

The total number of persons who have signed the pledge up to the end of August 1958 is 3,07,476.]

श्री राम सहाय : क्या मैं यह जान सकता हूँ कि इसमें कुछ महिलाएं भी हैं या नहीं ?

SARDAR S. S. MAJITHIA: There are no ladies in this.

*525 and *526. [The questioner (Shrimati Maya Devi Chetty) was absent. For answer, vide cols. 3143-45 infra.]

DAMAGE TO PEARL MOSQUE, AGRA FORT

*527. SHRI MAHESWAR NAIK: Will the Minister of SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Pearl Mosque in the Agra Fort has suffered serious damage due to the recent rains; and if so, what is the extent of the damage;

(b) whether it is a fact that other structures of the Fort are getting dilapidated owing to continued neglect; and

(c) if the answer to parts (a) and (b) above be in the affirmative, what steps have been or are being taken for the preservation of these historic structures?

THE MINISTER OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS (SHRI HUMAYUN KABIR):

(a) Due to the rusting of iron cramps and dowels, a gardana stone of the Octagonal tower of Moti Masjid towards the south side fell and caused some damage.

(b) No, Sir.

(c) A scaffolding has been erected around the Masjid and the repair work is in hand. A sum of Rs. 2,500 has been provided for special repairs to the Masjid.

SHRI MAHESWAR NAIK: May I know whether the attention of the hon.

Minister has been drawn to reports from time to time that not only because of rains but also due to lack of attention of the department a part of the structure of the Agra Fort is going down, is getting deteriorated, and if so, what action has been taken for preservation of other parts of the structure?

SHRI HUMAYUN KABIR: The answer to the first part is in the negative and the second therefore does not arise.

12 NOON

MONEY SPENT ON KAPASHERA VIGYAN MANDIR, DELHI

*528. SHRI JUGAL KISHORE: Will the Minister of SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS be pleased to state the amount spent yearly on the Vigyan Mandir at Kapashera near Palam, Delhi?

THE MINISTER OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS (SHRI HUMAYUN KABIR): A sum of Rs. 14,862 was spent on the Vigyan Mandir at Kapashera during 1956-57; and Rs. 10,463 was spent during 1957-58.

MR. CHAIRMAN: The question hour is over.

SHORT NOTICE QUESTION AND ANSWER

REPUDIATION BY PAKISTAN OF INDO-PAKISTAN AGREEMENT OF MAY, 1948

6. { SHRI MAHESWAR NAIK: †
SHRI S. PANIGRAHI:
SHRI P. N. RAJABHOJ:

Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether Government's attention has been drawn to a report published

†The question was actually asked on the floor of the House by Shri Maheswar Naik.

in the Indian Press, crediting Mr. Feroz Khan Noon, Prime Minister of Pakistan, with a statement made in the Pakistan National Assembly to the effect that Pakistan had repudiated the Indo-Pakistan Agreement of May, 1948, which regulated the flow of waters of the three eastern rivers of the Indus basin to Pakistan from the Indian headworks;

(b) if so, whether it is a fact that the Prime Minister of Pakistan stated that Pakistan already informed the United Nations that the agreement had been signed under duress and as such she had repudiated it; and

(c) how India proposes to proceed with its plans under such circumstances?

THE MINISTER OF IRRIGATION AND POWER (HAFIZ MOHAMMAD IBRAHIM): (a) Yes, Sir. The facts are that in August, 1950, more than two years after the 'Inter-Dominion Agreement of the 4th May, 1948, on the Canal Water Dispute' had been signed, the Government of Pakistan, for the first time, intimated that Pakistan had accepted this agreement under duress, that if the agreement was ever binding upon Pakistan it had long since expired and that it should be regarded as "without present effect". In our reply, we informed the Pakistan Government that there had been no suggestion of compulsion at the time the agreement was reached, nor was any such suggestion made in the note that was submitted 3 weeks later by the West Punjab Government to the Punjab Partition Committee, or at any time thereafter. As such we were unable to accept the contention that the Agreement was signed by Pakistan unwillingly and under compulsion. We, therefore, informed the Pakistan Government that we could not recognise any unilateral repudiation of an international agreement.

After some further correspondence the Government of Pakistan were informed in September 1951 that in case they had any doubt about the validity

of this Agreement, the proper course would be for that Government to seek a judicial decision from an impartial international authority and that in case it desired to follow this course, the Government of India would be willing to discuss a procedure for such adjudication. No reply to this offer has so far been received.

(b) In September, 1949, the Government of India had transmitted to the Secretary General of the United Nations a certified copy of the Agreement of the 4th May, 1948 for registration in accordance with Article 102 of the United Nations Charter. This Agreement was registered with the U.N. Secretariat on the 10th May, 1950. Subsequently, the Pakistan Government transmitted to the U.N. Secretariat a certified statement to the effect that the Agreement of the 4th May, 1948 had long since ceased to be effective and that the Government of Pakistan had already given formal notice of its termination. Thereupon we transmitted to the U.N. Secretariat a certified statement to the effect that the Government of Pakistan had been informed that the Government of India were unable to accept any unilateral repudiation or notice of termination of the aforesaid Agreement. The certified statements of both Governments were registered by the U.N. Secretariat.

(c) As far as the Government of India are concerned, the Agreement is in operation. It is the only basis under which Pakistan canals are being supplied with water through works in Indian territory.

SHRI MAHESWAR NAIK: In view of the fact that subsequent to the 1948 agreement, a number of talks under the auspices of the World Bank have so far failed, why is it that the Government of India is continuing to supply water to Pakistan in spite of the fact that the Indian territories are undergoing shortage of water?

HAFIZ MOHAMMAD IBRAHIM: On the one hand, Pakistan has been continuing the payments which were agreed to in this Agreement which is afterwards said to be repudiated and on the other, India has always appreciated the need of those people who have been using this water for a long time before and it is not the policy of India to deprive them of the water suddenly.

SHRI MAHESWAR NAIK: May I know whether any payment by Pakistan has so far been made to India on account of the claim made by India since partition?

HAFIZ MOHAMMAD IBRAHIM: Yes, Sir. Every time, every year, they have been paying up to 1950. Thereafter they have been paying 'undisputed' charges regularly except in the last one year.

SHRI MAHESWAR NAIK: As far as I remember, the hon. Minister said in the House that no payment has been made by Pakistan.

HAFIZ MOHAMMAD IBRAHIM: In regard to canal waters? They have been paying and the non-payment is only in relation to the last two years on account of the difference of opinion in regard to accounts between the two parties.

SHRI V. K. DHAGE: As we have accepted the Agreement of 1948, may I know when they informed the Government of India that that was signed by them under duress?

HAFIZ MOHAMMAD IBRAHIM: Yes, it is already said that they informed the Government of India that the signatures put by the Pakistan representatives were under duress.

SHRI V. K. DHAGE: Having signed in 1948, what time did they take to inform the Government of India that they signed under duress?

SHRI J. S. L. HATHI: It was in 1950, that is, more than two years after the date of agreement.

SHRI MAHESWAR NAIK: May I know whether the United Nations are taking any steps whatsoever for the settlement of the problem particularly the repudiation of this Agreement, as stated by the Pakistan Prime Minister?

SHRI J. S. L. HATHI: So far as this general question of a settlement is concerned, the World Bank is using its good offices to bring some settlement between the two parties. Till then, there is no question of taking further action in this regard.

SHRI MAHESWAR NAIK: May I know, so far, how many talks have been held under the good offices of the World Bank?

SHRI J. S. L. HATHI: The negotiations have continued since 1952 in various stages. The Bank offered certain proposals. They were considered. No solution was found. The last, as the House knows, was a conference in London where Pakistan has submitted another proposal which is being considered.

SHRI MAHESWAR NAIK: How long are these negotiations going to continue when no satisfactory results have been achieved?

HAFIZ MOHAMMAD IBRAHIM: It is hoped that these negotiations will come to an end by the end of this year.

SHRI T. S. AVINASHILINGAM CHETTIER: Do I understand that the canal water dues also have not been paid for the last two years? May I know the reason why they were not paid?

HAFIZ MOHAMMAD IBRAHIM: It is for about one year that non-payment of "undisputed" charges is there. That non-payment is there I have

already said, because of the differences of opinion in accounts which are being gone into and they will come to an agreement that so much has to be paid.

SHRI V. K. DHAGE: The Government was informed in 1950 that the Pakistan Government signed the Agreement under duress. The Government of India replied to them to say that they would not accept unilateral repudiation. May I know when did the Government of India reply to that like that?

HAFIZ MOHAMMAD IBRAHIM: That is already mentioned in the answer.

MR. CHAIRMAN: "When did we say that we did not accept their contention that it was made under duress?" That is what he asks.

SHRI V. K. DHAGE: When did they inform us?

MR. CHAIRMAN: Some time later.

SHRI JASWANT SINGH: I would like to know from the hon. Minister about this. Under the auspices of the World Bank, these negotiations are carried on. The negotiations are conducted on what basis? About the water dispute as to how much water Pakistan is entitled to get and also with regard to payment? What is the point at issue?

SHRI J. S. L. HATHI: The point at issue is that the Bank is trying to have a scheme whereby the waters of the Indus basin could be utilised by both the countries. That is how they are trying to get an agreed plan. It is not a question of the dues that the Bank is looking into. In fact, the amount has to be specified by the Prime Minister of India. That they have been paying. They have paid up to 1957. After that for the two crops, i.e. one year, they have not paid because there are certain objections regarding the calculation of the amount.

SHRI GOPIKRISHNA VIJAIVAR-GIYA: I want to know why the Government did not raise all these things before Parliament before; there have been these repudiations . . .

SHRI J. S. L. HATHI: Sir, a White Paper was published in 1954 by the Ministry of External Affairs which contained all these facts and which also contained the correspondence between the Prime Minister of India and the Prime Minister of Pakistan. They have been saying that it was under duress, and our repudiation is that it was not done under duress. All these things have been mentioned in the White Paper.

SHRI JASWANT SINGH: Do we take it that up to 1957 all our dues in connection with the water supplied have been paid to us?

SHRI J. S. L. HATHI: Yes, all our dues, excepting, of course, the disputed items. With regard to undisputed items, they have paid almost all our dues.

SHRI JASWANT SINGH: May I know, Sir, when these disputed items are going to be settled, and what is the amount of our claim involved in them?

SHRI J. S. L. HATHI: Let us hope that after our negotiations are over, those items will also be settled.

MR. CHAIRMAN: That is all. Mr. Datar.

WRITTEN ANSWERS TO QUESTIONS

RECOGNITION OF DIPLOMAS AWARDED BY THE SCHOOL OF TOWN AND COUNTRY PLANNING

*510. **DR. R. B. GOUR:** Will the Minister of SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS be pleased to state:

(a) whether Government propose to recognise the Diplomas awarded