

1953

moment. I have named a concern passing off engines and spare parts to the Government through a kind of back-dated book transfer.

SHRI RAJ BAHADUR: He mentioned the Indian National Airways. I may tell him that none who owned proprietary interests in that particular Company holds any employee's position under the Corporation. There may be employees who held high ranks in the Indian National Airways, but they had nothing to do so far proprietary interests there were concerned. I would say these things will hardly bear any relevance to the subject we are discussing and I move that the Bill be passed.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

THE DISPLACED PERSONS (CLAIMS) SUPPLEMENTARY BILL, 1953

THE DEPUTY MINISTER FOR REHABILITATION (SHRI J. K. BHONSLE):
I beg to move:

"That the Bill to provide for the disposal of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith, as passed by the House of the People, be taken into consideration."

The claims of displaced persons in respect of their immovable property left in West Pakistan were filed and verified under the Displaced Persons (Claims) Act, which was passed in 1950. Its life was later extended and finally it expired on the 17th of May 1953. It was found that out of about 4 lakhs of applications filed about 4,000 claims remained undisposed of owing mostly to the failure to trace the claimants, many of whom had changed their addresses, or their claim

papers. At the same time about 2,000 applications for revision filed under the expired Act had also remained undisposed of owing to the expiry of the Act. As the interim compensation scheme had been sanctioned by the Government in November 1953, it was found essential that the pending judicial work relating to the verification and revision of claims be disposed of early. The Displaced Persons (Claims) Supplementary Bill was accordingly introduced in the House of the People in December 1953. The provisions of the Bill generally were the same as of the Act which expired, that is to say, the Displaced Persons (Claims) Act of 1950. It provided for verification of unverified claims and for the disposal of revision applications which could not be disposed of owing to the expiry of the old Act. Further those persons who could not file their revision applications on account of the expiry of the old Act could now do so.

During the departmental scrutiny of verified claims it was discovered that certain orders passed under the old Act required modification. Under the Bill such defects can be rectified by the Chief Settlement Commissioner *son motu*. As the Bill then introduced before the House of the People could not be enacted, the Displaced Persons (Claims) Supplementary Ordinance of 1954 was promulgated on the 18th of January 1954. Its provisions are the same as of the Bill before the House. Promulgation of the Ordinance was considered essential as implementation of the compensation scheme had already been started. A few formal amendments to the Displaced Persons (Claims) Supplementary Bill as introduced were considered necessary and have been included. An amendment was also necessary for the repeal of the Ordinance and has also been included. The Ordinance provided one month's time in which those persons who could not file their revision applications because of the expiry of the old Act could file them. As the same provisions have been incorporated in the Bill now before the House, the

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parties concerned will get one month more from the date of enactment of the Bill in which to file their revisions

I move that the Bill be taken into consideration.

MR DEPUTY CHAIRMAN: Motion moved

'That the Bill to provide for the disposal of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith, as passed by the House of the People, be taken into consideration.'

MR. KISHEN CHAND (Hyderabad)

Mr. Deputy Chairman, this is an ordinary simple Bill for giving a concession to the displaced persons to file their claims, but I submit, Sir, that it is nearly six and a half years since these displaced persons migrated to India and the question of compensation is being postponed from time to time. Now some beginning has been made. So while I do not oppose this Bill I do submit that this type of Bills and this type of Ordinances create a sense of false hope among the displaced persons which is not fulfilled because the full implementation of the compensation scheme has not been taken in hand. The whole question of these displaced persons is a tragic story. They have not been properly dealt with by our Government. Doles have been given to them; camps have been set up for them and money has been spent on a very big scale by the Government during this period of six years. If the same money had been given to these displaced persons in the shape of compensation in 1948 or 1949, these persons would have got settled themselves and found some sort of occupation for earning a livelihood. Instead of doing that, the Government comes forward with Bills of this type for verification of claims, when no compensation is going to be given to them. Well, as I said, I do not oppose this Bill because after all it is some consolation to have their claims verified but the Government should not stop

at that. Immediate and urgent steps should be taken for paying these claims. There was plenty of property left behind by persons who have migrated to Pakistan. The Government has taken that under custody and is managing that property. As you know, Sir, the value of property has gone down tremendously since 1949 in all parts of India. If these properties had been sold in 1949, a large sum of money would have been obtained and I believe most of the claims of displaced persons would have been satisfied. By all these extensions, verification of claims, this long procedure, having various officers and Commissioners for verifying the claims, the Government of India is only postponing the date of payment. I submit that this is very unfair to our displaced persons. They have lost everything that they possessed when they migrated from Pakistan for no fault of their own. Our Government should have been much more liberal in dealing with them. They want to settle down and they want at least a percentage of the amount left behind in Pakistan to be paid to them immediately. We have now brought out a scheme by which persons whose verified claims are below Rs 2000 are going to be paid about 10 per cent. Such a meagre amount is going to be given to them, that it would not even cover the loans that they have taken during this period from the Government of India. Therefore when we are considering this Bill I would suggest to the Government to come forward with another Bill whereby they will find means for collecting funds to pay these claims after they have been verified, and therefore I support this Bill.

SHRI AKHTAR HUSAIN (Uttar Pradesh). Mr Deputy Chairman, I do not know if the suggestions made by the hon Member who just preceded me are such as can be accepted by the Government in the circumstances of the present case because it appears that extension of time was to be made to complete the work which could not be done within the allotted time. Time

has to be given for the purpose of enabling those persons who were not in a position to satisfy the authorities that their claims were just and well founded and to enable such claimants who were not in a position to do so before to produce the requisite proof and authority for their claims.

SHRI KISHEN CHAND: On a point of explanation, Sir, I did not oppose the extension of the time. I only said that the Government of India was using it as an excuse for postponing the payment of compensation.

SHRI AKHTAR HUSAIN: In view of the explanation given by the hon. Member I would not pursue this point any further, but I would like to place before the House this consideration. My hon. friend, the speaker who preceded me, is of the opinion that four years is a very long time for the satisfaction of the claims of displaced persons. But the people who have got to provide the money have got to be satisfied that the claim is a just one and is one which should be met in its entirety, and they would have to be satisfied according to strict legal proof or according to the best evidence available. Now, it is possible that a cursory estimate could have been made and without any verification the claim put forward could have been accepted by the Government and paid. If that were the procedure to be adopted, if the Government were not so careful about ascertaining the validity of the claim or the exact amount due, the difficulty would have been that Members of the Opposition would have found fault with the Government for making payment against claims which had not been verified or proved as legally correct.

Then, there is another consideration, Sir. Before the Government takes upon itself the responsibility of making the payment it has got to be satisfied fully and legally, so that that amount which is paid by the Government may be demanded when occasion arises from persons who are eventually liable to pay the compensation to the dis-

placed persons. That is to say, we cannot pay to our displaced persons any amount which in fairness we may not be able to demand at the time of final accounting from the persons who are responsible for having displaced those persons and driven them away from their homes. Therefore it is extremely important that fullest care should be taken by the Government to satisfy itself in all possible ways about the value of the property that the displaced persons have left behind and that is payable to them. They must adopt all possible process for the purpose of ascertaining, verifying and completing the enquiry to determine what the exact amount is. Unless these steps are taken, it may not be possible for our Government when the time comes to say that this is the exact value of the property which has been left behind and that the displaced persons are entitled to this amount. The Government has got to satisfy itself fully in that respect. Our enquiry should be such as to stand scrutiny by the most unsympathetic agency. Therefore I feel that whatever the Government has done is the right step that could be taken towards the completion of this stupendous task.

Then there is one more consideration. It is certainly true that the displaced persons have not been paid the full amount, due to them although a beginning has been made. And when we compare the achievements of our own Government with the achievements of the people at the other end, we find that our Government has admirably carried on its work. Its achievements have exceeded all expectations. We can legitimately be proud of the great and useful work done during the short time at the disposal of the Government.

Then, there is this further consideration. In case we have to call upon our displaced persons to satisfy the authorities that the amount that they have put forward is the correct amount, then some time has to be given to them to enable them to produce the necessary proof. They should have no

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grievance that they have lost their property and having lost it, there was an unsympathetic Government which did not listen to them and which did not give them sufficient time for the purpose of proving their claims. Now there were some people who were not in a position in spite of their best efforts, on account of their misfortunes and other circumstances, to give full proof of their claims by the appointed time, and for them this extension of the period would be a great blessing, and for their benefit, I hope that this House would approve of this Bill and give the unfortunate displaced persons longer time to satisfactorily prove their claims. With these few words, Sir, I support the Bill.

SHRI J K BHONSLE: I endorse what has been said by my hon. friend Shri Akhtar Husain, and for the information of my friend over there I would like to point out that from the time we announced the payment of compensation we have already paid 900 claimants. The period we ask for now is to make sure of the number of claimants in all. And it is only when we know the number of claimants as against the amount to be paid that we can expedite the payment of these claims to the displaced persons as quickly as possible.

MR DEPUTY CHAIRMAN: The question is

"That the Bill to provide for the disposal of certain proceedings pending under the Displaced Persons (Claims) Act, 1950, and for matters connected therewith, as passed by the House of the People, be taken into consideration."

The motion was adopted.

MR DEPUTY CHAIRMAN: We shall now take up clause by clause consideration of the Bill. There are no amendments.

Clauses 2 to 13 were added to the Bill.

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

SHRI J K BHONSLE. Sir, I move.

"That the Bill be passed."

MR DEPUTY CHAIRMAN. The question is:

"That the Bill be passed."

The motion was adopted.

THE BUDGET (RAILWAYS), 1954-55 GENERAL DISCUSSION—continued

THE MINISTER FOR RAILWAYS AND TRANSPORT (SHRI LAL BAHADUR): Mr. Deputy Chairman, I am thankful to hon. Members for their constructive and helpful approach throughout the debate on the Railway Budget. I am specially thankful to Mr. Ghose for his constructive speech, and to Mr. Sundarayya for not being vehement in his criticism. To my mind, this approach is perhaps more effective than an outright condemnation of our acts of omission and commission. Needless to say, I have listened attentively to everything said in the House. Many useful suggestions have been made and some new points brought to our notice. They all merit our consideration, and I shall ask the Railway Board to examine them and see what appropriate action could be taken on them. Much as I would like to do, I find it difficult to go into every point referred to here as for one thing the time at my disposal is limited, and for another, the Deputy Minister has already covered some of them. I would therefore confine my remarks to a few important matters only in which the House would naturally be anxious to hear the Government's point of view.

Sir, much stress has been laid on the development of railways, and rightly so. I might as well assure the House straightway that I am in no