

SHRI SATISH CHANDRA : Sir, I do not follow the question exactly. Which company ?

(No reply.)

### BRIBERY CASES

"130. SHRI S. MAHANTY : Will the Minister for HOME AFFAIRS be pleased to state :

(a) the total number of cases reported by the Special Police Establishment, Orissa, to the Home Ministry for starting legal proceedings against the parties concerned ;

(b) whether it is a fact that the Special Police Establishment, Orissa, reported a long time back against an Executive Engineer stationed at Hirakud for alleged bribery;

(c) whether it is a fact that the case was entrusted to the Superintendent of Police, Special Police Establishment, Lucknow, for investigation ;

(d) whether the Superintendent of Police, Special Police Establishment, Lucknow, has submitted his final report in the matter;

(e) what is the total amount of money spent so far on the travelling allowance of that officer in connection with the investigation of this particular case ; and

(f) in how many cases investigated by the Special Police Establishment, Orissa, action has already been taken and in how many cases decision is still pending ?

THE DEPUTY MINISTER FOR HOME AFFAIRS (SHRI B. N. DATAR) : (a) One.

(b) and (c). The Inspector General, Special Police Establishment forwarded to the Branch at Puri complaint against an Executive Engineer and others in connection with the Hirakud Works and the case was entrusted to the Deputy Superintendent of Police, Special Police Establishment, Puri, for investigation. For special administrative 45 C S D

reasons the Superintendent of Police, Special Police Establishment, Lucknow was directed to supervise this investigation and other complaints by the Inspector-General, Special Police Establishment.

(d) The case is still under investigation and the final report has not yet been received.

(e) Rs. 888-2-0.

(f) 43 and 15 cases respectively, during the three years from October 1949 to September 1952.

SHRI S. MAHANTY : May I know if there are still more cases of excess payments reported against this particular officer ?

SHRI B. N. DATAR : I should like to know which officer is referred to because there are two different cases. The case at (a) is different from the cases in (c) and (d).

SHRI S. MAHANTY : I refer to the officer against whom these charges have been made.

SHRI B. N. DATAR : Is it the officer in the Hirakud Works case ?

SHRI S. MAHANTY : Yes. I want to know if still 13 or 14 more cases of extra payments have been made against this man ?

SHRI B. N. DATAR : Against that officer, there are certain matters which are being investigated into. Therefore it is not possible at this stage to say how many cases there are and indicate what actions are being taken by the Government.

SHRI S. MAHANTY : This Superintendent of the Special Police Establishment at Lucknow—may I know what are his attainments in the Police Department ?

SHRI B. N. DATAR : He was sent because at Puri, Orissa, there was only a Deputy Superintendent of Police, and it was found in the course of investigation that the matter required to be

handled by an experienced officer of the grade of Superintendent, and Lucknow was the nearest place, where there was a Government of India Special Police Establishment Superintendent, and therefore he was sent.

SHRI S. MAHANTY : May I know why the case was not referred to the Superintendent of the Special Police Establishment, at Calcutta ?

SHRI B. N. DATAR : That is a matter for discretion of the Government.

SHRI S. MAHANTY : What is the distance between Lucknow and Sambalpur ?

SHRI B. N. DATAR : The distance can be more easily found by my hon. friend.

SHRI P. C. BHANJ DEO : Will the hon. Minister say if the officer in question, against whom the allegations have been made, is kept under detention according to Service Rules ?

SHRI B. N. DATAR : He is not kept under detention at all. My present information is that he is not under suspension either. He is still working.

SHRI S. MAHANTY : Is it a fact that he is working in the Designs Office in New Delhi ?

SHRI B. N. DATAR : No. He has been working in the Central Irrigation Office.

SHRI S. MAHANTY : How is it, Sir, that an officer against whom there are documentary evidences of bribery and corruption, is still in service without being suspended ?

MR. DEPUTY CHAIRMAN: Order, order.

SHRI S. MAHANTY : How is it that an officer against whom there are allegations has not been placed under suspension ? Is that the practice ?

SHRI B. N. DATAR : He is not suspended.

SHRI P. SUNDARAYYA : If serious allegations against a particular officer are under investigation and for that purpose a special superintendent has been delegated by the Government of India, is it not desirable that the Government should keep him in suspension till the investigation is over ?

SHRI C. G. K. REDDY : Have the Government at least made sure that other avenues of illegitimate income are closed to this officer ?

MR. DEPUTY CHAIRMAN: Order, order.

SHRI B. GUPTA : May I know if the Special Police Establishment is entitled to look into the allegations against State Ministers ?

MR. DEPUTY CHAIRMAN : Order, order.

#### FINANCIAL ASSISTANCE

\*13i. SHRI H. C. MATHUR : (a) Will the Minister for STATES be pleased to state whether Government have enquired into the question of rendering financial and technical assistance to the State of Rajasthan ?

(b) If the answer to part (a) be in the affirmative, what steps have Government taken to render such assistance if any ?

THE DEPUTY MINISTER FOR HOME AFFAIRS (SHRI B. N. DATAR) : (a) and (b). The Government of India have considered the matter and have allotted so far a sum of Rs. 150 lakhs for special assistance to Rajasthan in the execution of selected development schemes.

SHRI H. C. MATHUR : Will the hon. Minister say whether it is a fact that a special enquiry was promised in the agreement entered into between the Rajpramukh of Rajasthan and the President of India ?

SHRI B. N. DATAR : There was a special agreement between the Rajpramukh of Rajasthan and the President of India on 25th February 1952.

SHRI H. C. MATHUR : I want to know whether a special enquiry was promised in this agreement and whether this has been started.

SHRI B. N. DATAR : That enquiry is under contemplation, but in anticipation, and in view of the execution of various schemes, a sum of Rs. 150 lakhs has already been allocated.

SHRI H. C. MATHUR : Have you got the figures ?

SHRI B. N. DATAR : Yes.

SHRI H. C. MATHUR : During all these 3—4 years ?

SHRI B. N. DATAR : A lump sum has been granted, and they take the money accordingly as they require.

SHRI H. C. MATHUR : Is this money to be spent on any particular item ?

SHRI B. N. DATAR : This money is to be spent on different items and I might give you the figures : On roads Rs. 60 lakhs, minor irrigation works Rs. 50 lakhs, rural water supply Rs. 10 lakhs. Further allocation made for the schemes but not yet approved—they come to Rs. 30 lakhs.

SHRI H. C. MATHUR : How much of this amount has already been drawn ?

SHRI B. N. DATAR : An amount of Rs. 45 lakhs has been already taken by them—For roads Rs. 19 lakhs, for irrigation works Rs. 25 lakhs, and for rural water works Rs. one lakh.

MR. DEPUTY CHAIRMAN : Question hour is over.

## WRITTEN ANSWERS TO QUESTIONS

### COMMISSIONER FOR WELFARE

♦132. SHRI S. N. MAZUMDAR : (a) Will the Minister for HOME AFFAIRS be

pleased to state whether it is a fact that the Commissioner for scheduled castes and scheduled tribes recently visited the districts of Darjeeling and Jalpaiguri in West Bengal ?

(b) If so, has he submitted any report to Government regarding any disabilities from which the scheduled castes and scheduled tribes of these districts are suffering ?

(c) If the reply to part (b) be in the affirmative, what are those disabilities and what action do Government propose to take to remove them ?

THE DEPUTY MINISTER FOR HOME AFFAIRS (SHRI B. N. DATAR) : (a) Yes.;

(b) and (c). The report has just been received and is under examination.

### VICTIMIZATION OF WORKERS

\*m, SHRI C. G. K. REDDY : Will the Minister for DEFENCE, be pleased to state\*:- - — \* ..

(a) whether representations were made by the Unions of the workers of the Vehicle Depot, Whitefield and the Vehicle Sub-Depot, Sular, alleging ill-treatment and victimization of the workers by the officers in charge of these workshops ; and

(b) whether the allegations against the officers were examined by Government; and if so, what action, if any, was taken ?

THE DEPUTY MINISTER FOR DEFENCE (SHRI SATISH CHANDRA) : (a) Yes.

(b) A Court of Inquiry was convened to go into the allegations. The findings of the Court are awaited.

(Unstarred Question No 30 postponed to Questions for Oral Answers on the 17th December 1952)

**MESSAGE FROM THE  
HOUSE OF THE PEOPLE**

THE INDUSTRIAL FINANCE CORPORATION (AMENDMENT) BILL, 1952.

MR. DEPUTY CHAIRMAN : Secretary. •

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

" In accordance with the provisions of Rule 115 of the Rules of Procedure and Conduct of Business in the House of the People, I am directed to enclose herewith a copy of the Industrial Finance Corporation (Amendment) Bill, 1952, which has been passed as amended by the House at its sitting held on the 5th December 1952."

I lay the Bill on the Table.

**REQUEST FOR STATEMENT ON  
ANDHRA PROVINCE**

SHRI P. SUNDARAYYA : Sir, before the House comes to any other business, I would like to call the attention of the Deputy Chairman as well as the House to the condition of Shri Sriramulu, who is actually on his death bed. Telegrams are pouring in from the different corners of Andhra that the Government must make some statement with regard to the Andhra Province so that the life of Shri Sriramulu could be saved. I therefore want the Government, though it is already two or three days since he is on his death bed, to come out with a statement so that the fast could be terminated.

MR. DEPUTY CHAIRMAN : You referred to this matter the other day and the matter has been referred to the Government.

AN HON. MEMBER : Sir, he is repeating this from day to day.

MR. DEPUTY CHAIRMAN : This question is just pending. It has already been referred to the Government. I am not allowing any discussion on it.

SHRI B. GUPTA : There are some Ministers here and they can open their

mouth and give us information on this matter.

SHRI P. V. NARAYANA : Sir, .....

MR. DEPUTY CHAIRMAN : Will you please resume your seat ? I am...

SHRI P. V. NARAYANA : Sir, the hon. Mr. Sundarayya referred to this matter on a previous day, but the Government have not taken any steps on this matter which is a serious one. .

MR. DEPUTY CHAIRMAN : I am sorry ; will you please resume your seat ?

SHRI P. SUNDARAYYA : Sir, several telegrams have been received regarding this.

*(Interruptions.)*

MR. DEPUTY CHAIRMAN : Order, order. You can lay the telegrams on the Table of the House.

**LIBRARY COMMITTEE OF THE  
PARLIAMENT**

PROF. R. D. SINHA DINKAR (Bihar) : Sir, I want to draw the attention of the House to the fact that this House has no representation on the Library Committee of the Parliament. I have learned that the new Committee has been formed. Something should be done to secure proper representation of the House.

SHRI C. G. K. REDDY : Quite right.

MR. DEPUTY CHAIRMAN : The matter will be taken up and referred to the Speaker of the House .

**ABSENCE OF THE LEADER  
OF THE HOUSE**

SHRI C. G. K. REDDY : Sir, I wish to point out that the acting Leader of the House is always absent. It is not a good thing that the Leader of the House should be continuously absenting. It is a

rather serious matter, because when certain questions come up, on behalf the Government we expect him to be present. As far as this Session is concerned, his attendance has not been for more than two hours for the whole Session. If the particular hon. Member cannot be present, some other hon. Member should be here to act as one representing the Government and as Leader of the House. It is not a thing which could be skipped over.

MR. DEPUTY CHAIRMAN : There are a number of Ministers.

SHRI C. G. K. REDDY : I think, ordinarily, the Leader of the House should be in the House.

MR. DEPUTY CHAIRMAN : We now go to Legislative business.

**THE CANTONMENTS (AMENDMENT) BILL, 1952**

**THE DEPUTY MINISTER FOR DEFENCE (SARDAR S. S. MAJITHIA) :**  
Sir, I beg to move :

That the Bill further to amend the Cantonments Act, 1924, be referred to a Select Committee consisting of :

1. Shri Bodh Ram Dube.
2. Dr. Shrimati Seeta Parmanand.
3. Shri Somnath P. Dave.
4. Shri T.S. Pattabiraman.
5. Shri Braja Kishore Prasad Sinha.
6. Shri M.H.S. Nihal Singh.
7. Shri Shyam Dhar Misra.
8. Shri Braj Bihari Sharma.
9. Shri Pir Mohammed.
10. Shri Mohammed Valliulla.
11. Shri S. Chattanatha Karayalar.
12. Shri Ram Kripal Singh.
13. Shri Bhupesh Gupta.
14. Shri Kishen Chand.
15. Shri Harischandra Mathur.
16. Shri P.S. Rajagopal Naidu.
17. Shri Hriday Nath Kunzru.

and myself, with instructions to report by the 11th December 1952.

The House will recollect, Sir, the discussion held on the 7th August, 1952

when the Defence Minister moved that the Bill be taken into consideration. In doing so, the Defence Minister gave a brief background of the history of Cantonment legislation and referred to the appointment of a Committee under the Chairmanship of Shri S. K. Patil which suggested certain amendments. The Bill is based principally on the recommendations of that Committee and I do not think I need elaborate further the various steps that have led to introduction of this Bill. During the debate that was held at the time, the Defence Minister accepted an amendment that the Bill be circulated for the purpose of eliciting public opinion, which was moved by my friend, Dr. R. P. Dube, who unfortunately is not here today. The motion was adopted and the Bill was circulated accordingly. We have now received opinions from various States. Most of the important States have forwarded the opinions received by them. A few are outstanding, but we might assume that any opinions received from them would more or less follow the pattern set by the opinions received from other States.

Analysing the opinions received I find that the Bill, limited as it is in its scope, has generally met with popular support. For the time being I shall leave out certain matters of a general nature which I know are uppermost in the minds of my friends like Dr. R. P. Dube. I shall only deal briefly with the general points that have been made in the opinions received. A general feeling has been expressed in favour of giving the Bazar Committees or "the Civil Area Committees"—the term we now propose to use in relation to those Committees—autonomous powers. I have every sympathy with the views of my friends here and outside in regard to Committees in charge of these civil areas getting more powers but it is clear that these Committees will have to function within the framework of laws and rules which govern their parent body, namely, the Cantonment Board itself. There are administrative, financial, geographical and other limitations which must of necessity

[Sardar S. S. Majithia.]  
 govern the functioning of these Committees. Subject to these general limitations I see no reason why the Committee in charge of civil areas should not have the maximum powers that we can give them.

the full impact of democratic responsibility is bringing about a change and is bound to continue to do so. Our attitude should be based on this essential factor and not on our experiences of the past under a totally different regime and different set of circumstances and conditions.

Similarly, I notice that opposition has been expressed to certain powers vesting in the Executive Officers or the officers commanding the station. To a large extent this attitude seems to be born of the distrust that still unhappily prevails in respect of the general body of our civil servants. I also realise that this is a legacy of the past which will take some time to fade away. At the same time, I should like to appeal to my friends, both here and outside, that an attitude of this kind is entirely out of keeping with our democratic responsibilities. These civil servants are the instruments of our policy and decisions. What they did previously need not necessarily be a pointer to us in regard to what they would do or not do in future. Times have changed, circumstances have changed and I have no doubt that the large machinery of our Services also has reacted to these changes. I should like to add here that our Services have fully adapted themselves to the new and changed conditions and are not only fully patriotic, but are quite conscientiously carrying out their duties. There may have been some black sheep but we should judge from the overwhelmingly large numbers who are doing very good work in the Services. I should therefore like my friends to view this matter from the point of view of these changes and also the essential fact that the Cantonment Service is responsible to democratically elected Ministers and finally to this Parliament. Any continued distrust and suspicion of them is in a way, therefore, a reflection of our own lack of confidence in putting matters right where they require to be put right. The task of Cantonment administration is a difficult and complicated one. We cannot expect drastic changes to take place overnight. I can assure my friends that

There is another important point to which I would like to draw the attention of the House. The opinions so far received have generally been opposed to placing any restriction on a member of the Cantonment Board becoming a member of another local authority. There is much to be said for both sides of this question. We should not, naturally like to lose an influential person's services in the Cantonment Board because he happens to be the member of another local authority. At the same time we have to bear in mind that a conflict of interests between one local authority and another might well arise and the member would, in such circumstances, be subjected to an unfair conflict of loyalties. However, this is an aspect of the question which can be gone into further details by the Select Committee. Till then perhaps we could keep an open mind on this subject.

I will now come to some of the general points which have been made and which I know are uppermost in the minds of some Members of this House and also outside. These, if I may say so, generally cover the questions of land administration and democratisation of Cantonment Boards which are really outside the scope of the present Bill. I am sure, my friends will give us the credit of being no less lovers of democracy than they are. To the extent that it is possible to democratise these institutions we shall certainly do so but it has to be borne in mind that the dominant interest in the Cantonment areas is that of the Defence Services and the Defence requirements of the country. To the extent that it would be administratively possible to separate the areas in order to give them the benefit of more democratic institutions it will be done, but the balance that remains has

to satisfy the primary needs of the existence of these areas, namely, giving the Defence Services a place to live in under amenities and conditions which promote their well-being, a sense of discipline and other facilities which are essential for their fighting efficiency and for discharging their duties to their Government and to the country at large. I should like my friends to bear this primary and paramount position in mind when they consider the question of democratisation and also the land administration in these Cantonments. As regards the latter question, I can assure the Members that we are alive to the need for systematising it and for making the administration as liberal as possible without sacrificing the essential financial and other interests of Government. I realise that the land administration of these Cantonments has had a haphazard growth and leases have an antiquity and a history which might not make them quite in keeping with modern ideas. We are, however, prepared to review these matters and to evolve a system which, while keeping and fully safeguarding the dominant Defence needs and interests in this branch of the Cantonment administration, will ensure for the lessees, land owners etc. fair and equitable terms. This Bill does not cover these matters but the Defence Ministry has these matters in hand and actually in individual cases' I which come to their attention and where a case is made out for a liberal treatment such treatment, is in fact accorded.

There is also a demand for more amenities in these Cantonments. This raises the questions of water supply, encouragement to visitors, taxation and other important factors in Cantonment administration. I would not like to take the time of the House on this Bill to deal with these matters exhaustively. I will only say that these are matters which must necessarily engage our attention when we consider the problems of Cantonments as a whole. Nobody knows better than the Parliament the limitations which our finances impose on the provision of such amenities and all that I can say at this stage is that within the limitations we shall do our best.

Sir, I think I have dealt with the general aspects of the problem which arises at this stage for the consideration of the House. The opinions which we have received appear to confirm the impression that we formed earlier that the Bill was a comparatively simple piece of legislation which does make certain improvements in the Cantonments Law of the lands and as such should be welcomed by the House. I therefore commend this motion to this House for its sympathy and consideration. Sir, I move.

MR. DEPUTY CHAIRMAN :

Motion moved :

That the Bill further to amend the Cantors merits Act, 1924, be referred to a Select Committee consisting of :

Shri Bodh Ram Dube,  
Dr. Shrimati Seeta Parmanand,  
Shri Somnath P. Dave,  
Shri T.S. Pattabiraman,  
Shri Braja Kishore Prasad Sinha,  
Shri M.H.S. Nihal Singh,  
Shri Syam Dhar Misra,  
Shri Braj Bihari Sharma,  
Col. Peer Mohammad,  
Shri Mohammed Valiullah,  
Shri S. Chattanatha Karayalar,  
Shri Ram Kirpal Singh,  
Shri Bhupesh Gupta,  
Shri Kishen Chand,  
Shri Harischandra Mathur,  
Shri P.S. Rajagopal Naidu,  
Shri Hriday Nath Kunzru, and  
Sardar Surjit Singh Majithia (mover).

with instructions to report by the nth December 1952.

SHRI RAJAGOPAL NAIDU : (Madras) : Mr. Deputy Chairman, we are now introducing a Bill .....

MR. DEPUTY CHAIRMAN: Ordinarily the Members of the Select Committee don't speak. It is for the other Members to give suggestions and the Members of the Select Committee would look into those suggestions when they meet in the Select Committee-

12 NOON.

DR. R. B. GOUR (Hyderabad) : Mr. Deputy Chairman, I am sorry that after hearing the hon. Minister moving the motion in this House that the Bill be referred to the Select Committee, I have to say that he does not give any inclination that the Select Committee, which will obviously be overloaded with the Members of his own party, will accept the various amendments that are suggested by the various Boards themselves to whom this Bill was circulated for eliciting their opinion.

SARDAR S. S. MAJITHIA: We will be very sympathetic.

DR. R. B. GOUR : The Bill that is before us or the Bill that is referred to the Select Committee does not radically amend the Cantonments Act of 1924 about which the entire country and, I can say, even Congressmen were agitating in the past, that the Bill should be amended. We know that this so called Cantonment administration was nothing but a concentration camp that was meant for the British controlled armies of those days. These Cantonment areas were concentration camps for the people residing in those areas. In the proposed Bill no radical change is being contemplated. These bazar areas will, of course, be known as civil areas, hereafter. The bazar committee will be called the civil areas committee. But that is not the thing that the people of the areas want, for which they have been agitating all these years. They wanted autonomy for these areas, they wanted some sort of municipal administration for themselves. That is what they have been agitating for all these years and precisely that is what is lacking in the Bill that has been placed before us now. This is the important fact that the Select Committee has to consider. I am sorry that from what I heard from the hon. Minister just now, we cannot expect the Select Committee—the majority of members in the Select Committee—to radically amend the old Act of 1924, and we cannot expect that these committees or areas will be given autonomy, their democratic right for which they have been agitating and which they have been claiming all these years.

I will not go into the detailed provisions of this Bill. They are all there before the House and before every member of the Select Committee, so also the various opinions expressed by the people concerned. There are various conflicts arising in these areas, for example, there are conflicts arising between the Estate Officer and the civil personnel about the civilian requirements. Then we have got the Vice-President. But what are his powers? There is the Chairman and so the Vice-President has not even supervisory powers. He cannot preside over the meetings of the Committee. Some other military officer who is the President will preside over the meetings, and it will be something like what we used to have in our college unions where the Principal was the President and a student was the Vice-President with no possibility of ever presiding over the meetings, as the Principal would be there to do so. Why this show of things, I do not understand. No endeavour has been made to meet the requirements and aspirations of the people. Here is a military officer and he will be the president of the committee; but for what purpose? What is the purpose served by this arrangement? We can understand such an arrangement if the health of the military personnel is concerned, or something like that. But, so far as the civilian population is concerned, what are the powers that the Vice-President who comes from the civilian population has got? What is the democratic right that you give to the people in the bazar area, as they are called?

Moreover, how long are we going to have nominated majorities in these committees?

Sir, these are some of the glaring facts which come out of this Bill and which show that the Bill is not going to satisfy the requirements of the people. It is not a radical amending Bill, amending the old Act of 1924. It falls short of our needs and aspirations. Therefore, I request that the Government should think over this because this is a thing that the various cantonment boards themselves have been demanding and the various populations in these

areas have themselves demanded in the opinions that they have expressed through the various State Governments to the Central Government. I know there is one representative of my Party on the Select Committee, but I would request the hon. Minister to give a categorical assurance in reply to this debate that he is going to accept certain things on behalf of the Government, certain radical and basic amendments according to the opinions expressed,— that these amendments or suggestions will be accepted by the Congress Party and the Congress Government. It is this that will meet the requirements of the people of these areas—these bazaar areas. I have, however, again to express my feeling that after hearing the hon. Minister, I am left with the sad feeling that he is not going to do anything practical in the Select Committee, in the matter of radical amendments of the old Act of 1924, and accepting the suggestions made by the Cantonment Boards. I see the hon. Minister smiling and nodding or rather shaking his head to indicate a " No ". Then what is the use of all these things in the Bill here if the people of the bazaar areas are to have no more democratic rights than before ? We know how these Cantonment Boards worked. We had one in Secunderabad and another in Bolaram. We know how members are nominated to these boards. A person nominated to the Secunderabad Board was later found to be a black marketeer and sentenced to imprisonment. That used to be the sort of nomination to these cantonment boards.

Sir, the Government must make up its mind whether they want the old Act of 1924 to be radically changed or not, or whether these cantonments should continue to be,—as I characterised them—concentration camps. If they are against such radical amendments, we have to bring forward many amendments, though we know what will be the fate of the amendments brought forward by us. We have, however, to do it in the interests of the cantonment areas and the people in those bazar areas and in the interests of democracy, and such amendments must be accepted by the Government. If they do

not accept them, then the verdict will be against them. That is all. Here the Government may pass their Bill. But they must also see what History will say of them. I again request that the Government should see if their amendments are in consonance with the public aspirations. I request a categorical assurance from the hon. Minister that he will accept radical amendments, otherwise there is no use for the show of a Select Committee.

SHRI H. P. SAKSENA (Uttar Pradesh) : Mr. Deputy Chairman, I rise to give my support to the Cantonments (Amendment) Bill, that has been moved by the hon. Deputy Minister for Defence. While the Deputy Minister was inflicting his manuscript oratory on us, I got the impression that I was not a member of a paramount body like the Parliament of the Indian Union, but that probably I was belonging to a junior authority to which the member of a senior body was addressing something. The hon. Deputy Minister made a sort of distinction between the civil authority and the defence authority, implying thereby that we belong to the civil and junior class and he to the defence or senior class. I have always been under the impression that in the year of grace 1952, no difference or differentiation has now been left as between the civil and the military or defence. The Indian Union is one indivisible whole and the authority of the Government of India goes over it all, under the purview of the Indian Union Parliament. Therefore, I hope I am wrong in the impression that I formed, and that the hon. Minister did not mean to make any such differentiations.

My hon. friend Dr. Gour referred to what the Cantonment Boards were during the British regime and what they ought to be now. I am also reminded of the fact that a very eminent friend of mine was in the year 1922 prosecuted and sentenced just for getting a notice of a meeting that was going to be held in the city of Lucknow, distributed in the cantonment area of the city. He was prosecuted and sentenced. The entire defence or military area was

[Shri H. P. Saksena.] sacrosanct. Nobody could enter those sacred precincts. But I would very much wish to see—and this should have been accomplished by now—all this differentiation abolished.

Of course, there are certain characteristic features of the military and the defence which must be retained and the civil authority should ordinarily be not allowed to intervene in military and defence matters. Conceding that, it does not follow that the two should be rigidly excluded from one another.

Now, Sir, the times are changed. The hon. Minister talked of democratisation. Well, the mere use of words does not satisfy our hunger. We want things to be done in the concrete and actual shape. This is not the way of dealing with the House of Parliament in the manner in which we, the members, are being presently dealt with. I am referring to the speech that has been very presently made while the amending Bill was being presented.

Sir, I see no reason why the obnoxious and the disagreeable sections of the Cantonment Act be not scrapped forthwith. I hope the Members of the Select Committee of my party who are, as my friend, Dr. Gour has pointed out, in a huge majority will see that the governance and the administration of the Cantonment areas are democratised and, there is no gainsaying the fact that they will be earning the gratitude of millions upon millions of people living in those areas all over the country, by this act of theirs.

With these words, Sir, I commend the Motion to refer the amending Bill to a Select Committee.

SHRI B. RATH (Orissa) : Mr. Deputy Chairman, the Bill which was circulated for eliciting opinion is now before the House and the Motion is to refer the Bill to a Select Committee. At this stage, I would be failing in my duty if I do not draw the attention of the Members of the Select Committee to the opinions that have been received

and request them to scrutinise them properly because, as I listened to the Minister while he moved the Motion, I was led to think, as if all the opinions that have been received are in complete agreement with the amending Bill. But, Sir, if we scrutinise the opinions that have been received, we will find that there are practically two categories of opinions that are available to us, barring the opinions received from the States where there are no Cantonments—either the State Governments or the persons to whom this Bill was sent for giving opinion can give their opinion even though there is no Cantonment there—, we find, with respect to the States in which there are Cantonments that the opinions that have been received are of two major categories : one category gives one variety of opinion that " We concur with the measure " or " We agree with the amending Bill " or " The amending Bill is very very progressive " and of that nature, if we analyse the persons who have given these opinions, I have most unfortunately to remark that they belong to the very category for whom our hon. Minister is in all praise—they are, the Deputy Commissioners, Commissioners, Commanding Officers, President of Cantonment Boards and the Army Officers who are in complete agreement. If we analyse the opinions further, we will find that there is a difference, even in Cantonment Boards. The non-official Members are of opinion that the amending Bill, as has been presented to us in the last Session is not to the satisfaction of the Members. They want that these bodies must be completely changed. If the hon. Minister will look to paper No. 3— opinion of the All-India Cantonments Association, he will find that they have given certain valuable suggestions. They want that in the Cantonments, for whose development the civil population have been responsible for the last 150 years, the civil population should have representation. If we see the report of the Central Committee on Cantonments, we will find that, in spite of the best efforts of the Army Officers or the I. C. S. Officers who were in a majority in that Committee—Government perhaps thought that if more

members of the Constituent Assembly were put in, they will bring such a report which will not be acceptable to the Defence Department and so it was practically filled up with Army Officers and I. C. S. Officers—but, in spite of that, they have been forced to admit in page 3, while giving the history of the growth of the Cantonments, " the scheme for the provision of accommodation was subject to conditions which retained to Government their proprietary right in the land and gave them the right to use ..... " and they go on, if we read through the paragraphs which give the historical retrospect, " the Cantonments of today are as such because it is the civil population which has helped in the growth of the Cantonments, not only the civil population have helped in the growth of the housing accommodation, not only they have built houses which have been used but the population has increased due mainly to the role of the civil population." What do we find ? The old Cantonment Act of 1924, section 5 of which deals with representations, is not going to be changed. Section 30 was such that it had never allowed elected representatives in the Cantonment Boards but, in spite of demands since the year 1948 or 1949, we find that we are faced with an amending Bill which does not want to change the character of the Cantonments and still wants to retain the dominance of the nominated representatives in the Cantonment Boards.

I request the Members of the Select Committee to see that the character of these Cantonment Boards is changed and I earnestly believe that here, the considerations will be primarily of the population in general. I do not discriminate as my hon. friend has discriminated, between the civil and military personnel. I believe that all the people are Indian and it is primarily to their interests and for their development that the Boards must be constituted and not with domination of any category over the other. There should be proper representation to different categories living in those areas, and that should be the primary consideration. The number of the people living and the work

that is to be entrusted to these Boards must be the primary consideration in fixing the nomination of the Members or fixing the number of Members that are to be there. But the election must be there, and it must be seen that the boards which are constituted are constituted in a democratic manner. That is why I would request the hon. Minister, in spite of the fact that section 13 of the original Act is not going to be amended by this amending Bill, to see that the Select Committee considers not only the amending Bill which is before the House but the whole Act. I have this request to make to the hon. Minister, because according to the rules of procedure and according to the motion that he has made before the House the Select Committee cannot go beyond the scope of the amending Bill. That is why I make this special request to the Minister in Charge of the Bill that he must widen the scope of the Select Committee so that they can examine the whole Act if necessary and suggest any amendments they wish to be made in the whole Act. With that object in view I would request the Minister and the Whip of his party to have an amendment tacked to the motion as it has been presented so as to widen the scope of the Select Committee. I trust that the hon. Minister will do at least this much so that the Select Committee will have an opportunity of examining the whole Act. That is the first point.

With regard to another point which has been discussed at length previously and which is agitating the minds of two categories of persons who hold two different opinions, is as to how far the democratisation of cantonment boards will be helpful or how far it will harm the development of cantonment boards. So far as this report is concerned, the Committee which produced this report was—except for the hon. Member of the Constituent Assembly, Mr. Sidhwa, who of course was of a different opinion—composed predominantly of officials, and they say on page 15 :—

" We have considered it desirable that cantonments should in fact maintain as far as possible in the foreseeable future their original

[Shri B. Rath.] characteristic of military stations considering all the circumstances associated with the present state of the country in its political, economic and public health aspects".

Elaborating it, they say :

"The maintenance of satisfactory conditions of security, discipline and health among the troops which are a necessary corollary to efficiency will not admit of taking chances and the transfer of the administration of cantonments to civil majorities, we feel, is fraught with consequences which may prove detrimental to the efficiency of the army, its health and morale".

Sir, it surprises me that a body of experts, a body which is intimately connected with the army, can produce such a report, I do not know if it has become the practice at present to leave the discipline of the army, the health of the army, and their education, their electric supply and their water supply, to the cantonment boards. Has the Defence Ministry absolved itself of all these responsibilities? It is clear that the health and the education of the army are completely within the jurisdiction of the Defence Department. It is they who control the army within the areas of the cantonment boards, and the cantonment board has practically nothing to do with them. By giving a false picture this experts' committee wants us to believe that it is really the cantonment board which controls the army life within the barracks, controls the health of the army, controls the sanitary conditions, controls the hygienic conditions, etc. That is not a fact. That point has been brought out not only by the All-India Cantonment Boards Association, which according to me has made a comprehensive study of the whole Bill and the Act itself, but by the Bengal Government too which has given an opinion and has at least tried to think over the problem. Even their opinion is that these cantonment boards should be democratised.

I believe the time has come when these cantonment boards as such should vanish. I do not understand why Barrackpore should not be joined with Calcutta, or why the Allahabad Cantonment should not be joined with the

Allahabad Corporation. So, I hope that the Select Committee will also consider whether it is at all necessary to have cantonment boards at some of the places where they exist today or whether they could be amalgamated with the corporations and municipalities near by. If the Select Committee are not given power to amend the Bill they should at least express themselves in such a way that it will force the Government to amend the whole of the Cantonment Act in the near future.

With these words, I submit that the hon. Minister should at least take into consideration my suggestion that the Select Committee must be empowered to go into the whole Act and suggest amendments in the various provisions of the original Act as well as in the present amending Bill if they so desire.

SHRIGOVINDA REDDY (Mysore): Mr. Deputy Chairman, in supporting the measure that is now under discussion on the floor of the House, I would like to express myself as being in full agreement with the democratisation that has been sought and asked for from hon. Members of the Left Wing of this House. It is true that these cantonment areas have now expanded into civil areas with large civil populations, and, therefore, it is in the fitness of things that responsible municipal administration based on adult franchise should be extended to these areas. But, where I differ from the two hon. Members of this House is in their questioning the motives of the Government—that the Government is maintaining these obnoxious measures, that it is not making any attempt to remove them—and that is a thing which I do not agree with. Well, Sir, these obnoxious measures relating to cantonments have been purely historical antecedents. •

In the past, when these cantonment areas came into existence, the civil population came to grow in a large military camp. Wherever, a military camp was established, there the civil population catering to military needs came and began to trade. Later on, in course of time the civil population

began to reside in the cantonment areas. But in those days military exigencies required that the entire administration of the area, maintenance of sanitary and health standards and providing comforts for the population which was engaged in trade and for the regulation of trade, and so on that all these should become matters of military discipline and supervision. It was perfectly legitimate that the military had to take the entire thing under their control because there was no other administrative unit to look after these areas. But, Sir, in course of time the military authorities themselves came to realise that when these areas grew into large civil areas, they could not cope up with the work. So, when the Government—even the alien Government that was here—realised that the military authorities were incapable of coping with the needs of these civil areas, they themselves attended to the democratisation of the Administration of these areas ; for one thing that they were not able and they were not technically equipped for looking after the sanitary arrangements and for the other thing, when the civil areas grew into large areas, the problem of administering justice also became very important—assumed very great importance—and therefore the military authorities had to pass on the Administration of Justice into the hands of the neighbouring civil Government or had to constitute courts of justice on the basis of the courts of justice that were obtaining in the civil areas. So, for these reasons, the military authorities themselves passed on their powers into the hands of bodies which were composed of military and at the same time civil officials or non-officials. They themselves—the old Government itself—created Cantonment Boards and thus the Cantonment Act came into force.

SHRI RAJ AG OPAL NAIDU : With nominated majority.

SHRI GOVINDA REDDY : Yes, nominated majority of course. But still the exigency remains. The exigency was that those areas were meant to cater to the military forces that were

stationed there and therefore that military discipline should be there, and that the military control should be there over those areas. But those exigencies came to pass on and then later on it became very necessary to administer them differently and it was for this reason that the Government convened a conference of the Local Self Governments and sought its recommendations. It was later on again to liberalise these provisions that the Government appointed a Committee and that Committee went into the question and made certain recommendations. So, Sir, taking these facts into consideration, the motive of the Government in liberalising the Administration of these areas cannot be questioned.

Well, Sir, several of the obnoxious features have been given a go-by in this Bill. The arbitrary character of nominating these Boards and making them entirely arbitrary Boards instead of making them responsible to the electorate—in fact there was no electorate then—is a feature which has been given a go-by to in this Bill. And then the communal representation that was provided for has also been given a go-by to in this Bill and this Bill seeks to bring these areas on an electoral basis. But still it needs to be further liberalised. That is true. It must be brought in consonance with the civil areas and civil administration and these areas must be given a municipal administration. But that is a fact, Sir, which will need a further step and I am sure the Government will take that step soon. This Bill, Sir, therefore, in a considerable measure, liberalises the old restricted and arbitrary Cantonments Act, and it is welcome.

Sir, there have been matters of further details which need some thought. Three sets of opinions have been furnished to us and these sets of opinions differ on material points with regard to certain of the provisions of the Bill. Well, I have not been able myself to decide which opinion is more in consonance with the convenience of administration because arguments weigh equally on both sides. It is for the Select Committee that is proposed to be