumption will be that anything given during the marriage ceremony, should be treated only as gifts and not as dowry. It will facilitate giving dowry in the guise of gifts. So, we should delete this Explanation.

My second suggestion is: Make the offence cognizable . . .

AN HON. MEMBER: No.

SHRI B. D. KHOBARAGADE: The offence of taking dowry should be

made cognizable. Other individuals will not be able to take any action against the offenders. Of course, if we make the offence cognizable, there is a possibility that certain individuals might be harassed. For that purpose I would like to make one or two suggestions. The first is that only D.S.Ps. should be allowed to sanction investigation of all the cases. If any cases are reported, the permission of the D.S.P. should be there to investigate the offence. Secondly, no officer below the rank of inspector should be entrusted with the investigation of such cases. Thirdly, if any prosecution is to be launched in a court of law, then the permission of the D.S.P. should be obtained.

DR. SHRIMATI SEETA PARMANAND: I would like to move a motion that the House do sit from 5 to 6.

MR. DEPUTY CHAIRMAN: No.

SHRIMATI SAVITRY DEVI NIGAM: I second it.

MR. DEPUTY CHAIRMAN: Your time is over, Mr. Khobaragade.

DR. SHRIMATI SEETA PARMANAND: Everyone may get four minutes more.

MR. DEPUTY CHAIRMAN: No.

SHRI B. D. KHOBARAGADE: So, it is quite clear that if we make the offence cognizable and if we take these precautions, no individual can be harassed while the law can be enforced and persons accepting dowry can be punished.

MR. DEPUTY CHAIRMAN: That will do.

SHRI B. D. KHOBARAGADE: My personal view is that mere laws are not adequate to abolish dowry. The concept of marriage should be changed. The whole marriage system should be revolutionised. It is because of the status of slavery to which women and untouchables have been reduced by Hindu law, Hindu religious scriptures, that they are suffering such humiliation and injustice . . .

(Time bell rings.)

DR. SHRIMATI SEETA PARMANAND: I make a motion that . . .

MR. DEPUTY CHAIRMAN: No. Shrimati Savitry Devi Nigam.

DR. SHRIMATI SEETA PARMANAND: I have a right to make a motion . . .

MR. DEPUTY CHAIRMAN: I am sorry. The time has been fixed by the Chairman. I cannot do anything.

SHRI B. D. KHOBARAGADE: So, the whole marriage system . . .

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI B. D. KHOBARAGADE: Half a minute only . . .

MR. DEPUTY CHAIRMAN: No. You have taken ten minutes.

SHRI B. D. KHOBARAGADE: The whole marriage system should be revolutionised. Nowadays marriages are arranged by parents. Boys and girls have no voice at all. Girls and boys should be allowed to mix freely and acquaint themselves with each other, develop acquaintance into friendship, and friendship into love and it should ultimately result into the bond of marriage . . .

MR. DEPUTY CHAIRMAN: That will do.

SHRI B. D. KHOBARAGADE: Inter-caste marriage . . .

MR. DEPUTY CHAIRMAN: Order, order. Please sit down, Mr. Khobaragade.

SHRI B. D. KHOBARAGADE: Inter-caste marriages and inter-province marriages . . .

MR. DEPUTY CHAIRMAN: I have called the other Member. Please sit down. Sittings of the Council shall

conclude at such hour as the Chairman may direct. The Chairman has directed that the sitting shall conclude at 5 P.M. Shrimati Savitry Devi Nigam, please go on.

DR. SHRIMATI SEETA PARMANAND: Sir . . .

MR. DEPUTY CHAIRMAN: Order, order. (To Shri Khobaragade) I have already given you more time.

SHRI B. D. KHOBARAGADE: I am only saying that I should be allowed to finish. Inter-caste and inter-provincial marriages should be allowed and they should be permitted and the Government should see . . .

MR. DEPUTY CHAIRMAN: It has nothing to do with dowry. Shrimati Savitry Devi Nigam.

DR. SHRIMATI SEETA PARMANAND: The Chairman has not directed us in the House in so many words . . .

MR. DEPUTY CHAIRMAN: Yes.

DR. SHRIMATI SEETA PARMANAND: In the Chamber he said we could sit even after five . . .

MR. DEPUTY CHAIRMAN: No. (To Shrimati Savitry Devi Nigam) Please go on.

DR. SHRIMATI SEETA PARMANAND: We make that motion. I want to know whether the House has no right to make a motion . . .

MR. DEPUTY CHAIRMAN: You must give proper notice and then move, and also not in the midst of business. There are certain rules laid down for making motions. Shrimati Savitry Devi Nigam.

**श्रीमती सावित्री निगम :** उपसभापति महोदय, बड़ी लम्बी प्रतीक्षा के बाद यह विधेयक आज सदन के सामने उपस्थित है, जो कि समाज की एक उस भयंकर कुरीति का विनाश करने जा रहा है जो कि उसकी नस-नस में व्याप्त है और उसे दुर्बल बना रही है। श्रीमन्, देहेज का प्रथा का सीधा संबंध पूंजी के आदान-प्रदान से है, इसलिये इस प्रथा ने समाज को जितनी हानि पहुंचाई है, मेरा मानना है कि शायद और किसी अन्य कुरीति ने समाज को उतनी जबरदस्त हानि नहीं पहुंचाई है।

श्रीमन्, अभी श्रीमती राजकुमारी अमृत कौर और श्री पणिक्कर के भाषण सुनकर मुझे काफी आश्चर्य हुआ। राजकुमारी जी तो राजकुमारी हैं और उनका जनता से चूक सीधा सम्पर्क नहीं है इसलिये उनका इस तरह के विचार प्रकट करना स्वाभाविक ही है। इसलिये, श्रीमन्, मैं एक बात कहना चाहती हूँ जो कि माननीय पणिक्कर साहब ने नहीं। उन्होंने कहा, कानूनों में निहित मौल और पयस प्रिंसिपल्स का प्रभाव जनता पर नहीं पड़ता लेकिन मेरा यह मानना है और मेरा विश्वास है कि कानूनों में निहित भारत प्रिंसिपल्स का . . .

SHRI AKBAR ALI KHAN (Andhra Pradesh): She was in touch with the people. You cannot say she was not.

**श्रीमती सावित्री निगम :** मौल लोगों पर, जो कि नैतिकता में विश्वास करते हैं उनके ऊपर उसका जरूर असर पड़ता है। यह विधेयक देश की मनोवृत्ति में एक जबरदस्त सुधार लाने वाला है। श्रीमन्, जनता का जो ला-अबाइंडिंग सेक्शन है, अर्थात् रेस्पेक्टेबल और एजुकेटेड सेक्शन है, वह समाज का नेतृत्व करता है, वह हमेशा अगुवा होता है। समाज का और उसके रहन-सहन और विचारों का प्रभाव समाज पर बहुत जबरदस्त तरीके पर पड़ता है, यह बात हम कई बार देख चुके हैं।

श्रीमन्, क्लॉज २ में जो एक्सप्लेनेशन लगा हुआ है यदि वह अलग नहीं किया जायेगा तो सारे विधेयक का महत्व नष्ट हो जायेगा। इसी तरीके से क्लॉज ६ में यह साफ नहीं किया गया है कि जो प्रापर्टी वालेन्टेरिली स्त्री को दी जायगी उसको यदि किसी भी समय वह दूसरे को ट्रांसफर करना चाहेगी तो कर सकेगी या नहीं। अगर इस पर रोक नहीं लगाई जायगी तो होगा क्या कि लोग पहले प्रापर्टी स्त्री के नाम ट्रांसफर करेंगे और साल या दो साल के बाद उस पर दबाव डालकर फिर अपने नाम से ट्रांसफर करा लेंगे। इसलिये इसमें ऐसा क्लॉज जोड़ना चाहिये जिससे दस साल तक कोई भी व्यक्ति उस स्त्री को दिये हुये वालेन्टेरी गिफ्ट को दोबारा ट्रांसफर न कर सके।

श्रीमन्, फंडामेंटल राइट की बात कुछ लोगों ने उठाई है। इसी क्लॉज में मैं यह बताना चाहती हूँ कि फंडामेंटल राइट्स की आड़ लेकर जो दलीलें दी गई हैं इस प्राविजो को बनाये रखने के लिये, वे वास्तविकता में fundamental right to exploit women बन जायेंगी, अर्थात् डावरी प्राहिबिशन बिल के सारे एम्स एंड आब्जेक्ट्स डिफाई हो जायेंगे, अगर इसमें सुधार नहीं किये गये। दूसरी चीज—क्या जरूरत इस बात की है कि वालेन्टेरी गिफ्ट मैरिज पर या मैरिज से एक साल के भीतर या बाद में ही दिये जायें? जब वन्या सम्पत्ति में समानाधिकार पाने वाली है तो पिता का पुत्री के नाम प्रापर्टी ट्रांसफर करने का जो फंडामेंटल राइट है उसकी सिवाय देहेज के मद में फंसा हुआ व्यक्ति ही सिफारिश कर सकता है। मेरी समझ में सबसे नुकसानदेह बात इस विधेयक में क्लॉज ३ में है जिस में डावरी गिवर और डावरी टेकर दोनों को समान दंड का भागी बताया गया है। श्रीमन्, समाज की स्थिति से जो लोग वाकिफ हैं वे जानते हैं कि बेवारी वयस्क वन्याओं के पिता किन सफोर्केटिंग सिचुएशंस में पड़कर देहेज देने पर तैयार होते हैं। कभी-कभी छल्ला-छल्ला बेच

कर, जन्म भर के लिये कभी न उतरने वाले बोझ में दब कर, जो पिता कन्या के हाथ पीले करने का सौभाग्य प्राप्त करे उस मरते हुये को और भी मारने की व्यवस्था इस विधेयक में कर दी गई है कि वह दहेज देने के लिये भी सजा पायेगा। श्रीमन्, इस विधेयक में अगर डावरी गिबर को भी अपराधी माना जायेगा तो ऐसे केसेज भी नहीं लिये जा सकेंगे जिनमें कि दहेज लेने के बाद भी बेचारी विवाहित कन्या को उसका पति छोड़ देता है। मेरा आपसे यह अनुरोध है कि इस विधेयक के द्वारा यह व्यवस्था की जाये कि दहेज देने वाले को अपराधी न माना जाय बल्कि दहेज लेने वाले को ही अपराधी समझा जाय। इसलिये इस बिल में क्लज दो में जो प्रवाइजो है, उसको इस प्रकार सुधारा जाय कि लड़की के नाम पर कोई भी गिफ्ट रिट्रांसफर न कर सके। मैं सोचती हूं कि यह बिल—It will have a far reaching effect.

श्रीमन्, मैं यह चाहती हूं कि इस तरह का संशोधन आवश्यक है और माननीय मंत्री महोदय से यह अनुरोध करूंगी कि यदि वे सचमुच यह चाहते हैं कि यह बिल समाज में जाकर उस बुरी प्रथा को नष्ट करे तो उन्हें इस बिल में इस तरह का सुधार अवश्य करना चाहिये। मेरा माननीय मंत्री जी से यह अनुरोध है कि वे इस तरह की व्यवस्था जरूर करें कि जिससे दहेज देने वाला इससे मुक्त रहे। तब इसका असर यह होगा कि जो पिता है, दहेज देने वाला है, दहेज देने के बाद, स्वयं कोर्ट में जाकर अपना मुकदमा दाखिल कर सकेगा। इसका असर यह भी होगा कि कन्या पक्ष के लोग अनाचार, स्वेच्छाचारी और लालची लोगों से बच जायेंगे।

श्रीमन्, यह बिल बहुत लम्बी प्रतीक्षा के बाद आया है और हजारों लाखों अभिगे पिता जो कन्याओं के पिता हैं, जिनकी कन्यायें विवाह योग्य हो गई हैं वे इस बिल की ओर बड़ी आशाओं से देख रहे हैं। मेरा विश्वास है कि अगर इस तरह का संशोधन हो जायेगा तो यह बिल अत्यन्त प्रभावशाली

हो जायेगा। इस बिल के द्वारा समाज में एक नई श्रान्ति पैदा हो जायेगी जिसके द्वारा नर नारी में जो विषमता है वह सदैव के लिये नष्ट हो जायेगी और नर नारी दोनों समाज में हर प्रकार से बराबर के अधिकारी हो जायेंगे।

**SHRI MULKA GOVINDA REDDY (Mysore):** Mr. Deputy Chairman, this dowry system is a great evil. It is growing in its intensity. With the spread of education, it is really a strange phenomenon how these two things can happen at the same time. Whatever social legislation is brought before us, unless the society deems it a duty imposed on itself that such a thing should be done away with, it will be really difficult for the Government to enforce this measure.

Sir, I really share the views expressed by the Law Minister that in this particular case, whatever might be the reasons or difficulties that might arise in enforcing the other laws, it will be very difficult to enforce this law because it concerns mainly the bride and the bridegroom and their parents, and it is very rare that either the bride or the bridegroom or their parents will ever go to the court to complain against this evil system. Sir, this can only be put an end to by removing the existing inequalities in the social structure, the existing inequalities in the cultural and educational standards of the people, and by encouraging more and more love marriages. This is not incompatible with our marriage system. Sir, births and deaths are registered, but unfortunately there is no law enforcing the registration of marriages. Government should take steps for imposing a ceiling on marriage expenses. If such an imposition of ceiling is there then it will be rather difficult for any parent to encourage this dowry system.

Sir, I would like to bring to the notice of this hon. House that a year ago a Bombay millionaire celebrated his marriage in Delhi. Three hundred guests were flown to Delhi by a

[Shri Mulka Govinda Reddy.] chartered plane, and they were staying in the Ashoka Hotel for four or five days. When such a national waste is being perpetrated by the so-called rich people, this evil system will never come to an end. Therefore, in order to see that this pernicious system is put an end to, mere passing of this legislation will not do. It should be supplemented in other ways, by other means I have just now suggested.

Sir, the Explanation that has been given here may take away the effect of the whole legislation. As the Deputy Law Minister explained, if it is proved that it is not given as consideration for the marriage, the very purpose of it can be served even without this Explanation. The presentation of ornaments, clothes and other articles, if they are not presented as consideration for the marriage, can be made under this measure without the Explanation. This Explanation makes it clear and removes doubts, if there are any, that if presentations are made which are not meant as consideration for the marriage, they will be permitted.

I am afraid, Sir, this legislation will not be of much use unless and until the public conscience, the social conscience, is aroused and other complementary legislations are undertaken. Thank you, Sir.

**श्री नवाब सिंह चौहान (उत्तर प्रदेश) :**

उपसभापति महोदय, मेरे पास जो दो चार मिनट हैं उसमें मैं अपनी एक दो बातें आपके सामने कहना चाहता हूँ। मैं माननीय मंत्री जी को इस बात के लिये धन्यवाद देना चाहूँगा कि उन्होंने इस बिल द्वारा एक हाथ से जो चीज दी है दूसरे हाथ से उसी चीज को ले लिया है। पहला जो एक्सप्लेनेशन था वह अच्छा था और मैंने उस समय उसका समर्थन भी किया था लेकिन जिस तरीके से आज यह चीज एक्सप्लेनेशन में रखी गई है उसके मानी इसके सिवाय और क्या हो सकते हैं

कि आप एक हाथ से एक चीज दे रहे हैं और दूसरे हाथ से उसी चीज को वापस ले रहे हैं। जिस चीज को आप नैतिक आधार पर अभी तक सब कंडम कर सकते थे, उसी को अब आप लीगेलाइज करने जा रहे हैं। मैं आपसे पूछना चाहता हूँ कि इस एक्सप्लेनेशन में ऐसी कौनसी चीज रह गई है जो दहेज के रूप में नहीं आती है। अभी तक तो कोई भी आदमी नैतिक आधार पर दहेज देने पर झिझकता था और समझता था कि यह चीज बुरी है लेकिन आपने एक्सप्लेनेशन में जो चीज रखी है उसके द्वारा आप उस आदमी को खुले खजाने दहेज देने की इजाजत दे रहे हैं और इस तरह से डाउरी देना या लेना लीगेलाइज कर रहे हैं। इसलिये मैं खास तौर से माननीय मंत्री जी को धन्यवाद दे रहा हूँ कि वे इस चीज को कानूनन जायज यानी लीगेलाइज कर रहे हैं।

इसके साथ ही साथ दूसरा धन्यवाद इसलिये है कि इसमें मारने वाले के लिये भी सजा रखी गई है और जो मारे जा रहे है साथ ही साथ उनके लिये भी सजा रखी गई है। यह भी एक दलील है कि आपने रिस्वत रोधने के लिये ऐसा ही कानून बनाया है लेकिन उसमें भी आपने गुंजाइश रखी है। हालांकि देने वाले के काम को आपने आफेन्स करार दिया है लेकिन कानून उसको अप्रूवर बना लिया जाता है और उसको इस तरीके से निकाल देता है कि उसको कोई मजा नहीं होती। तब यहाँ ऐसा कुछ नहीं है। लेकिन कुछ ग्रंथों में दहेज एक पवित्र कार्य कहा जा सकता है। ऐसी दशा में इस पवित्र कार्य के लिये जैसा आपने पहले दो हजार रुपया रखा था, उसी तरह से आप इस तरह का कोई प्रविजिन रख सकते थे। इन्कम ग्रुप बना देते और इन ग्रुपों के अनुसार जो रुपया व सामान दिया जाता उसको एलाउ वर देते। तो आप इस तरह से ए. ए. एंड यानी लक्ष तक पहुँच जाते। किन्तु इस एन्ड तक पहुँचने के लिये आप जिस मीन्स यानी साधन से काम ले रहे हैं उससे आप नहीं



पहुंच सकेंगे। इसलिये इस बिल से कोई फायदा नहीं होगा। आये चल कर इस बिल में बहुत सी ऐसी चीजें हैं जिनको समझा नहीं जा सकता है। आपने कहा कि इसमें उसको इतनी सजा हो जायेगी। ठीक है, आप सजा कर देंगे, जुर्माना कर देंगे। वह सजा काट कर आयेगा, फिर आप उसका क्या करेंगे? एक दफा वह जेलखाना चला जायेगा फिर आप उसका क्या करेंगे? जो मर गया है उसके बारे में आपने कहा है कि जो उसका एयर होगा वह वसूल करेगा। किससे और कैसे वसूल करेगा? अगर लेने वाला खरीकर मर गया तो क्या होगा? अगर उसके उत्तराधिकारी को इसमें से कुछ नहीं मिला और उसके पास वह जायदाद है जो उसके पुरखों से चली आ रही है, तो क्या उससे वसूल होगा? मान लीजिये कि उसकी एयर एक गरीब लड़की रह गई तो क्या उससे वसूल करेंगे? इसलिये इसमें यह साफ साफ नहीं रखा गया है कि उसका क्या होगा। वह तो मर जायेगा लेकिन साथ-साथ रहने वाला उत्तराधिकारी बेकसूर मर जायेगा। और बाद में क्या होगा, क्या नहीं होगा, इस सम्बन्ध में इसमें साफ-साफ कुछ नहीं प्रोवाइड किया गया है। इसलिये इसमें बहुत सी असंगतियां हैं, दोष हैं, जिनको बिल्कुल साफ नहीं किया गया है। इनसे आगे चल कर बहुत ज्यादा पेचीदगियां बढ़ने का अंदेशा है।

कागनिजेबिल इसको अदम्य बनाना चाहिये। जब तक कुछ डर नहीं होता है तब तक कुछ नहीं होता है। आपने इसके अन्दर यह कहा है कि अगर कोई एक साल के अन्दर शिकायत करे तो कुछ एक्शन लिया जायेगा। लेकिन एक साल में नहीं मानूँ क्या होगा क्या नहीं होगा। एक साल में तो यह साबित करना ही दुश्वार हो जायेगा की शादी कब हुई थी।

श्री महावीर प्रसाद भार्गव (उत्तर प्रदेश) : आपकी क्या राय है ?

श्री नवाब सिंह चौहान : मेरी राय यह है कि इस बहुत ही सेवेज और वहशियाना प्रथा के लिये कानून भी वैसी ही होना चाहिये। जिनके पास रुपया है उन्होंने इसको सभ्यता का रूप दे दिया है, लेकिन जैसा कि जसवन्त सिंह जी ने बताया लाखों बच्चियों की इसी कुप्रथा के कारण पैदा होते ही हत्यायें की गई हैं और इसी तरह से आज भी बहुत सी चीजें हो रही हैं। इस प्रथा की जो बैकग्राउंड है वह बड़ी सेवेज है और उसको दूर करने के लिये वैसी ही वहशियाना सजा होनी चाहिये। मेरा यह सजेशन है कि इसके लिये पब्लिक फ्लागिंग होनी चाहिये ताकि लोगों पर ठीक ढंग से असर हो। लेकिन सवाल यह है कि इसको कौन चाहेगा और कौन करेगा। आजकल कुछ दूसरे ढंग की ही चीज हो रही है। जब तक डिटरेंट पनिशमेंट नहीं होगी तब तक ऐसी सामाजिक कुरीतियां खत्म नहीं हो सकतीं। हमने देखा कि कितनों ने अपनी जानें दे दीं और कितने रेवोल्यूशनरीज ने दूसरों को मार दिया—खास तौर से ऐसा बंगाल में हुआ है और हमारे मंत्री जी उसी प्रांत से आये हुये हैं,—लेकिन ऐसी सामाजिक कुरीतियां निकाल नहीं सके। उन्होंने दूसरों को मार दिया और खुद फांसी के तख्ते पर चढ़ गये, लेकिन अभी तक कुप्रथायें खत्म नहीं हुई हैं। इसलिये सामाजिक कुरीतियों को निकालना कठिन है और इस के लिये बहुत सख्त कदम उठाना पड़ेगा।

मेरा एक सजेशन यह भी है कि जिनको सर्विसेज में लेना हो उनको उस वक्त तक न लिया जाय जब तक कि वे मेरिज साटिफिकेट न दे दें। अभी जो एक साधारण ग्रेजुएट है वह अगर आई० ए० एस० या आई० पी० एस० में आ जाता है तो उसकी कीमत बढ़ जाती है।

साथ ही साथ ऊपर से, चाहे मिनिस्टर हों, चाहे बड़े बड़े आफिसर हों, चाहे पोलिटिक्ल पार्टीज के लीडर्स हों, सब को जनता के

[श्री नवाब सिंह चौहान.]

सामने आदर्श उपस्थित करना चाहिये कि वे डावरी नहीं ले रहे हैं। जब हम ऊपर से चलेंगे तो उसका जनता पर एक नैतिक प्रभाव पड़ेगा और यह जो वहशियाना प्रथा है वह हमारे समाज से समाप्त होगी। धन्यवाद।

SHRI V. PRASAD RAO (Andhra Pradesh): Mr. Deputy Chairman, Sir, I am not a pre-eminently eligible bachelor like my leader nor am I a father of a large number of daughters. So, I cannot be accused of partisanship in this matter.

SHRI AKBAR ALI KHAN: You are the proper person.

SHRI V. PRASAD RAO: Equally, I am not a father of an equal number of sons.

AN. HON. MEMBER: It is not the problem.

SHRI V. PRASAD RAO: That is why I can view the things very objectively, not from a partisan point of view.

Sir, unless we go into the basic question, there is no use finding a palliative when the gangrene has set in. The Law Minister has himself said that this social legislation is almost a decorative legislation. He did not say it in so many words. He said that it would be there in the Statute Book, that it might not be completely implemented and all that sort of things. But unless we go into the root cause of this evil, I think any amount of legislation like this would not help the matter. Unless woman is given her rightful place in the society, unless she is given an equal share in the property, no amount of law whatever it might be . . .

DR. SHRIMATI SEETA PARMANAND: That has been done already.

SHRI V. PRASAD RAO: Unless it is given, no amount of such legislation would correct the evil.

THE DEPUTY MINISTER OF LAW (SHRI R. M. HAJARNAVIS): It has been dealt with already.

SHRI V. PRASAD RAO: She has not been given fully; she has been given only a fraction. She has been done only fractional justice in the Hindu Inheritance Act. That has been very correctly pointed out. You may at best drive this dowry system underground. At best you can do that, and nothing more than that. By this legislation, one need not even conceal the dowry. He can give it in the name of a gift, in the name of the so-called voluntary gift. It has been made very clear by the Explanation that any amount of money can be given. Even if this Explanation is deleted, it will be quite possible to give any amount of money in the name of a gift. Only, it should be very clearly said by both the parties that whatever is given is not given in consideration of marriage, but is only a voluntary gift and nothing could be done. That is how the dowry can be completely legalised. It cannot be left to the conscience of these people because they could come and perfectly claim that it is not as consideration for the marriage, but it is only a voluntary gift—the so-called voluntary gift—on behalf of the father to the daughter. Sir, the days of *Kanyadan* are gone. Woman is not a commodity which can be given as a *dan*; she is not to be given like *bhoodan* or some other *dan* which is given away to somebody else. The days of न स्त्री स्वातंत्र्यमह are gone. Marriage must be voluntary and based on mutual love. Woman is not to be given away like this. The very concept of it I think is absolutely wrong. So, I think that unless that basic defect is remedied, such a legislation can at best be a palliative. Let me point out, Mr. Deputy Chairman, that this legislation is not even that palliative. That is my grouse.

Some friends have correctly pointed out that this Explanation is redundant. Yes. The Explanation gives very wide scope for any amount of money to be given as gift. Even if the Explanation is removed, then also that lacuna stands because what is defined . . .

**SHRI B. D. KHOBARAGADE:** A bit better.

**SHRI V. PRASAD RAO:** Yes, a bit better.

'Dowry' is defined as that money or that gift or that security which is given as consideration for the marriage. But how is it to be proved that a particular thing is given as consideration for the marriage or not? Can it be left to the subjective conscience of a judge to decide whether a particular amount is given as consideration for the marriage or as a voluntary gift? And nobody will be forthcoming to give evidence also because the giver as well as the taker, both are punished. There is the story of a proverbial king who used to punish both the complainant and the defendant in order to dispose of the case. If anybody went to him with a complaint that somebody had beaten him, both the complainant and the defendant were made to suffer, were made to undergo imprisonment. Hence, nobody came forward to complain. So also, under the present Bill both the giver and the taker of the dowry are punished. And nobody will come forward to give evidence whether a particular thing or amount has been given as dowry as consideration for the marriage or as a voluntary gift. Even if a third person who is interested in it goes and complains in the court, both of them can get away with the simple statement that it was not given as consideration for the marriage, but only as a gift given by the father to the daughter. I know why this thing has come up. There is no time for me and I do not want to dilate upon it. Under this society, under capitalism, everything tends to be commercialised. I am sorry to point out that even the

sacred institution of marriage is being commercialised. I know that in the State from which I come a sort of graded scale has been fixed up as dowry. One need not even ask if the fellow is a matriculate. If so many acres are there as his property, then it is Rs. 1,000 for every acre he has got, plus Rs. 1,000 for his being a matriculate. If he is a graduate, it is another Rs. 3,000. If he happens to be a medical student or an engineering student, it varies from Rs. 20,000 to Rs. 30,000. So, even this sacred institution is being commercialised. But if we want to do anything serious about it, let us tackle the basic problem, and tackle it in such a way as it can be done properly. There is no use putting decorative legislations on the Statute Book. Let us tackle this problem in right earnest. About the other problems, I propose to deal with them on some other occasion.

**SHRI P. N. SAPRU (Uttar Pradesh):** Mr. Deputy Chairman, Sir, the Law Minister has put the case for this measure moderately and in a well-considered speech. I must say, however, that from the very beginning I have been opposed to the very principle of this Bill. I pointed out in my speech on the motion for reference to Select Committee that it was a piece of legislation which the courts would find it difficult to administer. This is an argument which supporters of the Bill cannot ignore. Legislation is not a panacea for all the evils from which our society suffers. The legislative process has certain limitations and you cannot make people marry your girls if they do not want to. In my opinion this Bill seeks to give vitality to the Hindu system of arranged marriages. I think the solution to the problem lies in having a wide choice for your girls and for your boys, and in inter-caste marriages.

**SHRI B. D. KHOBARAGADE:** Inter-State marriages also.

**SHRI P. N. SAPRU:** Inter-regional marriages and also communal marriages. That I think is the solution.

[Shri P. N. Sapru.]

The bridegrooms must meet and select their future mates in life. This system of arranged marriages should go. What happens, Sir, today? And what will happen if you pass this Bill?

SHRI SONUSING DHANSING PATIL (Bombay): What about love marriage?

SHRI SHEEL BHADRA YAJEE (Bihar): He is in favour of love marriage.

SHRI P. N. SAPRU: The poor man will find it difficult to find a match for his girl. If a girl is an heiress or has got lots of money, then no question of dowry arises. Even the IAS people will be only too eager to marry her.

Then, Sir, I am strongly opposed to the deletion of the Explanation. It must be remembered that this is not a substantive clause. This is an Explanation and it makes explicit what is implicit in the Bill. I think that if you do not have this Explanation, there will be much occasional fruitless litigation because there is no doubt that the Explanation only makes clear what is implicit in the Bill. The test of a good legislation is that it should avoid litigation and we do not want litigation in the domestic sphere. I would like to see the father, or I would like to see the guardian, who will make a complaint about the demands for a dowry. If he has any commonsense, he will realise that he will not in that way be able to get his daughter married. The point of view of the Law Minister was that this is in the nature of an appeal by the Legislature to the social conscience of the community. Well, whether it is the function of the Legislature to appeal to the social conscience in a matter like this is a difficult question and I would not go into it, but any further amendments on the lines suggested by the Select Committee or on the lines suggested

by Shri Bhupesh Gupta and others should be strongly opposed by this House. I think, Sir, that this House has got a reputation for sanity and I am not ashamed, if it comes to, my being described as a Conservative by Shri Bhupesh Gupta. I assure him that I am both a very staunch Radical and Socialist and that I look upon the Communist Party as a reactionary party. I am not ashamed, therefore, at the fact that Mr. Gupta has called me a Conservative because the cap fits him and it does not fit me.

श्री जुगल किशोर (पंजाब) : माननीय उपसभापति जी, चले थे बीमारी को दूर करने के लिये लेकिन बीमारी और ज्यादा हमारे चिमट गई। मैंने जब यह बिल—डावरी रेस्ट्रेंट बिल—पिछले फरवरी महीने में इस हाउस में रखा और बाद-अज्ञानानरेबिल ला मिनिस्टर साहब के इस यकीन दिलाने पर कि वह जल्दी ही इसके मुताल्लिक एक मुफस्सिल बिल लाने वाले हैं इसको वापिस ले लिया और जब मैं अपनी कांस्टीट्यूंसी में पहुंचा तो मैं ही जानता हूं कि वहां की जनता ने किस गम और गुस्से का इजहार किया। जनता चाहती थी कि यह डावरी बिल जल्दी पाम हो ताकि यह लानत जो कि आज देश में फैली हुई है जल्दी दूर हो। यह बीमारी अमीर लोगों में ही नहीं है बल्कि मैं तो कहना चाहता हूं कि आज घर-घर में और देश-देश में यह बीमारी फैली हुई है और इस बीमारी को निकालने के लिये जब तक पार्लियामेंट सख्त कदम नहीं उठायेगी तब तक यह बीमारी दूर नहीं होगी। मैं आपसे अर्ज करना चाहता हूं कि जनता को बड़ी उम्मीदें आपकी पार्लियामेंट से थीं और उसे खयाल था कि ला मिनिस्टर साहब जरूर कोई ऐसा कदम पेश करेंगे जिसे कि बीमारी दूर हो जायेगी। जब तक कि सेलेक्ट कमेटी ने रिपोर्ट दी उम वक्त तक जनता को यह खयाल था कि बीमारी अब जाने वाली है। मैं आपसे अर्ज करूँ कि बहुत से उन भाईयों ने जो कि डावरी लेने के बहुत उत्सुक थे उन्होंने अपने लड़कों की शादियां जल्द जल्द शुरू कर दीं,

बहुत से भाईयों ने पिछले महीनों में उनकी शादियां कर लीं और उन लड़कियों को, जो कि बड़ी उम्र की हो गई हैं और शादी करने के काबिल हैं उन्हें उम्मीद लगी हुई थी कि अब हमारी शादी का भी मौका, वक्त, आने वाला है। लेकिन मैं क्या अर्ज करूँ, जबकि यह बिल लोक सभा में इस एक्सप्लेनेशन के साथ— जिसको कि एक्सप्लेनेशन नं० वन कहा जा रहा है—पास हुआ और यह बिल इस सभा में आया तो उन तमाम की उम्मीदों पर पानी फिर गया और उन लोगों के घरों में जो कि डावरी लेना चाहते हैं, उसको लेने के लिये बहुत उत्सुक हैं, धी के चिराग जल गये।

मैं आपकी सेवा में अर्ज करूँ कि यह जो एक्सप्लेनेशन है...

**श्री अकबर अली खान :** इसको निकाल देंगे।

**डा० श्रीमंथी सीता परमानन्द :** ला मिनिस्टर साहब इसको निकाल रहे हैं।

**श्री जुगल किशोर :** इसमें शुरू में कहा गया है कि “फार दी रिमूवल आफ डाउट्स”, तो किसके डाउट्स को रिमूव करना है, लड़की वालों के या लड़के वालों के? लड़की वालों को तो कभी डाउट था ही नहीं, वे तो चाहते ही थे कि डावरी खत्म हो। मैं कहता हूँ कि यह डाउट रिमूव किया गया है, यह खतरा रिमूव किया गया है, लड़के वालों के लिये। लड़के वालों को यह छूट है कि कितना भी नकदी रुपया लें, कितना भी जेवरात लें, कितना भी कपड़ा किसी कीमत का लें, हाथी, घोड़ा, बैल, मोटर कार, मोटर साइकिल कुछ भी ले सकते हैं, कोई रुकावट नहीं है। तो मैं अगर यह कहूँ कि मालूम नहीं कि यह बिल डावरी को प्रोहिबिट करने चला है या डावरी को लीगेलाइज करने चला है, गलत नहीं होगा...

**श्री अमोलख चन्द (उत्तर प्रदेश) :** अब तो यह लीगेलाइज हो रहा है।

**श्री जुगल किशोर :** मेरे खयाल से इस एक्सप्लेनेशन ने तमाम जान जो कि इस बिल में थी वह निकाल दी है और मैं अर्ज करूँगा कि इस एक्सप्लेनेशन को इस बिल से जरूर निकाल देना चाहिये। कल मेरे भाईयों ने यह जित्र किया कि यह एक्सप्लेनेशन पंडित ठाकुर दास जी के कहने पर यहां लाया गया। मैं अर्ज करूँ कि मैं भी उसी इलाके से आता हूँ जहां से कि पंडित ठाकुर दास जी आते हैं। मैं ने उन से ३, ४ रोज़ हुए इसका जित्र किया कि यह एक्सप्लेनेशन आप क्या ले आये तो उन्होंने कहा कि इस तरीके से यह अच्छा नहीं हुआ और मैं समझता हूँ कि यह अच्छा हुआ भी नहीं। इस तरह जो इस बिल में डावरी के लिये रुकावट थी वह खत्म हो गई है और जैसा कि मैं ने पहले अर्ज किया कि इस वजह से जो आवश्यकता कानून की होनी चाहिये वह अब बाकी नहीं रही है।

दूसरी चीज मैं आपकी सेवा में यह अर्ज करना चाहता हूँ कि इस आफेंस को जो नान-काग्निजेबल बनाया है वह काग्निजेबल होना चाहिए। जैसा कि मेरे बहुत से भाईयों ने कहा कि लड़के वाला या लड़की वाला कोई भी शिकायत नहीं करेगा तो कैसे काम चलेगा, कैसे शहादत मिलेगी? लेकिन मैं यह कहना चाहता हूँ कि हमारे भारतवर्ष के लोग आज कल कानून के डंडे के आगे चलते हैं। अगर कानून का डंडा उनके सिर पर हो तो वे कानून से डर कर जुर्म करने को तैयार नहीं होते जो कि वे अमूमन कर सकते हैं। इसलिए अगर यह काग्निजेबल बना दें और उनको डर हो कि पुलिस हमको गिरफ्तार कर सकती है तब तो डावरी बंद हो सकती है।

इन लफ्जों के साथ मैं आपकी सेवा में अर्ज करना चाहता हूँ कि अगर इस बिल

[ श्री जुगल किशोर ]

को इस एक्सप्लेनेशन के साथ पास किया जाय तो मैं इसके हक में नहीं हूँ लेकिन अगर इसको निकाल के पास किया जाय तो मैं इसका समर्थन करने के लिये तैयार हूँ ।

MR. DEPUTY CHAIRMAN: Mr. Patil, you will please close just before 3 o'clock.

SHRI SONUSING DHANSING PATIL: Sir, marriage is a natural thing in life, but it cannot be an arrangement for money brought about by the parents of the respective parties. The present legislation which seeks a remedy for this evil is worse than the disease, and some of the clauses in this Bill, particularly clause 4, "Penalty for demanding dowry", and clause 6, "Dowry to be for the benefit of the wife or her heirs", in my opinion, are objectionable in the sense that nowhere in the world merely demanding a particular thing is penalised. So, we are going much beyond the scope of the Bill in that even a mere demand for a dowry is made punishable. Secondly, if dowry is to be prohibited, then why should this transfer be allowed, because it again gives a sort of sanctity to the dowry? Thirdly, Sir, I am in favour of retention of Explanation I, because the Bill, as it had emerged from the Joint Select Committee, deformed the definition of "dowry" and made things impossible, namely that anything which was given in a marriage as a consideration for the marriage was considered an offence. In respect of social legislation the giver and taker should not be placed on a par with the ordinary criminals. After all, a social legislation is meant to facilitate social reforms, however might be the demand from a particular section of the community, particularly the womenfolk, because the danger in our population is that women are as many in number as men—so the difficulty of bringing about marriages particularly without offering a dowry, has become a sort of evil which is creeping into the white-collared section of

the society. The evil is not rampant in the rural areas as far as I know, but because the white-collared society adopts a particular system of marriages, the evil is also spreading to certain villages where the people are well-to-do. The question is, this is a legislation which is not going to be effective in any way, because a number of clauses in the legislation are contradictory to one another. I need not go into the various details. Now, the Bill itself is a sort of declaration by some of the social workers to the youths of the country. The Bill should have been circulated to the parties concerned, that is the young men and women of the country who are eligible for marriages. The criticism that is offered by the leftist group in this House and also some of the Members belonging to the Treasury Benches, I think, emanates from persons who have no practical experience or have no realistic approach to the problem, and it is a problem which deals with the life of a girl or a boy, and if there is a mutual adjustment made, we call it dowry or any such thing, but if it does not take the form of exaction or extortion, then I think dowry is not at all a sort of evil which people make it out to be. The question is, if you want to give some status to a girl and make her a *Grihalakshmi* by offering her to a person who is well-educated, well-trained and well-to-do, then one has to pay the price for it. Of course, that price must not be exacting, and marriage should not take the form of a mercenary marriage or commercialised marriage. If that thing happens . . .

(Interruption.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI SONUSING DHANSING PATIL: . . . then it is for the social workers and for the youth movement. Suppose the youths of the country are not prepared to accept this legislation, they want to cash in on their education, cash in on their technical

knowledge—particularly the I. A. S. and the I. P. S., the engineers and the medical graduates—then it is for the social workers to launch a youth movement, and particularly young Leftist enthusiasts like Mr. Prasad Rao should launch a youth movement to educate the youths against this evil of dowry, and the youths accepting a dowry must be excommunicated. The evil can be mitigated only when there are no caste marriages. As long as it is a caste-ridden society, the evil will be continuing. But the remedy that is provided here is not going to be effective in many ways, because the remedy provides that even a demand is to be penalised. Moreover, the offence is made non-cognizable and non-compoundable. Sir, we have seen the working of the Child Marriage Restraint Act. No doubt social legislation enables social reforms to take place in society. But such a type of legislation, without going deep into the matter of implementation, is going to be most infructuous, and I am afraid that the time spent and the money spent over the consideration of this Bill are, for all practical purposes, wasted and the beneficial or the useful effects that we are going to achieve through this are going to be very very negligible in so far as the implementation part of it is concerned. This matter should be safely entrusted into the hands of the social reformers, and the country needs them very much, and it should not be a matter for legislation. I feel that such a type of legislation is not welcome at this stage and it will only give a sort of excuse for the social reformers to avoid their work, which they would otherwise be doing, and we in India should not disturb the institution of marriage, which in any Hindu society is a question of sacrament. Marriage has got a certain sanctity and if we destroy that sanctity or disturb it on the ground of dowry, it will amount to giving them a directive to treat marriages in a particular manner, and I personally feel that if the House is

inclined to accept the Bill, then it must accept it with this Explanation, because the definition of "dowry" is most ridiculous and it exposes a big joke to the House.

With these remarks, Sir, I conclude.

MR. DEPUTY CHAIRMAN: The hon. Law Minister will reply tomorrow.

We have got some other business now—Statement regarding Dandakaranya Project.

#### MOTION RE THE STATEMENT ON THE DANDAKARANYA PROJECT

SHRI BHUPESH GUPTA (West Bengal): Sir, I move:

"That the Statement regarding the Dandakaranya Project, laid on the Table of the Rajya Sabha on the 27th November, 1959, be taken into consideration."

You will remember, Sir, last Session, on the 1st of September, we had a similar discussion on the working of the Dandakaranya Project. I do not propose to cover the ground which had already been covered then. Only I would like to say that the developments during the past two or three months have proved substantially the allegations that we had made, and proved our apprehensions—unfortunately—to be true. I would ask the hon. House to consider what I have to submit without any passion or without any partisan prejudice or bias, because over this matter we are all vitally concerned.

Now, Sir, we have before us the statement of the hon. Minister of November the 27th. There is something like what is called suppression of truth and suggestion of falsehood. Might I say, Sir, with all humility that this particular statement is a remarkable example of that thing? That is to say, *suggestio falsi suppressio veri*.

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[Shri Bhupesh Gupta.] 3  
P.M.

Now, I thought that even at this late hour, the hon. Minister would not be satisfied with finding a scapegoat in Mr. Fletcher. I do not hold any particular brief for him. But then I thought that he would take the House a little more into confidence even at this late moment. But, Sir, his statement is a disappointing document from that angle.

Sir, Dandakaranya Project, which is supposed to be a great project—much has been said in that respect—has now become a monumental scandal, thanks to the hon. Minister. Sir, it has become a cesspool of intrigues, inefficiency, corruptions and malpractices.

THE MINISTER OF REHABILITATION AND MINORITY AFFAIRS (SHRI MEHR CHAND KHANNA) : Sir, this is . . .

SHRI BHUPESH GUPTA: You will have your chance. You have finished one I.C.S.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Is it dispassionate?

SHRI BHUPESH GUPTA: It has now become a cesspool of intrigues, inefficiency and corruption, the presiding deity of which is Mr. M. C. Khanna, Union Minister of Rehabilitation. Let there be no mistake about it. Let us not think that it was merely a question of some kind of officers quarrelling amongst themselves or not functioning in a team-spirit and so on. Well, maybe officers might have quarrelled amongst themselves. I shall come to that later, but that would not be a proper explanation for what has been happening there. A veritable storm of legitimate indignation and resentment is raging all over West Bengal over the affairs of the Dandakaranya Development Project and over the behaviour, the policies and the methods of the hon. Minister of Rehabilitation, Mr. Mehr Chand Khanna. You may ignore it, but then

you have to take it into account because, you are supposed to give relief to these down-trodden displaced persons from East Bengal. If the whole of Bengal today is in a mood of indignation and disappointment, I do not think any democratic institution, much less a responsible Government, can overlook it. That is what I would say.

Therefore, Sir, I think the House should be apprised of it a little. When the Dandakaranya Project first came into existence at the end of 1957, all the leading Bengal papers, the 'Statesman', 'Amrit Bazar Patrika', 'Hindusthan Standard', 'Ananda Bazar Patrika', 'Jugantar'—all dailies supporting the Congress Party, which is very clear from their names—came out in support of Mr. Mehr Chand Khanna and his declarations. Today every single of these papers is opposed to him. Not a day passes without condemnation of the hon. Minister in the columns of one or the other paper. Now, they are not Communists; they are all your supporters, supporters of the Government, well-known papers of the country. Take, for instance, 'Jugantar' of the 12th November, 1959. In an editorial captioned "Responsibility evading Khanna", it says:

"With all our heart we wish the implementation of the Dandakaranya Project. But at the same time we cannot but express without the slightest hesitation the bitter and unpalatable truth that as long . as Shri Mehr Chand Khanna remains at the head of this Project as a Minister, there is no hope for its success."

The original of it is with me.

The same paper in another editorial on the 25th November, 1959 wrote:

"From what we know and whatever reports we have so far received, we have come to the conclusion that the Minister Khanna and his proteges are responsible for the Dandakaranya scandal."

. There is another editorial in the same paper, called "Farewell Fletcher". I do not think they had some "fancy about him.

There is another paper, 'Ananda Bazar Patrika', which in its editorial, captioned "Need for complete overhauling", of the 24th November, 1959, wrote:

"The Rehabilitation Ministry and those who are directly connected with the work of implementation of the project must be removed and new arrangements should be made for implementation."

In another editorial of 5th November, 1959, 'Jugantar' wrote:

"We ask the Prime Minister, 'How long this scandal will go on?' "

Then they write :

".. We have to speak. At the same time we have to tell unpalatable and bitter truth that Mr. M.C. Khanna—in political field he is an adventurer—has lost all confidence of the people of West Bengal and of those who are in Dandakaranya."

There is the editorial of "Amrita Bazar Patrika", dated the 28th November, 1959, which says:

"His latest move is to make Dandakaranya quickly ready for their rehabilitation by removing Mr. Fletcher for whom the refugees' love and admiration is borne out by the protest telegrams they have sent out. Who, then, is responsible for the muddle—Mr. Fletcher or Mr. Khanna?"

Earlier it says :

"Mr. Khanna's performance as Rehabilitation Minister will be clear from the fact that, in the course of the last four years or more, he has fulfilled his much-vaunted promise of liquidating the East Bengal refugees problem by sending out of nearly 3 lakh camp-dwellers, only about 17,000 outside West Bengal ..."

Then, Sir, 'Hindusthan Standard' and other Congressite papers have also written. The former in its editorial of the 27th November, 1959, under the caption "What next?" writes :

"... That consideration has led many to think that a probe into the affairs of Dandakaranya by some external agency is called for."

Earlier it says :

... If it be true, as some reports have indicated that the Ministry, instead of keeping aloof so long has, on the contrary, been so meddlesome . . . the expectation that it will prove to be the consummate healer is unlikely to be realised."

I need not reproduce what the 'Statesman' said. All Bengal papers, all papers supporting the Congress Party, have expressed themselves about it. This is the expression of public opinion in West Bengal. The West Bengal Congressmen are expressing the same thing. They say, "We elected Mr. Khanna from our West Bengal Legislative Assembly to Rajya Sabha, and he has let us down." We never elected him. Even Shrimati Sucheta Kripalani, General Secretary of the Congress, speaking in Hovvrah on the 25th May, 1959, strongly criticized Mr. Khanna's Ministry and the Dandakaranya Project. Therefore, it is not a partisan question at all.

Sir, serious things are happening in Dandakaranya, for which the Minister himself gave an explanation in the beginning. A judicial public enquiry is absolutely essential into the Dandakaranya affairs, especially in respect of the role which the Ministry of Rehabilitation, headed by Mr. M. C. Khanna, have played in the context of charges and counter-charges made publicly.

In his statement, the Minister referred to the secret note of Mr. Fletcher. We would like to have that secret note. Somehow, it appeared in the press. Mr. Banerjee, another

[Shri Bhupesh Gupta.] Member-in-charge of Engineering, wanted to write something in the papers. To that the permission was not given. We would like to know what he wanted to say.

Then, Mr. Khanna has made some allegations about the officers. I do not ask the House to go into these at this stage But are we not entitled to demand a judicial enquiry by some responsible people when some charges and counter-charges have accumulated, not from Opposition but from Congressmen and officers who had been directly concerned with the affairs of the Dandakaranya Project? It is fair that this should be done. All Bengal papers are demanding it.

Let me come to the sad story of Dandakaranya. In 1957 the project idea came and it was set up or inaugurated at the end of 1958. I will tell the House that when the autonomous board was created, we were told two things in this House and in the other House. What were they? The first was that here was an autonomous Board which was being invested with very great powers for the development of an unchartered and undeveloped area. I have got before me an article by Shri S. V. Ramamurty, the Chairman of the Project Such big things were said like; "Dandakaranya will be to Bengal what America had been to Europe during the past three centuries." We never attached much importance to it but that is what he said. Then he said, apart from mentioning Rama and Seeta, various other things:

"I felt that it was a fit task for free India to develop this long neglected area and make it available for increasing national wealth and the meeting of national needs."

Very many things he said. Shri Jyoti Basu and I addressed a letter to the Prime Minister, Shri Jawaharlal Nehru, and he was good enough to answer from Nagpur. He was then

attending the Nagpur Congress at that time. I have got the original reply. He said:

"Obviously it is far cheaper to rehabilitate them in Bengal it this was possible. In fact the Dandakaranya scheme is attracting so many people from other provinces that it would be quite easy to fill it up with these people but we have, for the present, reserved it for the displaced persons in Bengal.

Yours sincerely,

(Sd.) Jawaharlal Nehru." Raj  
Bhavan, 8th January 1959.

This is what Panditji wrote to us when, we drew his attention. Now, what happened? In July 1958 there was a high-powered Ministerial Conference and when Ministers attend a meeting, it is always high-powered, not low-powered. That was perhaps atomic-powered, from that angle. Who attended that meeting? There were in that meeting the Law Minister, the hon. Finance Minister was present, Chief Minister B. C. Roy was present, Shri P. C. Sen was present and Shri Mehr Chand Khanna, of course, was present. Four important decisions were taken—one, that the camp refugees from West Bengal should get priority and be sent to Dandakaranya; two, that afterwards non-camp refugees would be sent there; three, Calcutta should be given proper help to develop under the Corporation in order to resettle the refugees. I think the fourth was that some industrial projects should be started within West Bengal for rehabilitation of the refugees. On every single item, I make bold to say, the hon. Minister has failed to implement these decisions. As far as Dandakaranya Project or shifting of the camp refugees to Dandakaranya was concerned, it was announced on the basis of that important decision, that by the 31st July 1959 all the camps would be closed because it would not be necessary for the camp refugees to remain

there since the Government had decided to remove 35,000 out of the 45,000 families to Dandakaranya. We were told that by May this year, that is last May, 35,000 would be removed to Dandakaranya. Announcements were made and publicity was given to that. What happened? By May 1959, only 211 families were removed and very few acres of land were reclaimed. It is there—last time I said it and I repeat it here. That was the performance. That is the difference between promise and performance, mind you. On the basis of that target, 35,000 camp refugees were told: "Go to Dandakaranya or be ready to face starvation in Bengal because we shall give you only six months' dole and you have to fend for yourselves. We shall not be responsible." We pointed out to the Prime Minister in our letter and to others:

"It would not be possible, the project cannot go on like that and they will not be able to do it and when Mr. Mehr Chand Khanna is in charge, he would not be able to manage a tea shop, a big tea shop."

I said it. Nobody listened to it. We were accused of coming in the way of resettlement and all that. But that was the performance. Then what happened? They started sending those people, those 211 families in November/December. When the West Bengal Government was drawing up its lists of people to send, suddenly an order came to stop that and Mr. Khanna said that from 25 camps, nobody should be sent. Then he suddenly said that only refugee families with four persons should be sent. When people who had applied previously for going to the Andamans and others, before the scheme was in the offing, applied for going to Dandakaranya, he said that they should not be taken. The Bengal Government was in confusion. I am not an apologist of the West Bengal Government, as the hon. House knows. I do not speak for the Bengal Government. Then those miserable fellows were absolutely in confusion. They said: 'What are we to do? We are getting

directions and the Minister gives directions of this kind, one direction upsetting the other." There was confusion and the result was this that some of the directions were sent seven days before people were to be sent. That was his performance and confusion arose as you know and only 200 families or so went. Then he started cutting the doles of those who would not go. He was not mindful of what was happening in Dandakaranya but started cutting down the doles of the people who would not go. Then a policy of discharge took place in the camps of "undesirables or people" who were not according to him legitimate refugees. In West Bengal it is called Mr. Mehr Chand Khanna's policy of discharge and death because he was looking forward to the depletion of the camp population by a policy of discharge through screening on the one hand and death on the other, because conditions were abominable and due to the infernal conditions, people died. He proceeded along these lines. Then coercion took place. A crisis developed in Dandakaranya. I need not go into it as to how the crisis developed because last time I said it. Nothing was done. Here is the 'Statesman' writing about Mr. Fletcher and the secret note to which reference was made by the hon. Minister in his statement. Mr. Fletcher said:

"The tempo dropped sharply after May 6 and everything came to a standstill. The note says that the plan to find room for more displaced persons before July had to be abandoned. Valuable time had been lost and the project is now passing through a difficult period. Only Herculean effort on the part of all concerned can see it through."

This is what he said. Then other things are said and I need not go into them. Mr. Khanna's reaction to that statement, when he was met by the

"Statesman' correspondent, was this: "Mr. Khanna declined to comment on the departmental deficiencies with the remark: 'I do not bother about minor details unless they

[Shri Bhupesh Gupta.] clash with or obstruct the working of the Ministry's broad policies. If some officers are unhappy with the

DDA they are free to quit it and if they fail to work in line with the policies they will be made to quit."

The death warrant of Mr. Fletcher was signed at that press meeting. I am reading from the 'Statesman' of 29th October 1959. There was a plan, there was a design unfolding itself as though in a drama, leading to that kind of episode which has taken place. What happened? Here we must come to the real thing. Mr. Khanna played this set of officers against another. I do not hold any brief for Mr. Fletcher. That was his technique. He usurped the authority. Firstly, he tried the Calcutta office of the D.D.A. to be transformed into an appendage of the Ministry here, then made them divided—the technique of divide and rule—and then the technique was transplanted into the Dandakaranya Project. When the refugees are wanting succour and relief, they are thrown to the mercies of cruel intrigues there. That was the position. What happened then? He said that they would not do team work. What were you doing? Gradually, powers were taken. It is nothing new with Mr. Khanna. He came in 1954 and took over, flattered the Chief Minister of West Bengal and promised that whatever difficulties arose between the Centre and the West Bengal Government, he would solve. He gave all assurances and good things were said about him. Then he did not do it. Then a whispering campaign was started against the local Rehabilitation Ministry. That is how the game of divide and rule was played. There was utter confusion between the Central Ministry and the State Ministry, confusion between the Central Rehabilitation Ministry and the Dandakaranya Project, which is entirely Parliament's responsibility. This is the position into which the project has been landed. Mr. Khanna wants to get away by saying that the officers are at fault and he is trying to set matters right. Then what has happened to the auto-

nomous idea? The autonomy of the project has been robbed because every-i thing was based on autonomy and you see, changes have been made now which practically divest this body of all powers. Mr. Khanna, step by step and stealthily, has taken away the powers and plucked whatever autonomy was there. And in a position like that, when it came to an investigation, he sent his Secretary to investigate. Who would believe such a thing in a situation like that? That is why I say not only Mr. Fletcher has gone from this project, but the autonomy of the body, the autonomy which it was supposed to enjoy, has also gone and its very wide powers of policy-making, execution and so on, have all gone and it has been shorn of all its powers and made into a pitiful appendage of the hon. Home Minister and he thinks that it is a great performance. It is a sorry tale.

SHRI MEHR CHAND KHANNA: Not the Home Ministry, but the Rehabilitation Ministry.

SHRI BHUPESH GUPTA: Yes, of the Rehabilitation Minister who has rehabilitated himself very well. Therefore, people in West Behgal say that Mr. Khanna is developing a vested interest. Mind you, when the project was under discussion, many things were said. Then they saw him negotiating with the Madhya Pradesh Government and others for land to settle refugees there and everywhere and he was sending some refugees to Rajasthan, Madhya Pradesh and so on. And so the people became doubtful and said, "Why, all of us were told that we would be settled in a great Bengali community in Dandakaranya? But now we find he is trying to negotiate a land deal with these people. Is it in order to send us outside Dandakaranya into different States?" So, this is how he behaves.

These are the statements I have, I am not quoting any more. I have brought a list of them, because I may be challenged and so I have all these files and papers here. I have kept every single thing because I know

that the day of judgment will one day arrive.

I do not want to say very much now and I will only conclude by saying that two things are quite necessary. I have spoken to the House of the failure, of the project and everybody concedes that. Therefore, firstly I say it would be graceful for Mr. Khanna to resign his office, because nobody wants him. The refugees do not want him. West Bengal does not want him. No party in West Bengal wants him. So, that would be fair and graceful. Mr. Ajit Prasad Jain resigned and it was graceful of him to have done it. Mr. Lai Bahadur Shastri resigned from office because of a railway accident for which he was not even personally responsible. And here is the Rehabilitation Minister who is every bit responsible and at every stage for this scandal. Secondly, Sir, there should be a public judicial enquiry, for that is essentially called for. This is vital. Rs. 100 crores you have sanctioned for long-term purposes and for short-term purposes you have Rs. 30 crores. For ten years you have given Rs. 10 crores or so. Are we not entitled to know what is happening? Or are we to just pass over it in silence because this is an issue between some poor refugees and the Rehabilitation Minister? Are we to look at it as if it were a fight between the Minister and some recalcitrant I.C.S. officers? Are we to take that view of this matter? This is a serious challenge that has come and that is how we should look at it. The Prime Minister said that the Dandakaranya project was a big challenge. So says Mr. Ramamurti in his article here. Yes, I too say it is a big challenge to everybody and it demands that we should institute a judicial enquiry into the whole affair. After the enquiry, punish the officers if you like. At the same time, these telegrams have been pouring in everyday, begging all of us, Members of Parliament in both Houses of Parliament, saying, "For Heaven's sake and

for the sake of the refugees, please get rid of Mr. Khanna. Get another Minister there, if you will, who will try to implement this project in the best possible way." That is their demand. After all, Ministers do not exist in perpetuity. They have to quit some time, and here is the occasion, if ever there was an occasion, for a Minister to gracefully bow his way out of office and make room for another person in order that the correct policy of a Government may be formulated and carried through and the Dandakaranya project may become a reality.

The question u>as proposed.

MR. DEPUTY CHAIRMAN: Two hours' time has been allotted for this debate and I have got here six speakers. Sufficient time has to be given to the Minister also to reply. So, each speaker will please take only ten minutes.

**श्रीमती सावित्री निगम ( उत्तर प्रदेश ) :**

उपसभापति महोदय, दंडकारण्य स्कीम पर आज सदन के सामने विचार-विनिमय करने के लिये हम सब लोग यहां उपस्थित हैं ।

श्रीमन्, जिस समय मुझे यह नोट मिला और मैंने उसका गम्भीरता से अध्ययन किया तो मैं इस नतीजे पर पहुंची कि इस नोट में बड़ी ही हयूमिलिटी के साथ, बड़ी ही विनम्रता के साथ उन कठिनाइयों को भी स्वीकार किया गया है जो कि आज दंडकारण्य स्कीम के सामने रोड़े अटकाये हुई हैं और उस में उस देरी का या जो भी वमियां महसूस की जा रही हैं या जो भी कठिनाईयां महसूस की जा रही हैं उनका भी उल्लेख किया है और साथ ही साथ उन सफलताओं की जो कि प्राप्त की जा चुकी हैं उनकी कोई डींग या शान नहीं हांकी गई है । मेरे मन में उठी हुई वे तमाम शंकाएँ जो कि श्री भूपेश गुप्त और उनकी पार्टी के एंटी प्रोपोगेंडा के द्वारा उपस्थित हो गई थीं इस नोट को पढ़ने के बाद करीब करीब दूर हो गई हैं । मैं और किसी बात के लिये नहीं तो कम से कम इस बात के

## [श्रीमती सावित्री निगम]

लिए कि उनकी पार्टी ने इस स्कीम के बारे में जो बड़ी सफलता पूर्वक इतना प्रोपोगेंडा किया है जिस से कि समझदार से समझदार व्यक्ति के मन में भी शंकाएँ उठ गई हैं, उस सफलता के लिये उनको जरूर ही मुबारकबाद देना चाहती हूँ।

श्रीमन्, मैं ने बहुत ध्यान से यह नोट पढ़ा है और मुझे यह विश्वास हो गया है कि हर विचारशील आदमी जो कि शरणार्थियों का शुभचिंतक है इस नतीजे पर पहुँचेगा कि यदि यह योजना अच्छी तरह से पूरी हो गई तो यह शरणार्थियों के लिये ही नहीं बल्कि पूरे देश के लिये भी अत्यंत लाभकारी साबित होगी। इस में संदेह नहीं है कि बहुत सी कठिनाइयों का सामना आज भी इस स्कीम के कारण सरकार को और सरकारी अधिकारियों को करना पड़ रहा है। किन्तु, अभी जो पर्सनल क्रिटिसिज्म श्री भूपेश गुप्त ने किया है उसे सुन कर मुझे बहुत ही शोभ हुआ। उनके रिमार्क्स इतने व्यक्तिगत थे कि न तो वे इस सदन के लिये और न ही उनकी पार्टी के लिये रत्ती भर शोभनीय थे। श्रीमन्, यह भी नहीं है कि मैंने खन्ना जी की या रिहैविलिटेशन मिनिस्ट्री की पालिसी को हमेशा स्वीकार ही किया हो। अक्सर ऐसा होता है कि पालिसी मैटर्स में मैं उनसे डिफर करती हूँ लेकिन मुझे याद नहीं है कि कभी भी मुझे इस सदन में या इस सदन के बाहर उन कठोर शब्दों का प्रयोग करना पड़ा हो जो कि आज व्यक्तिगत प्रतिहिंसा के रूप में श्री भूपेश गुप्त ने किये हैं। उसका केवल एकमात्र कारण यह था कि मेरी निजी स्वार्थ उस पालिसी के डिफरेंस में नहीं था और इसीलिये उन कठोर शब्दों के प्रयोग करने की आवश्यकता नहीं पड़ी जो कि आज श्री भूपेश गुप्त जी ने किये हैं।

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) in the Chair.]

श्रीमन्, शरणार्थी समस्या आज कोई नहीं नहीं है। यह पिछले १० वर्षों से हमारे और देश के सामने उपस्थित है और यह समस्या ऐसी है जिसमें कि धन और टेक्निकल एडवाइज के अतिरिक्त गुडविल और कोऑपरेशन का सबसे अधिक आवश्यकता है। इसमें भी कोई संदेह नहीं है कि जिस तरह से हमारे देश में इस समस्या को मुलज्जाया गया है और करीब एक, डेढ़ करोड़ शरणार्थियों को पुनर्वासित किया गया है वह आज हर देश-वासी के लिये बड़े गर्व का विषय है और उसके बारे में देश के लोग ही नहीं बरन् विदेशों के लोग भी हर तरह से हम लोगों को बधाई के शब्द कह चुके हैं। इतनी लम्बी और बड़ी समस्या को मुलज्जाना कोई मजाक नहीं है और मैं यह भी कहना चाहती हूँ कि आज सरकारी और गैर सरकारी सूत्रों के सहयोग के कारण ही यह समस्या लगभग ५० फीसदी मुलज्ज गई है। इसमें भी संदेह नहीं है कि जब तक बंगाल के शरणार्थी भाइयों का पूरी तरह से पुनर्वासित नहीं किया जायगा तब तक मैं यह मानने को तैयार नहीं हूँ कि वह २० फीसदी समस्या जो कि आज हमारे सामने है मुलज्ज होई कहीं जा सकेगी। श्रीमन्, मैं उस दिन को बड़ा मुबारक दिन समझूँगी जिस दिन कि वे सारे कैम्प उठ जायेंगे जिन कैम्पों में आज बेचारे शरणार्थी भाई एक अनिश्चित जीवन बिता रहे हैं, उनको पता नहीं है कि क्या होने वाला है। उन सारे कैम्पों में जो लगभग डेढ़ या दो लाख आदमी हैं वे भी जब वहाँ से उठा लिये जायेंगे—जो कि आज वहाँ पर संशय और शंका में पड़े हुये हैं और जो कि हर प्रकार के शोषण का शिकार हो रहे हैं—तब उस दिन को मैं एक बहुत बड़ा सौभाग्यशाली दिन मानूँगी।

श्रीमन्, दंडकारण्य स्कीम के बारे में मेरा भी यह मानना है कि जितनी जल्दी और जितनी सतर्कता इस काम में बरती जानी चाहिये थी उतनी नहीं बरती गयी और मैं यह भी कहना चाहती हूँ कि इसके दो, तीन

कारण हैं। सबसे बड़ा कारण यह है कि इसमें व्हेस्टेज इंटरैस्ट के लोग हैं जो दो प्रकार के हैं। एक वे हैं जिन्होंने तरह तरह से रोड़ा अटकाया है, जिन्हें शरणार्थियों से प्रेम नहीं है बल्कि व्यक्तिगत स्वार्थों से प्रेम है। उन्हें इस बात की चिन्ता नहीं है कि पब्लिक एक्सचेजर का कितना रुपया बरबाद हो रहा है, इस गरीब देश का पचपन छप्पन करोड़ रुपया बर्बाद हो रहा है, क्योंकि उन शरणार्थियों का राशन ठेकेदार खा गये हैं, उनको इस बात की कोई चिन्ता नहीं है चाहे करोड़ों रुपया इनकी जेब में चला जाय न उन्हें इस बात की चिन्ता है कि बेचारे रिफ्यूजीज इतना कष्ट पा रहे हैं, उनका कितना अनिश्चित जीवन है। उनको केवल एक चिन्ता है : उनका अपना व्यक्तिगत स्वार्थ बना रहे, अपनी पार्टी की लीडरशिप बनी रहे और पार्टी को मजबूती मिलती रहे। श्रीमन्, इतना प्रेरणा से कलकत्ता में फूड एजिटेशन हुआ। इसी स्वार्थ को लेकर ट्राम्वे का स्ट्राइक हुआ। हुआ वही कि जनता को भड़का कर उसका एक्सप्लोइटेशन किया। श्रीमन्, जो इन अभाग्य शरणार्थियों को मजबूरियों से बेजा फायदा उठाकर दंडकारण्य स्कॉम के बारे में तमाम अफवाहें उड़ाई जा रही हैं उन सब के पीछे यही केवल एक स्वार्थ है कि उन लोगों से वोट हासिल किये जायें, उनकी मजबूरियों से बेजा फायदा उठाकर, अपनी पार्टी का स्वार्थ पूरा किया जाय।

श्रीमन्, एक दूसरी तरह के लोग भी हैं जो इस दंडकारण्य स्कॉम का विरोध कर रहे हैं। ये वह लोग हैं जिनकी रोजी चलती है, जो कि हजारों लाखों रुपया टेंट के किराये से ही पाते हैं। वे यह चाहते हैं कि जब तक वे रिफ्यूजी बने रहेंगे उनकी रोजी भी बनी रहेगी। इस प्रकार दो स्वार्थों के बीच में इन अभाग्य शरणार्थियों के जीवन में खिलवाड़ हो रहा है और इसलिए वे सभी कोसे जा रहे हैं जो इस स्कॉम को सफल बनाने में सहायक होते हैं। वे भी आलोचना के पात्र हो जाते हैं। अफसोस की बात है कि इतने

अखबारों की कटिंग पढ़कर भूपेश गुप्ता ने अपना समय नष्ट किया। उनका इन्फिल्ट्रेशन हर बाक आफ लाइफ में है। मैं श्रीमन्, सदन के सामने आपके जरिये माननीय मंत्री महोदय को बताना चाहती हूँ कि जिस प्रकार का प्रचार लगातार, कांस्टेंटली, हुआ है उससे हम जैसे लोग जिनका कोई स्वार्थ नहीं है और सुचेता जी जैसे लोग, प्रभावित हो गये कि कहीं इनका प्रचार दस या बीस प्रति शत भी तो सही नहीं है...

**SHRI BHUPESH GUPTA:** Sir, does it mean infiltration into the A.I.C.C.?

**श्रीमती सावित्री निगम :** इसलिये मैं बताना चाहती हूँ कि हम और सुचेता जी जैसे लोग जब प्रभावित होकर चिन्ता में पड़ सकते हैं तो उन अखबार वालों का गलतफहमी में पड़कर एडीटोरियल लिख जाना कोई आश्चर्य की बात नहीं है। इसलिये श्रीमन्, इस सदन के सदस्यों से मेरा एक अनुरोध है कि न तो वे इन प्रचारों की ओर देखें, न वे इस प्रकार की गलत तरीके की जो गलतफहमियां वे फैला रहे हैं, उनकी तरफ देखें। उनको देखना चाहिये उन दुखी और मुसीबतजदा भाइयों की ओर जो कि अनिश्चित जीवन से घोर कष्ट पा रहे हैं और उन्हें देखना चाहिये उस कलंक की ओर जो कि आज पब्लिक एक्सचेजर के ऊपर लगा हुआ है, हमारे खजाने पर लगा हुआ है, जिससे करोड़ों रुपया बहा जा रहा है। यदि वह रुपया शरणार्थियों की भलाई में काम आता तो मुझे कोई एतराज नहीं होता; चाहे वे जीवनपर्यन्त कैम्पों में रख जाते फिर भी मैं उसका विरोधी नहीं करती। लेकिन उसमें से थोड़ा अंश ही शरणार्थियों को मिलता है, बाकी उन तमाम लोगों को मिलता है जो आर्गेनाइजर्स हैं, ठेकेदार हैं, टेंट वाले हैं।

श्रीमन्, खेद का विषय है कि इस सदन में उन अधिकारियों की भी आलोचना की गई, उन अधिकारियों का भी नाम लिया गया,



## [श्रीमती सावित्री निगम]

जिन्हें कि हम इस डेमोक्रेसी का अंगरक्षक मानते हैं, हम उनका बहुत सम्मान करते हैं। उनके बारे में सदन में चर्चा किया जाना मैं उचित नहीं समझती। लेकिन, श्रीमन्, जब उनकी चर्चा की गई है तो मुझे यह कहना ही पड़ेगा और मैं माननीय रिहैबिलिटेशन मिनिस्टर के सामने चार सवाल इस विषय में रखना चाहती हूँ। यह जो फ्लेचर साहब का मामला उठाया गया उसके सम्बन्ध में मैं यह पूछना चाहती हूँ कि क्या यह बात सच है कि फ्लेचर महोदय के स्वभाव के कारण उनकी शिकायत बंगाल के चीफ मिनिस्टर महोदय ने भी की? उनके स्वभाव में हमें नेचर से डील न कर सकने की जो कमजोरी है, क्या उसके कारण उनकी शिकायत मध्य प्रदेश के मुख्य मंत्री ने भी की? क्या श्रीमन्, यह भी सच है कि अगस्त के महीने में यह निश्चय कर लिया गया था कि उनको अलग कर दिया जाय? लेकिन फिर भी उनके साथ ढीलढाल और सहानुभूति बरती गई और उनको अलग नहीं किया गया और उसी का नतीजा अब तक भुगतना पड़ रहा है और उन्होंने तमाम बवंडर खड़ा कर दिया है। श्रीमन्, चौथी बात मैं यह भी पूछना चाहती हूँ कि उन्हें उस समय क्यों नहीं अलग किया गया? जब एक बार उन्हें अलग करने का निश्चय किया गया था तो उसी समय उन्हें अलग क्यों नहीं किया गया। श्रीमन्, वैसे तो एक व्यक्ति का महत्व बहुत है लेकिन उससे कहीं अधिक महत्व लाखों शरणार्थियों के जीवन का प्रश्न रखता है और उतना ही बड़ा उस प्रोजेक्ट का है जिसके द्वारा शरणार्थियों को पुनर्वासित किया जाने वाला है। जब हमने लोकतंत्रीय व्यवस्था को माना है तब क्या हमको यह भी स्वीकार नहीं करना पड़ेगा कि कोई भी अधिकारी चाहे वह कितना ही योग्य हो, उसकी सफलता की सबसे बड़ी कसीटी यह है कि वह कितने लोगों को अपने साथ लेकर चल सकता है, कितने लोगों का

कोआपरेशन सीक कर सकता है? मैं यह नहीं कहना चाहती हूँ कि फ्लेचर महोदय में कोई योग्यता की कमी थी, मैं यह भी नहीं कहना चाहती कि मेरी उनसे कोई शिकायत है। उनकी शिकायत करने का मेरा कतई इरादा नहीं है। लेकिन चूँकि वे बेचारे लोगों से अपनी डीलिंग में सफल नहीं हो सके और वे लोगों को अपने साथ लेकर उन का सहयोग नहीं प्राप्त कर सके, इसलिये अगर इस योजना को सफल बनाने के लिये उनको अलग करने की जरूरत आ पड़ी थी तो मैं यह सोचती हूँ कि वह सर्वथा उचित था और कोई समझदार या ईमानदार आदमी इस बात से इंकार नहीं कर सकता।

श्रीमन्, अब मैं एक मिनट में अपनी एक बात कह कर समाप्त कर देना चाहती हूँ। मैं भी माननीय रिहैबिलिटेशन मंत्री महोदय से एक बिनय करना चाहती हूँ। वह यह है कि सचमुच जो प्रगति इस दंडकारण्य स्कीम को पूरा करने में आनी चाहिये और जिस तेजी से, जिस स्पीड के साथ, वहाँ का काम होना चाहिये था वह नहीं हुआ है। कारण मैं भी समझती हूँ। लेकिन अब भविष्य में, मैं उनसे प्रार्थना करती हूँ, जितनी जल्दी हो सके वे इस काम को पूरा कराने के लिये पूरी तीर से सतर्कता बरतें और डधर उधर जो तमाम श्रुत प्रचार हो रहा है उसको भी दूर करने के लिये वे अपना स्टेटमेंट दें ताकि बेचारे शरणार्थी जो आज चिन्ता में पड़े हुए हैं उनकी भी चिन्ता दूर हो, और साथ ही साथ, यह जो स्कीम है जल्दी से जल्दी पूरी हो।

DR. A. N. BOSE (West Bengal): Mr. Vice-Chairman, the hon. Minister has circulated a statement on the position of the Dandakaranya Project with suggestive but mystifying references to some quarrels among the senior officers. We are completely in the dark as to the reasons behind these disputes as to whether they arise out of personal rancour or out

of temperamental differences or out of differences in administrative policy or over priorities. Moreover, Sir, we have not the statements and letters of the officers concerned before us nor have we got the report of the Secretary who enquired into the matter. Sir, we are not at all concerned or even interested in the personal bickerings of the officers or between the officers and the Minister himself. What the House is interested in is the actual progress achieved in the Project of Dandakaranya, and in this matter, Sir, I am sorry to observe that hardly anything is given in this statement. In April, 1958, Sir, a note was circulated on the Dandakaranya scheme in which some targets were fixed for the next three years. For the year 1958, the target for reclamation was 25,000 acres and the target for resettlement was 2,760 families. According to the statement, Sir, I find that instead of 2,760 families, 1,100 persons have been moved not in one year but in twenty-one months. And among these 1,100 persons moved we do not know how many are still in camps and how many have been actually resettled. Even assuming that all of them have been resettled, it comes to about 10 per cent of the target achieved in 21 months instead of one year. As regards the area reclaimed, we have nothing, in the statement except that large areas of land have been secured. In the note which we received only this morning, the figure comes to 1,500 acres at Umarkote and 2,000 acres at Pharasgaon, i.e. 3,500 acres in all. Against a target of 25,000 acres it would appear that only 14 per cent of the target has been achieved in the course of 21 months, not one year. A sum of Rs. 10 crores was earmarked to be spent in three years for the completion of the project but we have nothing here to show the amount that has actually been spent. About the rest of the achievement, we have it in paragraph 14. The achievement made in 21 months goes thus "a plan has been formulated, a survey is undertaken, staff assembled, reclamation machinery purchased and good progress made" in

the programme of malaria eradication. We are told that for immediate purposes short-term plans of development of certain areas have been taken in hand. After 21 months short-term plans are taken in hand, not to speak of long-term plans at all. We are told further that reclamation operations in the Madhya Pradesh zone will start *next* month. Actually reclamation operations were started in Madhya Pradesh long ago as stated in the other note which came this morning. Work started in Pharasgaon in the reserve forest areas of Bastar but the work was interrupted by the Madhya Pradesh Government because they did not like forests to be destroyed for reclamation. Pharasgaon was abandoned and work was started at Umarkote in Orissa and there the construction of a forest road was interrupted because the Orissa Forest Department's permission had not been obtained. It seems clear therefore that plans for reclamation are formulated and displaced persons are packed off to these areas even before the release of land from the respective Governments is secured. It is natural therefore that in view of this bungling, in view of this lack of foresight, lack of planning, progress has been delayed and there has been discontent among the refugees and there have been demonstrations.

Refugees, Sir, it is admitted on all hands, are not averse to work. They are ready to do hard work; only the work must be suitable for their aptitudes, for their capacities and for their physical strength. Farmers want land to be cultivated, artisans want tools to produce things but by a curious feat of imagination the authorities selected farmers for removal to Dandakaranya not for the purpose of cultivating land but for loading and unloading. They were persuaded to come to Dandakaranya with promises of land and home dangled before their eyes. Land and home were slow in coming and even now most of them have not got them. Moreover these are men who have been physically wrecked by years of

[Dr. A. N. Bose.] camp life, by years of living on doles, men who have been earning Re. 1 and 50 nP every day per family for their maintenance. It can well be imagined what kind of hard work is possible for them.

Last year in April during the discussion on the Appropriation Bill I spoke on the Dandakaranya project, cautioned the Ministry against certain steps. I urged that the removal of displaced persons should be only after the work of reclamation is started, that reclamation should start in compact areas and not dispersed in widely separated areas where lines of communication are lacking and are difficult to build up. I also warned that displaced persons should be removed outside Bengal only after it has been ascertained that the States where they are being sent are willing to receive them and are willing to allot land for reclamation. Thirdly, I said that land should be sought in Bengal—every acre of unreclaimed land in Bengal should be sought out and availed of—before the displaced persons are sent outside. Lastly I asked them not to close the Department post-haste before some suitable arrangement had been made for the resettlement of these displaced persons. Unfortunately the hon. Minister was irritated at my comments and characterised my remarks as irresponsible. My hon. friend, Mr. Bhupesh Gupta has profusely quoted from papers. It is common knowledge that not only the Leftist parties and papers have come out with drastic criticism of the Dandakaranya scheme and its implementation. I hope the hon. Minister will not characterise the *Statesman* as a Leftist paper or a paper inspired by Leftist parties. The correspondent of that paper paid several visits to Dandakaranya during June and July last and made some reports in the paper which the hon. Minister may well go through and the criticisms contained therein are far more severe than those I have been making here now. It seems however that good

sense and wisdom are now dawning ...

SHRI BHUPESH GUPTA: Where?

DR. A. N. BOSE: In the Ministerial quarters.

SHRI BHUPESH GUPTA: It is darkness absolutely.

DR. A. N. BOSE: Sir, in July last it was reported that there was a conference in Kashmir of the Rehabilitation Ministers where it was decided that stress should be laid on the resettlement of as many camp refugees as possible in Bengal through bania-nama schemes. It was also reported that a decision was taken at the meeting that the Dandakaranya scheme had not progressed satisfactorily and that States outside West Bengal had pleaded inability to take in any more displaced persons. It is against such a contingency that we had warned. We had asked them to first ascertain whether land was available and whether the States were willing to accept the refugees, then start reclamation work and after the land is ready to take and settle the refugees. I hope even at this late hour the hon. Minister will take heed of these comments and make necessary amends.

SHRI B. D. KHOBARAGADE (Bombay) : Mr. Vice-Chairman, Sir, I have carefully gone through the statement that was made by the hon. Minister in this House. The statement rather narrates the story of a most shocking, sad and scandalous episode that took place in the Dandakaranya project and that has shocked the whole country.

[MR. DEPUTY CHAIRMAN in the Chair.]

I must state at the outset that I do not hold any brief for any officer concerned. I am not interested in the welfare of any officer. I am not interested whether any officer is retained in the Dandakaranya Authority or whether any officer is removed from the Authority. I am only interested in the successful implementation of the scheme, the scheme which

was formulated for the rehabilitation of 35,000 displaced persons, the scheme which was formulated for the social and economic development and advancement of the local tribal people. But unfortunately because of the sorry and sad state of affairs in the Rehabilitation Ministry we have not been able to achieve this purpose. My friend, Dr. Bose, has just informed the House about the targets that were set by the Dandakaranya Authority about one or two years back. Twenty-five thousand acres of land were to be reclaimed. What is the situation today? Only about 3,500 acres of land have been reclaimed. What about the removal of displaced persons from the Sealdah station to the Dandakaranya Project? It was claimed last year that about 25,000 families would be removed to the Dandakaranya Project by the end of July, 1959. What is the position today? As was told by Dr. Bose, only 1100 families have been removed to the Dandakaranya Project.

SHRI BHUPESH GUPTA: Not even 1,100.

SHRI B. D. KHOBARAGADE: It seems that—400 families and 300 families as mentioned in the note that was circulated this morning—only 700 families have been removed to the Dandakaranya Project. Instead of 25,000 families, only 700 families have been rehabilitated by the Dandakaranya Authority. So that is the way in which the whole scheme is being implemented. I am not concerned about the personal bickerings, personal rivalries or the differences of opinion as to how the scheme is to be implemented or executed. I only want that the scheme should be implemented as early as possible and the displaced persons should be rehabilitated in Dandakaranya.

If we take into consideration the whole episode, who is to be blamed? Unfortunately, the hon. Minister has not placed on the Table of the House

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the note which was sent by Mr. Fletcher, and the note or rejoinder, which, according to the statement of the Minister, was sent by the two Members of the Authority. In the absence of these two important documents, it is rather difficult to say who is at fault, who is to be blamed. Apart from that, I am not concerned about the officials' attitude.

SHRI BHUPESH GUPTA: They are preserved for the hon. Minister.

SHRI B. D. KHOBARAGADE: I say that the whole responsibility and even blame for this sad and shocking episode must be shouldered by the Central Rehabilitation Ministry. If we go through the Resolution which established this Authority, we will find that the Authority was not an autonomous Authority. It was subject to the control of the Central Rehabilitation Ministry. The Government Resolution clearly lays down that "The Authority will function in accordance with such directions as it may, from time to time, receive from the Government. The Ministry of Rehabilitation will be administratively in charge of the Authority." Therefore, so far as the question of laying down the policy is concerned, the Ministry is responsible. The Authority is responsible only for following the directions issued from the Ministry and to execute the policy laid down by the Ministry.

What is the position? Who is responsible then for this episode? If there were personal bickerings going on, there was personal rivalry, it was the duty and responsibility of the hon. Minister to resolve those differences. But what is the actual position? When this matter was brought to the notice of the hon. Minister, he did not take any steps. The first mistake that was made by the Rehabilitation Ministry was that the Ministry gave very wide and enormous powers to the Authority. No such enormous powers should have been given to the Authority. Powers were given to give contracts worth Rs. 40

[Shri B. D. Khobaragade.] lakhs to any individual. Powers were given to the Authority to appoint any individual as an officer under the Authority who could draw a salary up to Rs. 1,500 per month. Here even if we have to appoint a Class II officer, drawing a salary of Rs. 250 per month, he has to appear before the Union Public Service Commission. Such wide powers were given to the Authority. That was the first mistake done.

Secondly, no proper functions of the Authority were described. According to the Resolution what was the authority of the Dandakaranya Authority? What were the powers of the Chief Administrative Officer? What were the powers of the Members of the Authority? Nothing was mentioned. Apart from that, when in last July or August it was brought to the notice of the Rehabilitation Minister that there were such differences, may be differences of policy or may be because of personal bickerings, what action did he take? No action was taken at all. It is said that there were two or three matters of difference. The first was regarding the construction of the Raipur-Vishakha-patnam road which would run through Dandakaranya. The second difference of opinion was about the specification of buildings. And the third was about the programme for checking soil-erosion. So, if there was difference, how could this policy be executed? It was for the Minister to have got expert advice and to have advised the Authority. This is the Government policy. This is what the Government have decided and this must be executed by the Authority. And if any official, whether it is Mr. Fletcher, whether it is Mr. Bandopadhyaya or Major Sandhu, whoever it is, comes in the way of executing the policy laid down by the Government, he should be taken to task. But did the hon. Minister take that step in July or August? No. In August, Mr. Fletcher was called to Delhi. A note was sent to him from the Ministry saying that the Ministry did not want

to have his services retained in the Authority and that he would be sent back to Punjab. But it is surprising that the Chairman of the Authority suggested that he should be retained in the Authority. Well, if he was creating any trouble, any disturbance in the Authority, if he was creating any obstacles in the execution and proper implementation of the scheme, he should have been removed then and there. But no action was taken against him. No action was taken against any of the officers.

If we see the events in their proper perspective, it will be found that the whole trouble started when Mr. Bandopadhyaya and Major Sandhu joined the Authority in May. Before that there was no trouble at all.

Secondly, the House will note that Major Sandhu and Mr. Bandopadhyaya released a telegram to the Press. Unless and until they had stealthily published that telegram which they had sent to the Chief Minister of West Bengal, how could it have appeared in the Press? So, from all the circumstances, one thing is certain that those people *i.e.* Major Sandhu and Bandopadhyaya are to be blamed, and particularly the Central Rehabilitation Minister is to be blamed.

I am only concerned with one thing and that is that the scheme should be properly implemented and the displaced persons should be rehabilitated at the earliest. For that purpose I suggest that a public enquiry or a judicial enquiry should be held immediately, to enquire into the reasons for this episode to find out who is to be blamed and in future what steps should be taken by the Government to implement this scheme properly, speedily and successfully, so that the displaced persons can be rehabilitated as early as possible.

Thank you.

SHRI SANTOSH KUMAR BASU  
(West Bengal): Mr. Deputy Chair-  
man, I welcome this debate on the

statement issued by the hon. Minister, because the situation required scrutiny by Parliament, and this debate will also give an opportunity to the hon. Minister to clarify the position, particularly in view of the various newspaper reports and comments which have been placed before this House. It is worthwhile recalling certain basic facts with regard to the subject matter of this debate. Now, relief and rehabilitation of d's-placed persons from East Bengal has been a tremendous undertaking on the part of the Government of India. Having had firsthand knowledge and experience of the condition of East Bengal refugees in Pakistan, I am well aware of the misery and suffering through which they had to pass before they sought a new haven and sanctuary in India. Sustained and continued efforts have been made for their rehabilitation, and money and energy have not been spared to bring to them succour and relief under circumstances which are of a most difficult and unpredictable nature. 4 P.M.

Now, Sir, as a last resort it was decided to open up the vast area of Dandakaranya with the immediate object of rehabilitation of the East Bengal refugees and their removal from camps in West Bengal, along with the two-fold objective of local tribal welfare and the long-term scheme of developing an immense area in the very heart of the Indian sub-continent. In pursuit of these objectives, active and elaborate measures were adopted. The first important steps taken was to set up the Dandakaranya Development Authority. It was an administrative act without any statutory sanction. In order to achieve quick decisions and quicker results, tremendous powers were vested in the Authority, both financial and administrative. Sanctioning of projects costing up to Rs. 40 lakhs, creating of posts carrying salaries up to Rs. 2,000, and making of appointments with salaries up to Rs. 1,500—these are vast powers in all conscience, commensurate per-

haps with the vastness of the Dandakaranya area itself and probably unprecedented in the history of any non-statutory undertaking in this country.

Now, with such tremendous powers concentrated in the Development Authority, it is not unnatural to expect some scramble for exclusive exercise of such powers by individual members of the Authority charged with executive functions. The constitution of the Authority with highly placed officials seasoned in the public service of India was perfect and unexceptionable. The association of the States participating in the Dandakaranya scheme through their respective Chief Secretaries was also commendable. But what is regrettable is that the Chief Administrator, who was an I.C.S. officer, instead of acting as a co-ordinating and reconciling authority, wanted his decisions to be final even when he differed on technical matters from his two highly efficient technical colleagues, the Member for Engineering and the Member for Agriculture.

Sir, in a new enterprise of such magnitude, when primeval nature had to be harnessed and converted into inhabited towns and villages within the minimum time, when camp conditions in West Bengal demanded their speedy termination by the removal of the inmates to habitable and self-sufficient areas, these quarrels and bickerings in the distant forest far away from the headquarters of the Ministry were, in my opinion, a national calamity, particularly when large-scale preliminary steps had already been taken to give the scheme a good start in the shape of plans, surveys, public health measures, etc. As soon, however, as these undesirable trends were brought to the surface, the Minister of Rehabilitation took quick and vigorous steps to put the organisation on its feet after necessary enquiries had been made by representatives of the Ministry. There was drastic reduction in the powers enjoyed by the Authority. Sanctions of schemes were brought

[Shri Santosh Kumar Basu.] down from the limit of Rs. 40 lakhs to Rs. 10 lakhs. The constitution of the Authority has also been changed. The resignation of the Chief Administrator has been accepted, and a senior officer of the Ministry has been appointed the Chief Administrator. And to clarify his position and power *visa-vis* the other members, he has been appointed the Deputy Chairman of the Authority. The two technical Members, whose stand seemed to be quite unexceptionable that their decisions should not be subject to the overriding powers of a non-technical Chief Administrator, have agreed to remain and continue to serve what may undoubtedly be regarded as a patriotic and historic endeavour.

Now, Sir, the Minister of Rehabilitation should, in my opinion, be given full credit for acting in a crisis with determination and wisdom. I am not unmindful of the newspaper comments in West Bengal which should be given due consideration and due weight. At the same time there are certain indisputable facts which stand out and must be acknowledged in this controversy.

The progress so far made in the development of the area in spite of innumerable difficulties has been summarised in a very comprehensive note which has been circulated by the Ministry. Reclamation and development of land, conservation of soil, irrigation, resettlement of displaced families on land and their engagement in operational activities according to their aptitude, also settlement of landless tribals on newly reclaimed land, medical and public health measures with the establishment of a health centre and an organisation for malaria control, opening up of primary schools, arrangements for engaging displaced persons in skilled jobs and constructional works, opening of a number of work centres with the employment of five hundred displaced persons, these have already been undertaken and have materialised.

Now, the stage has been set for a speedy and progressive push forward for the tremendous and fascinating drama of turning a prehistoric and mythological territory into a highly developed and modernised region of this great country.

Now, Sir, in this new and somewhat altered context may I put forward a suggestion for the consideration of the hon. Minister? In view of all that has happened in the working of the Authority in the remote fastnesses of the Dandakaranya, he may consider the necessity of setting up a small advisory committee of non-official and official members, who may advise the Authority on such matters of policy as may be referred to them . . .

MR. DEPUTY CHAIRMAN: You finish your speech. I have to call another speaker.

SHRI SANTOSH KUMAR BASU: I will just finish in two minutes, Sir. I suppose it is a rather new and useful suggestion. I was saying, as may be referred to them from time to time by the Ministry or the Development Authority at regular intervals. They are to meet in the Dandakaranya area at least once in three months and may also meet at such other places as the Ministry may consider necessary. The main purpose of setting up such a body will be to associate responsible public opinion with the progress of the scheme without in any way interfering in its day-to-day working or execution and to represent to the outside public the results achieved from time to time. The Chief Ministers of the three States of Orissa, Madhya Pradesh and West Bengal which are immediately concerned with the project may preside at alternate meetings of the committee, and the Houses of Parliament and the three State Legislatures may each have two or three representatives as members. In other words, this Committee may function more or

less as an Informal Consultative Committee of the different Ministries except that it will have more frequent and regular meetings coming in direct contact with the progress of the work on the spot, and will advise on major policy matters as may be found necessary. The Union Minister of Rehabilitation may not be on the Committee as he will have to take final decisions on its recommendations at a later stage.

May I end my observation with a final word of appeal to the displaced persons now in West Bengal and to all parties and leaders who have been working for their benefit and well-being during all these years? Now that this mighty effort in Dandakaranya is going to be pushed forward in an integrated and effective manner to secure the permanent rehabilitation and settlement of our unfortunate brethren from East Bengal, can we not in all earnestness and sincerity explain to them the vast opportunities that are opening up for them, opportunities to start a new life with hitherto untapped resources, free from fear and competition, and to create conditions of peace and plenty to which they were accustomed before they left their homes in old-time East Bengal?

SHRI ABHIMANYU RATH (Orissa): Mr. Deputy Chairman, Sir, I come from the Dandakaranya area and I belong to Jagdalpur where they have the, headquarters. And moreover, I have visited all the spots where the work is in progress. I know better about the things that are going on there. Sir, the previous speakers have commented on what they have seen in the papers, but I am a practical man. I have visited every area and can give a true history and picture of all the things, how this scheme is going on there.

Sir, just before this scheme was implemented in the area, there came to Jagdalpur one Mr. Bose, a group leader of the displaced persons and

he joined Mr. Banerjee who is a reporter to a few Bengali publications at Calcutta. They started a local weekly paper, called the *Dandakaranya Samachar*, with Mr. Banerjee as its editor. This paper forecasts and creates situations since then. This publication is in the hands of an individual whose antecedents are doubtful and who is guided only by the motive of consolidating the position of his own community. We would perhaps all agree that a press put into a wrong gear carries a threat to righteousness, peace and democracy. There are strong rumours, and it is learnt that Shri Bando-padhyaya, Member (Engineering) of the D.D.A., is directly or indirectly arranging finance secretly for the running of this paper.

SHRI MEHR CHAND KHANNA: May I ask the hon. Member a question?

SHRI ABHIMANYU RATH: By all means.

SHRI MEHR CHAND KHANNA: I understood him to say that this *Dandakaranya Samachar* has been in existence from the very beginning, since about a year or so, but Mr. Bandopadhyaya has been there only for the last six months.

SHRI ABHIMANYU RATH: When I met him in Jagdalpur at the Circuit House, I requested him to stay for an hour and come along with me so that I could take him to the spot where this man was. But he said, "नहीं रहेंगे । चले जायेंगे ।"

करेंगे, जो बचेगा तुम्हारा रहेगा, ये बंगाली नहीं रहेंगे । चले जायेंगे ।"

Is this not true, Sir?

SHRI MEHR CHAND KHANNA-What?

SHRI BHUPESH GUPTA: A very interesting revelation,

SHRI ABHIMANYU RATH: That day I met him at the Circuit House.



[Shri Abhimanyu Rath.]  
He put his chair by the side of my

chair मैंने कहा : खन्ना साहब नमस्कार । आप रहेंगे या चलेंगे ? खन्ना साहब बोले : "हमको समय नहीं है, हमें इधर उधर जाना है । जो कुछ आपको चाहिये पूछना उसके लिये दिल्ली आ जाओ । सब कॉरिस्पॉन्डेंस दिखायेंगे । तुम कोआपरेट करो । यहां पर ये बंगाली नहीं रहेंगे । जो बचेगा तुम्हारा होगा ।"

These are the words which he said.

SHRI MEHR CHAND KHANNA: I am sorry that I have to contradict a Member of Parliament on the floor of the House. Mr. Rath sent a telegram to the Prime Minister, if I mistake not, just about the time when this trouble was going on in Dandakaranya, and in that telegram he had mentioned that the tribal situation was very acute. I am speaking from memory, Sir.

MR. DEPUTY CHAIRMAN: You can explain later. Let him proceed.

SHRI ABHIMANYU RATH: I cannot understand, Sir . . .

MR. DEPUTY CHAIRMAN: You please carry on with your speech.

SHRI ABHIMANYU RATH: Sir, it will be proper to apprise the House of the antecedents of the editor of this *Dandakaranya Samachar*.

MR. DEPUTY CHAIRMAN: We are not concerned with the *Dandakaranya Samachar*. Please come to the scheme. Your time is limited.

SHRI ABHIMANYU RATH: Of course, Sir, he is the man who started all these troubles.

MR. DEPUTY CHAIRMAN: Please go on with your comments on the scheme.

SHRI ABHIMANYU RATH: That is all right. If you want a true picture

I and the facts, I will also place them here. The trouble with the D.D.A. . . .

MR. DEPUTY CHAIRMAN: You come to your comments.

SHRI ABHIMANYU RATH: My comments are these, and I may be permitted to place these few facts before you.

In spite of initial difficulties and problems, the Chief Administrator who established his headquarters in Dandakaranya in December, 1958, got things going, and work on all fronts was making good progress until Shri Bandopadhyaya, Member-Chief Engineer, joined the project in early May, 1959.

As soon as Shri Bandopadhyaya joined, he stopped important work\* such as basha quarters for project staff at Jagdalpur, Koraput and other places in the area, accommodation (residential and non-residential) for mobile medical units, publicity and welfare units, reclamation units, health centres, warehouses for consumer goods, tools, plants, buildings materials, etc. etc.

He also began to alter approved plans without authority, discourage local contractors so that all works could ultimately be entrusted to group leaders from West Bengal who make irregular appointments, encourage indiscipline and corrupt practices, undermine the Chief Administrator's authority, intimidate junior officers and generally upset the project's progress. In these disruptive activities he found in Member (Agriculture) who had joined the project at the same time, an ally.

Both members have employed men, of their choice in utter disregard of rules and procedures and even their domestic servants were being paid by the project as chaprasis.

I can challenge the Minister, if he comes, I will get the evidence.

Various tactics were employed to drive out local and even D. P. contractors by not making payment or by inordinately delaying it, by not executing agreements, by delays in taking measurements, preparation of bills, etc. etc. A deliberate attempt was made by Shri Bandopadhyaya to stop the deputation of engineers and other personnel from the States of Orissa and Madhya Pradesh, so that men of his choice could be brought from West Bengal. He wanted 57 Assistant Engineers of his choice, 50 of them being from Bengal, to be appointed against 23 vacancies. The Chief Administrator opposed this and the proposals were not approved by the D.D.A. Over a hundred class III and class IV officers have been brought by him from West Bengal. A proper enquiry will prove a scandalous state of affairs and nepotism on a large scale.

Then, Sir, group leaders of doubtful antecedents have been brought to Dandakaranya. Some of them are not even D.Ps.

In this connection, I have already given some Information to the C.I.D. people and it is under investigation. A man who was studying at Cuttack and who was a student in the Engineering College, became a displaced person in Koraput and he was put in the Jagdalpur camp.

The activities of these men have become quite a scandal in the area. Local interests are being flouted and corrupt practices are being indulged in by these group leaders. All works are being entrusted to them. Verification of the antecedents of these people has been entrusted to the Collector of Baster. Out of nearly 280 men brought, only ten to twelve figure in the list supplied by Shri Bandopadhyaya. These group leaders will soon become the curse of the project; they will be responsible for corruption, black-marketing, malpractices, work of inferior quality and many other ills. Local contractors

and interests will suffer on account of these people.

Sir, this is important. False muster rolls are being prepared, tribal men and women are being underpaid and, in some cases, not paid at all.

DR. W. S. BARLINGAY (Bombay):  
What?

SHRI ABHIMANYU RATH: Wages.

There is misuse of project vehicles. This is a scandal. Jeeps with officers have been sent on three occasions from Koraput to Vishakapatnam, 290 miles to and fro, just to purchase railway tickets and make reservations for Member (Engineering). Sanctioned works have not been completed nor undertaken while unauthorised works for the benefit of construction department have been undertaken and completed in record time.

Valuable materials like cement and C.G.I. sheets are finding their way into black market, being openly misused by officers of the Engineering Department and lying all over the area without proper arrangements for storage, safe custody, etc.

Member (Engineering) is responsible for the introduction of provincialism and this will seriously harm the project.

The schedule of rates proposed by Member (Engineering) will not only be a drain on the project funds and provide ideal conditions for corruption but it will also have an adverse effect on the local development schemes. Member (Engineering) is now proposing estimates which are double and treble the estimates sanctioned.

Perhaps the most important of all these things is that the project vehicles are indiscriminately used by Member (Engineering) and officers of his department for visiting the club, travelling between office and residence and going to cinemas and towns

[Shri Abhimanyu Rath.] outside the area on flimsy excuses but in reality for recreation, etc. These vehicles are also being used to bring fuel wood for officers from distant places.

The Chief Administrator, who believes in discipline, hard work, integrity and respect for rules and procedure, is naturally opposed to all these things. These are the real facts.

MR. DEPUTY CHAIRMAN: Please finish it. I must call the Minister to reply.

SHRI ABHIMANYU RATH: Sir, I will take only one more minute. Local people, particularly tribals, whose interests the Chief Administrator was always zealous to protect and promote, are unhappy. The land allotment policy is such that the adivasis will be put to perpetual subservience. Many of them will be dislodged from their homes. They are asked to go to D.P. colonies where in subjection to outside people they are bound to lose their racial and cultural identity. Owing to a very strong individuality and a sensitive temperament, they may come into open clash with these D.Ps. Sir, I belong to the soil of Dandakaranya area and I have tried to possess intimate knowledge of the emotional requirements of the tribals there.

MR. DEPUTY CHAIRMAN: You send it to the Minister. He would look into it.

SHRI ABHIMANYU RATH: Sir, unless tribal interests are properly safeguarded, there will be, I suppose, some trouble between the displaced persons and tribals as they are easily inflammable. Therefore, Sir, their interests should be safeguarded.

SHRI MEHR CHAND KHANNA: Mr. Deputy Chairman, Sir, the motion before the House is:

"That the Statement regarding the Dandakaranya Project, laid on

the Table of the Rajya Sabha on the 27th November, 1959, be taken into consideration."

Sir, while moving the motion, my friend, Shri Bhupesh Gupta, has not only been kind enough to cast aspersions on me but has even attributed motives. I do not want to waste my time in proving my bona fides. I am, therefore, talking generally about the work that had been done in the matter of rehabilitation of displaced persons either from West Pakistan or from East Pakistan during the five years that I have been in charge of this Ministry. I would like to confine my remarks, as far as possible, to the statement that I made in the House the other day and also to some of the observations that have been made by hon. Members.

Sir, I would like to divide my statement into three parts: the first part would relate to the quarrels and the unfortunate situation that arose on account of the bickerings between three principal officers of the Administration—I mean the Chief Administrator, the Member (Engineering) and the Member (Agriculture); the second part would relate to the implementation of the scheme; and the third refers to the decision that the Government had taken with a view to seeing that the scheme was fully and expeditiously implemented.

Sir, when I made that statement in the House, I scrupulously avoided names, because I felt that according to the unwritten convention of this House, and of the other House, if a man was not in a position to defend himself, I should avoid either taking his name or saying things which he was not in a position to rebut. But unfortunately, Sir, my statement had been misconstrued and a number of interpretations put upon it. I hope you will forgive me, Sir, if I try and fill up some of the gaps today.

Sir, one thing has to be remembered that this Authority was created—as referred to by the hon. Member

from Chanda—on the 12th of September, 1958, by me, that is, it was created about 14 or 15 months ago. That Authority was to derive its authority from the Ministry of Rehabilitation, and one hon. Member has read the relevant portion of the Government resolution, which says: —

"The Authority will function in accordance with such directions as it may, from time to time, receive from the Central Government. The Ministry of Rehabilitation will be administratively in charge of the Authority."

If any power was to be derived by the Authority, it had to derive it from me. It was naturally up to me whether I gave it powers to sanction schemes up to Rs. 40 lakhs, recruit officers carrying a pay of Rs. 1,500 or to ignore some procedural formalities or not. So, Sir, the question of either taking over the authority or taking powers from the Authority either openly, clandestinely or surreptitiously does not arise. I can understand another Ministry being administratively in charge of a project and my trying to take charge of it, but when I create an Authority and that Authority derives all its powers from me—and so I am the parent body and no subordinate authority can replace a parent body and can take over that power which has been given to it by the parent body—I cannot understand it. That is one point that I wish to make clear. Secondly, I would also like to make it clear that whether it was the Chief Administrator, whether it was the Member (Engineering)—and his name is Shri Bandopadhyaya—or whether it was the Member (Agriculture)—and his name is Major Sandhu ...

SHRI B. B. SHARMA (Uttar Pradesh):  
Who was at Nainital?

SHRI MEHR CHAND KHANNA: Yes, Sir, he was at Nainital,—I selected every one of them myself. For Mr. Fletcher, I went to the Chief Minister of Punjab, Sardar Pratap

Singh Kairon, for Mr. Bandopadhyaya I went to the Chief Minister of West Bengal, Dr. B. C. Roy, and for Major Sandhu, who had done remarkable work in the Nainital Terai Reclamation Scheme, I pleaded with the Home Minister, Pantji, to persuade the Chief Minister of Uttar Pradesh to release Major Sandhu. Sir, Mr. Fletcher joined the post much earlier and these two officers joined about May this year. I want a distinction to be drawn between the period when Mr. Fletcher joined and the period that these two officers joined, whether you reckon the period from the time when Mr. Fletcher joined my Ministry and he was charged to prepare a scheme, to go to the site, and to hold discussions with the State Government or you reckon the period which is the relevant period, i.e., 12th September, 1958. The distinction that I wish to draw is that Sandhu and Bando were born in May 1959, but Mr. Fletcher was there for the last two years, or, at least as far as the Authority is concerned, right from the 12th of September, 1958. Sir, it will not be fair on my part to tell the House today—I hold that Mr. Fletcher is a very honest and conscientious officer, he has worked very hard, he has slaved for the scheme. I am prepared to admit and concede all that—but, Sir, I am sorry to say that he was not in a position or rather, he has failed to carry his colleagues with him, and has also failed to secure the co-operation of the three State Governments with which this Project is very intimately connected, that is Madhya Pradesh, Orissa and West Bengal.

Sir, Mrs. Savitry Nigam asked me three or four pointed and pertinent questions. I am not prepared to tell the House what the Chief Minister of Madhya Pradesh either told me or the Prime Minister of India, nor am I going to tell the House what Dr. Roy or, for the matter of that, the Rehabilitation Minister of Orissa conveyed to me in regard to the unfortunate and strained relations be-

[Shri Mehr Chand Khanna] tween my chief executive and the officers of these three State Governments.

Sir, the Member from Chanda, I am sorry, he is not in the House, who put me a very pointed and pertinent question, and the question was this, "that when you got to know that things were bad, that things were not taking shape, things were going wrong—you came to know about it as early as June and July—why had you been sleeping all this time? Why did you not take any action?" Well, Sir, my main trouble has been that for these three officers I went to the highest authority in the three State Governments. I brought about this team together with the object of the implementation of this scheme. But when I came to know, Sir, that soon after the two members joined things were taking rather an ugly shape, I made a very honest attempt to see that this team worked and none of them left us, because in their particular spheres everyone of them was doing a commendable job. I sent for all of them to Calcutta and talked to them. I asked my Deputy to go to Dandakaranya, not once, not twice but three times and he went there, Sir, towards the end of July, after our meeting in Calcutta, when an assurance was given to me by all the three members: "Let bygones be bygones. We assure you that we will work as a team and nothing will happen which might impede the progress of the scheme." My Deputy went to Dandakaranya a few days after that assurance was given to me. He comes back and reports to me that things are as bad as before, if not worse. I felt very perturbed about it. I then, Sir, passed orders, and the orders were passed in the first week of August, 1959, telling Mr. Fletcher that I had decided to replace his services at the disposal of the Punjab Government. As I said, I did that in the beginning of August, 1959. Mr. Fletcher came to Delhi and saw the Chairman of the Authority, whom you know. He is from Madras, a very

I senior I.C.S. officer, who even had officiated as the Governor of Madras. He is my Chairman as well as the Planning Adviser to the Planning Commission. I am talking of Shri S. V. Ramamurti whom Mr. Fletcher saw. He also saw my Secretary; he saw me and my Deputy, and he pleaded with us and so with the Chairman that "I" should be given another chance in the interests of the Project Sir, if I wanted to slaughter Mr. Fletcher, as Mr. Bhupesh Gupta had remarked, orders had been issued, and may I tell you, Sir, when I mentioned this to my senior colleagues at a Cabinet meeting, I was told that I was making a mistake and was told: "If this officer of yours cannot have the co-operation of the State Governments with whom he was working, if he cannot have the co-operation of his own officers to work as a team and cannot have the full confidence of the Ministry under which he was working, well, have this experiment, if you like, for a month or two, but it is not going to succeed." But, Sir, I did not heed the advice given to me by my senior colleagues. If any mistake I have committed, this one mistake I committed in the month of August, that having passed orders—also against the advice of my senior colleagues—I did not have those orders carried out and the services of Mr. Fletcher replaced at the disposal of the State Government. During that period and during the last two or three months I have been called names, I have been called anti-Bengali. It has been stated that I should even leave Bengal; there is no room for me there. It is stated that Shri Bandopadhyaya, who is a Bengali and who was given to me by Dr. B. C. Roy, is anti-Bengali, but Mr. Fletcher, who comes from Punjab, is a friend of the Bengalis, and he should be kept there. Sir, Shri Bhupesh Gupta tells me that the Congressites do not want me in Bengal, that I have lost their confidence. May I humbly tell him, Sir, that on the 5th of December, 1959, he and his party members moved a motion of no-confidence in the Bengal Assembly criticising me

and the Dandakaranya scheme and the motion was defeated by a majority of 117 to 44? Have I the confidence of the people of Bengal, or has he the confidence of the people of Bengal?

SHRI BHUPESH GUPTA: It is not «o, Sir. Here . . .

MR. DEPUTY CHAIRMAN: You have got the right of reply. Let him go on in his own way.

SHRI MEHR CHAND KHANNA: He wants me to resign. I have no intention of obliging him. Let me also tell him that I shall resign the day when the last man in the refugee camp in West Bengal has been rehabilitated and this problem is solved; I have no intention of sticking to this scheme of Dandakaranya for ever, "but as long as the scheme is related to the rehabilitation of displaced persons from East Pakistan, I shall see that this scheme is implemented, and is implemented fully, so that the unfortunate people who are there in the camps in West Bengal are properly rehabilitated. Sir, my record of five years has been challenged. May I tell you, Sir, and through you humbly the House, that when I went to West Bengal, in my first two years, 6,00,000 persons came from East Pakistan? If I was not a friend of the Bengalis, I could have closed the doors of the camps but, Sir, out of those 6,00,000, over 50 per cent, were taken in the camps. The camp population, which was at that time only 30,000 or 40,000, went up to 3,50,000, and up to today the Government of India has spent over Rs. 55 crores on relief alone of these unfortunate people who are living in camps. Sir, if I wanted to close the camps, I would have done so years ago. If it was my intention that my unfortunate brethren should starve, I could have thrown them out. Sir, no country could accept this position when it continued for a period of twelve years —Mr. Bhupesh Gupta and his Party persuading them to go on filling the camps and I should go on feeding

them. But I have done it. Now, Sir, we have taken certain decisions and they are these. These camps shall be closed. Not that I am going to starve people and throw anybody out of the camps. During the last 2½ years—I make bold to say—after that heavy influx from East Pakistan, out of the three lakh persons, today more than 50 per cent, have been taken out of the camps. One hundred and fifty thousand persons have been rehabilitated. The number of camps in West Bengal has been brought down from 148 to 91. There is not a single camp in Tripura today; at one time, I think there were about 30 to 40 thousand people in the Tripura Camps. The camp in Orissa has been closed. Out of the 30,000 population in the Bettiah Camp in Bihar, which at one time was the stronghold of my friend opposite and where they tried to create trouble for me at the time of the elections, there are only about five or six thousand persons now. Sir, let me tell the House something about *Jugantar* which has been quoted three, four or five times. Will it enlighten the House if I were to tell them that about a month ago, a news item appeared in *Jugantar* that I was being removed and Shri Asoke Sen was taking over—he is not here. In another news item of the same newspaper *Jugantar*, it was given that Shri Asoke Sen was planning to resign from the Rehabilitation Committee of the Cabinet. Another news item appeared only three or four days ago in which it was stated that one of my former colleagues, Mr. Ajit Prasad Jain, had made some undesirable references about me. This is the letter that Shri Ajit Prasad Jain wrote to me on the 10th instant. It reads:

"An M.P. colleague from West Bengal translated an article from *Jugantar* to me in which it is mentioned that I repeatedly warned the West Bengal Government on telephone that you were a bad and unreliable person, that otherwise too I consider you to be an undesirable

[Shri Mehr Chand Khanna.] person and had expressed that view. This is all wrong and has been concocted by someone opposed to you. I never rang the West Bengal Government about you, and I have had no talk with any newspaperman about you."

Should I place any faith in all that is written in this paper? Am I to swerve from my duty for only this thing that some of these people write a few things about me? I am not going to swerve from my right path.

Sir, my time is very short. Let me say two or three things in the end. One is this that I know perfectly well that Shri Bhupesh Gupta and his Party—and it is no secret—have lost ground not only in the rest of India, but in West Bengal also. There was a time that they could organise processions, they could hold meetings and food agitations that "P. C. Sen should go". He is still there. They said, "Tram fares should not be increased" but tram fares have been increased. Now, nothing else has been left for them to agitate against. In season and out of season he is trying to rake up refugee agitation in West Bengal. Let me tell him that this time the refugee agitation is not going to succeed and my reason is this.

Sir, we have told all the camp-dwellers in West Bengal; they have been given certain options. They have been told, "If you do not want to come to Dandakaranya, I am not going to force anybody. If you want the *Bainanama* scheme, there it is. You are welcome. Any scheme that you have got in mind, send it to me. I shall sanction it and you will have the first option to rehabilitate yourself in West Bengal. You can take a plot from us. You can take a loan from us. You can take a *Bainanama* loan from us. You can go and rehabilitate yourself on land. This option is yours, and this option is open to you for a period of ninety days. But after this option expires, you are not going to exercise it". These camps are

not going to be kept open to allow them to become the hunting ground for some of my friends opposite so that they can exploit them to suit their needs. I am not interested in the politics of West Bengal. If they want me to leave Bengal, certainly I have no answer.

Sir, I may be an "adventure" in the sense that I became refugee for the cause of my motherland. Everything that I possessed in worldly life I sacrificed. I had heard of Gurudev's land; I had heard of Netaji's land; I had heard of the land of Aurobindo Ghosh, but never had I realised that the sons of that land will come and tell me, "You vacate Bengal". Sir, as far as their bona fides are concerned, they are not interested in Bengal; they are more interested in China and other foreign lands than in their own motherland. Sir, I am not going to oblige him or his Party. As long as I have the confidence of my Party, as long as I have the confidence of the Congress Party in West Bengal Legislature, of the Congress Party in West Bengal, I am not going to oblige him. And may I tell you something more that in every single decision, either in relation to Dandakaranya or in relation to Bandopadhyaya or in relation to the removal or non-removal of any other officer that I have taken, I have taken the full concurrence of Dr. B. C. Roy? And today, Sir, Dr. B. C. Roy represents West Bengal. Dr. Roy is the Chief Minister of West Bengal. He has got the majority party behind him.

Only one thing I have to say in the end. Mr. Bandopadhyaya may have his shortcomings or weaknesses; I do not say that he has none. But Dr. Roy has assured me of his bona fides, of his integrity, of his ability. Am I to go by Dr. Roy or the friend opposite who spoke?

Sir, Shri Rath pretends to be the friend of the refugees, but he sends a telegram to the Prime Minister and also comes and tells me that these Bengalis whom I have brought been

are going to create trouble and there is going to be trouble among the tribals also. Let me sum up. Firstly, this Project shall be implemented. Secondly, the priorities that we have laid down, i.e. the rehabilitation of the displaced persons from East Pakistan and the advancement of the interest of the tribals shall be adhered to. And thirdly, the question of taking of a Punjabi, or an Andhra or a Madras does not arise. As long as there are displaced persons in camps in West Bengal and they are not rehabilitated, there can be no question of any other person being taken to Dandakaranya for purposes of rehabilitation. This is the categorical announcement that I want to make.

Today funny things are said in the press, namely, that though I come from Peshawar, I am a friend of the Punjabis, that whenever a non-Punjabi approaches me for anything, I say "no" to him. All my officers in my Ministry are Punjabis. My Secretary has been dubbed as a Punjabi. My new Administrator, Mr. Johnson, has become a Punjabi. Sir, I wish to assure the House that the project shall be implemented. There might have been little shortcomings in the project. They are bound to happen in any big project. Eighty thousand sq. miles and they are measuring it in terms of months. The area of the project is equal to the whole of East Pakistan plus West Bengal. It has remained untapped for thousands of years. There are no roads, no communications, etc. and I am being condemned, for what? Because I have not, within one year, done wonders there, and they want that there should be a judicial enquiry. Judicial enquiry into what? I do not understand about the judicial enquiry.

SHRI BHUPESH GUPTA: I have no objection to the hon. Minister's continuing but you must give me time.

SHRI MEHR CHAND KHANNA: Enquiry into what, I would humbly ask! Am I responsible to this House or not? On the one hand I am told

that I should not interfere in the working of the authority, that it is an autonomous authority, that it was given vast powers, etc. On the other hand a friend of mine, Mr. Rath, tells me that somebody went in a jeep, somebody went in a car, somebody is given contracts, etc. Am I the Chief Executive there? I am not the Chief Executive of that project. If anything has happened, it has happened during the time when some officers were in charge of the project. I only wish to submit that my friend, Shri Bhupesh Gupta, has unnecessarily cast aspersions on me by calling me an adventurer . . .

SHRI BHUPESH GUPTA: I quoted the papers.

SHRI MEHR CHAND KHANNA: I say nothing. He may refer to any paper but what my feeling about Mr. Gupta to-day is that he is a traitor.

MR. DEPUTY CHAIRMAN: 'Traitor' is an unparliamentary word. Please withdraw it.

SHRI MEHR CHAND KHANNA: I beg to withdraw the word.

SHRI BHUPESH GUPTA: Very good. But if I had said it, what would have happened in this House?

MR. DEPUTY CHAIRMAN: All right, please reply.

SHRI BHUPESH GUPTA: He had taken some time. This is the Minister and you have heard him. I am replying. When he called me a traitor, you did not . . .

SHRI MEHR CHAND KHANNA: He said that it was unparliamentary and I withdrew it.

SHRI BHUPESH GUPTA: To call him a traitor is to do honour to a traitor. Therefore I will not call him a traitor . . .

MR. DEPUTY CHAIRMAN: You also must withdraw . . .

SHRI BHUPESH GUPTA: I have not called him a traitor. The point is this. I raised certain points and he



[Shri Bhupesh Gupta..] starts off by calling me names. Call me whatever you like but I "Have found interesting things. When we are called names, what happens? Well, Sir, that, I believe, is his way. Shri Khanna should have replied to the points that I had made. He should have furnished us replies as to how the quarrel came about and what he did. He has done nothing of the kind. He has said that I have attributed motives to him. Personally I have not done it, - as an individual, to him. As a Minister, yes, I did say that he follows a double policy. In West Bengal he was telling the Bengalis: 'Here is Dandakaranya for you' and he was going to Orissa and telling Mr. Rath that the Bengalis will go away from there.

SHRI MEHR CHAND KHANNA: I never said that. I repudiate it.

SHRI BHUPESH GUPTA: You were negotiating with Rajasthan, Madhya Pradesh, etc. for land for sending the refugees. There is a big confusion. I wanted an answer for that. No answer he gave. What is wrong in that allegation? I have documentary proof that you are proceeding in this manner. Double talk he has developed. One thing in Bengal, another in Orissa, yet another in Madhya Pradesh—he is a past master in this thing and he played this game to his heart's content, but to the eternal suffering and misfortune of the refugee men and women.

Then he said that authority was created. Yes. He said that it was deriving power under him, I am not denying that but I say that "it was an autonomous body that was created and we have some conceptions of the autonomy. My charge was that having taken advantage of your authoritative position, you were encroaching upon the field of autonomy, interfering with the officers and started playing Mr. Sandhu, Mr. Bando-padhyaya and Mr. Sethi against Mr. Fletcher and sometimes maybe, Mr.

Fletcher against them. I am not interested in these officers and I am not holding any brief for anyone but that game went on. Quarrels were started and they were inspired by the Rehabilitation Minister. Has he denied it? They were going on for six months. What sort of Minister are you, Mr. Khanna, when your men in the top go on quarrelling and fighting with each other and you secretly take a decision that one officer should be replaced some time back but do not do such thing? You have not mentioned even that point. What are you doing? Therefore you are encroaching upon its authority, undermining the autonomous character of it and trying to turn the officials into your vassals, into your order-bearers and not as functionaries of autonomous bodies. That is my complaint, to which you have given no answer. I am not weeping here for Mr. Fletcher nor am I suggesting the Bengali-Punjabi thing at all. You should be in Bengal, why not? The only thing is that you should not be in the Rehabilitation Ministry in the Union Capital. That is my complaint against you. I would like you to meet you in the streets of Calcutta as a private citizen, if you like, and I will shake hands with you. Never would I like you to hold that office of responsibility with which is bound the fate of so many millions of refugees. You have failed.

Then you said that you selected your officers. Yes, you do select your officers but even in the matter of selection, there was a design. You choose your officers in such a way that they play your game of power politics . . .

, SHRI SANTOSH KUMAR BASU: Can the hon. Member directly address the Minister in this fashion as he has been doing?

SHRI BHUPESH GUPTA: Anyway, I address you. Sir. It is an obvious point, Mr. Santosh Babu, and it is in the kindergarten Parliament that we raise such points of orders.

SHRI SANTOSH KUMAR BASU: Your idea of this Parliament we know very well. Look up your own article in your 'New Age' magazine.

SHRI BHUPESH GUPTA: I know that what you have said in this House you cannot say in Calcutta. (*Interruptions.*)

MR. DEPUTY CHAIRMAN: Please address the Chair.

DR. W. S. BARLING AY: He only said that you should address the Chair.

SHRI BHUPESH GUPTA: Some home-town feeling you must have, Mr. Basu. I am only addressing the Chair. Mr. Barlingay, you are so attractive.

Therefore I say that you did not direct the officers properly. On the contrary . . .

MR. DEPUTY CHAIRMAN: Please do not say 'you'. You are not having a personal conversation.

SHRI BHUPESH GUPTA: You are quite right, Sir. Through you might I tell him that he—third person—did not play fair with the officers. Then he said that he had consultations with the Prime Minister. That is the tragedy. The Prime Minister is above these petty things, this pettiness. But sometimes he makes a wrong choice and what is more, after having made a wrong choice, he allows them to get on and then endorses these things. That is why he is endorsing this. After they had usurped the authority of the Dandakaranya Project body, he is endorsing it. The West Bengal people are sorry and they want the Prime Minister to personally look into it instead of relying on Mr. Khanna's notings.

As far as Bengal's Chief Minister is concerned, I do not wish to say anything because what passes between them, even Gods would not know. But I may tell you this. Mind you, in the last Session, the Minister said that in August he passed the orders.

He had trouble with Mr. Fletcher. On September 1, he spoke in this House. Not an inkling of that was given in his speech. Why? Why was it kept secret from us? Could he not have told us that he had some difficulties in arranging this thing or how the officers were not doing properly? He told us nothing of the kind. Well, he kept us in the dark. Would I be wrong if I accuse you why you had not taken the Parliament into your confidence when you had decided to pass orders against Mr. Fletcher and to replace Mr. Fletcher's services at the disposal of the Punjab Government? Am I wrong to raise this thing? Hon. Members may say whether they would be unjustified in expecting it. He said not a word. I have the proceedings before me. Then he raised the question of Resolution and other things. He said that there was a Resolution in the Bengal Assembly. I thought he might say something about them. I asked our friends in West Bengal Assembly to send the Business Paper. There is no Resolution against his Ministry. Here is a Resolution which makes some criticism of Dandakaranya . . .

MR. DEPUTY CHAIRMAN: What is the Resolution?

SHRI BHUPESH GUPTA: Then I have to read it.

MR. DEPUTY CHAIRMAN: You can read the Resolution.

SHRI BHUPESH GUPTA: It will take 10 minutes. If you will give me ten minutes, I will read it.

MR. DEPUTY CHAIRMAN: No but within the time allotted.

SHRI BHUPESH GUPTA: Then I will not read.

MR. DEPUTY CHAIRMAN: Is it about Dandakaranya?

SHRI BHUPESH GUPTA: That is a general Resolution. Dandakaranya may be mentioned.

MR. DEPUTY CHAIRMAN: Connected with Dandakaranya?

SHRI BHUPESH GUPTA: Various other things. There is mention of Dandakaranya but others also. It is not confidential. Just as we pass a Resolution that something should be gone into, it said that it should be gone into and it was considered and . . .

SHRI MEHR CHAND KHANNA: May I pass it on to you? It is in the *Statesman*.

SHRI BHUPESH GUPTA: No, I have the original. I have the Assembly Papers from the West Bengal Assembly. I asked Mr. Jyoti Basu to send it. Therefore let us go into it. You might read the *Statesman* but I read the Assembly papers signed by the Secretary. Here is the Assembly Note Paper. Here is Mr. A. R. Mukerji, Secretary of the West Bengal Legislative Assembly, Calcutta.

MR. DEPUTY CHAIRMAN: Let me see what it is.

5 P.M.

SHRI BHUPESH GUPTA: It is the official List of Business. The text of the Resolution is there. It is the second Resolution. You are very interested and you should be. I knew that. I am facing some difficulties here. Anyway, I do not say that there are no people in the Congress who want you, That is not my -case. But here the Congress papers have said this and there is a feeling in the Congress Party itself that you have failed and they think that you should go. That is why you had to go twice to attend their P.C.C. meetings. You are not a member of the Working Committee or of the A.I.C.C. How many times have you gone to West Bengal to address their meetings there and to have the news published in the newspapers as if you tried to convince them and the public? When he says things everybody knows.

(Interruptions.)

Mr. Basu will have to find out for himself.

SHRI SANTOSH KUMAR BASU: I will do everything for you, if you will only address the Chair.

SHRI BHUPESH GUPTA: Then moat unfortunately, Sir, he has made allegations. We are not interested in keeping the camps. Why should we? We told the Prime Minister that the camps should go. We precisely told him that those people should be resettled in West Bengal first and then outside and that nobody should be sent forcibly. That was the first thing. The second point was that at the same time you should make proper arrangements for these people and our criticism is that you are not making these arrangements and you see from your performance that our warnings have proved to be true, not because anything that the Prime Minister had done but by what was done by the gracious hon. Minister there who now calls me names.

Please do not introduce the Bengali-Punjabi or Bengali-Oriya question. I do not stand for any provincialism. As far as my Party is concerned, as you know, it is not for any provincialism. My quarrel with Mr. Khanna is not because he is a non-Bengali, not at all. My quarrel is not because he is a Peshawari. I like Peshawaris. My quarrel with him is that his policy has proved to be wrong. My quarrel with him is that he says one thing and does another thing. The point now is that these charges have been made and they need to be proved or disproved. Into the L.I.C. question there was an enquiry and there was proof enough and an hon. Minister went out according to constitutional responsibility, it was said. Charges have been made here also. I do not go into their merits, but charges and counter-charges have piled up. So many things have been written in the newspapers. So, let there be a judicial enquiry into the question. Here the hon. Minister is personally involved in it. That is the position