

[Dr. R. B. Gour.]
will say : " No Johnny, you are also a Communist." That is going to be the position. Because such things have happened in other countries. With these words, Sir, I want this House to throw out this Bill.

MESSAGES FROM THE HOUSE OF THE PEOPLE

I. THE RESERVE AND AUXILIARY AIR FORCE BILLS, 1952.

II. THE NATIONAL CADET CORPS (AMENDMENT) BILL, 1952.

MR. DEPUTY CHAIRMAN : Secretary will read out two messages that have been received from the House of the People.

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

I

"In accordance with the provisions of Rule 115 of the Rule of Procedure and Conduct of Business in the House of the People, I am directed to enclose herewith a copy of the Reserve and Auxiliary Air Forces Bill, 1952, as reported by the Joint Committee, which has been passed by the House at its sitting held on the 8th August 1952."

II

"In accordance with the provisions of Rule 148 of the Rules of Procedure and Conduct of Business in the House of the People, I am directed to inform you that the House of the People at its sitting held on the 8th August 1952, agreed without any amendment to the National Cadet Corps (Amendment) Bill, 1952 which was passed by the Council of States at its sitting held on the 29th July 1952."

I lay the Reserve and Auxiliary Air Forces Bill on the Table.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 3 p.m.

The Council then adjourned for lunch till three of the clock.

The Council reassembled after lunch at three of the clock, MR. DEPUTY CHAIRMAN in the Chair

FIXATION OF RENT OF BUNGALOWS AND QUARTERS FOR MEMBERS OF PARLIAMENT

THE MINISTER FOR WORKS, HOUSING AND SUPPLY (SARDAR SWARAN SINGH) : Sir, the question of providing suitable accommodation on reasonable rents for the Members of the Legislature has naturally been receiving the most careful consideration of Government and steps are being taken within the limits of finance that is available to build more units of accommodation. Until such fresh construction is completed some Members have to continue to live in the hostel accommodation that is provided in "Constitution House" and "Western Court". Even in the case of Members for whom accommodation is available in the bungalows or houses along Ferozeshah Road, Queensway, Electric Lane, Canning Lane, etc. for in the newly built flats on the South and North Avenues, the problem as to what should be considered equitable rents for the different types of accommodation has had to be faced. The House Committee considered this problem and felt that the existing basis of charging rents was defective and that, in the case of the newly built flats especially, the rents were particularly excessive. They recommended that some basis of averaging out of the rents should be attempted as between the bungalows and houses on the one hand and the flats on the other, and further suggested that the maximum rent leviable from each Member should be limited to Rs. 100 p.m. per unit or 10% of the allowances drawn by the Member concerned throughout the year, whichever is less, in all cases where the standard rents would exceed these figures. They also recommended that the rents charged for the furniture provided in these various units should be reduced, taking into account a more realistic period as the life of the various articles concerned.

Government have given careful consideration to this matter in the light of

the recommendations made by the House Committee. They have paid particular regard to the fact that the rate of daily allowance is likely to be reduced to Rs. 35 from the existing Rs. 40 and have decided that the rents of the various types of units should be as in the statement laid on the Table of the House. It will be noticed that the maximum rent per month recoverable from a Member occupying any one unit is, compared to the accommodation and amenities available therein, quite equitable. The maximum rent, for the building only is being limited to Rs. 105 per month, which is 10% of the daily allowance per month at the rate of Rs. 35 a day. The intention is that rents at this rate will be recoverable without distinction as to whether Parliament is actually sitting or not and whether allowances are actually drawn or not. In the result while those Members who occupy houses will have to pay this maximum rent of Rs. 105/- plus the rent for furniture and service charges etc., those in the flats will pay only the much lower standard rents for the building plus the other charges. The revised rentals will come into effect as from 1st July 1952.

I do not want to go into the details of this statement, a copy of which I am placing on the Table [See Appendix II, Annexure No. 90]. But for the information of hon. Members I might briefly give the effect of these decisions. The rents of the houses and bungalows on Ferozshah Road, Electric Lane, Canning Lane, Queen Victoria Road, Telegraph Lane, Queensway, Windsor Place and quarters on Ferozshah Road will vary from Rs. 133-14-0 to Rs. 145, the maximum being in the case of M. P.'s bungalows on Queensway, Queen Victoria Road, Electric Lane and Telegraph Lane. With regard to M.P.'s flats, the position which emerges as a result of this decision will be to this effect. In the case of 'A' type flats, the Members are at the moment paying Rs. 111-5-0 including rent for building, for furniture and for other services. Instead of Rs. 111-5-0, the new rental, including rent for buildings, furniture and services will be Rs. 68-11-0, showing a reduction of Rs. 42-10-0. In the

case of 'B' type flats, whereas Members are now paying Rs. 132-3-0, the new rental including services will be Rs. 93-6-0, showing a reduction of Rs. 38-13-0 per month. In the case of 'C' type flats, the hon. Members are now paying a total of Rs. 151-14-0, and they will henceforth have to pay only Rs. 107-14-0, showing a reduction of Rs. 44. These new revised rentals will be applicable from the 1st July 1952.

SHRIMATI MONA HENSMAN (Madras) : The hon. Minister has referred to the reduced rents of flats and bungalows. But what about those of us who live in hostels such as Western Court? We who have one room and a bathroom pay Rs. 90 per month, whereas the rental of a homely flat is Rs. 68 or Rs. 70. Will the hon. Minister let us know whether these rentals also will be reconsidered in the light of what has been laid down in the Housing Committee?

SHRI P. SUNDARAYYA (Madras) : These new reduced rents are to come into force on the 1st July 1952. The Council of States session was adjourned on the 31st May. We were charged double rent for the month of June for the houses and flats which we occupied. Although the Housing Committee recommended that that period should be considered as duty period, still we were charged double the normal duty period rents. What does Government propose to do about it?

श्री एन० एस० चौहान (उत्तर प्रदेश) : श्रीमान्, मैं कांस्टीट्यूशन हाउस के बारे में कुछ कहना चाहता हूँ।

* [SHRI N. S. CHAUHAN (Uttar Pradesh): Sir, I want to say a few words about the Constitution House.]

MR. DEPUTY CHAIRMAN : The hon. Member, Shrimati Mona Hensman has already raised that point.

SHRI N. S. CHAUHAN : Not about Constitution House, Sir.

श्री एन० एस० चौहान : कांस्टीट्यूशन हाउस में ज्यादातर कमरे ऐसे हैं जिनमें कि कोई अलग से बाथ रूम या लैट्रीन नहीं है। दो दो कमरों

[Shri N. S. Chauhan.]

के लिये एक एक बाथ रूम और एक एक लैट्रीन है, जिसकी वजह से वहाँ के रहने वालों को बहुत ज्यादा तकलीफ होती है। आप समझ सकते हैं कि यह कुदरती बात है कि दो शख्स को एक वक्त में बाथ (bath) को इस्तेमाल करने की हाजत हो तो कितनी कठिनाई सामने होगी। यह ऐसी चीज है, जो कहने में बच्चों की सी मालूम होती है, लेकिन यह वाक्या है कि इससे हम लोगों को बहुत तकलीफ है माननीय मंत्री क्या ऐसा कोई उपाय कर सकते हैं के या करने की सोच रहे हैं कि लैट्रीन्स और बाथ रूम हर एक कमरे के लिये अलग अलग हो जाय। इसका वह जवाब देने की कृपा करें।

*[SHRI N. S. CHAUHAN : Most of the rooms in the Constitution House have no separate bath-rooms or latrines. There is one common bath-room and a latrine for two rooms and because of this arrangement the occupants are faced with great difficulty. You can understand if two persons want to use the bath-room at the same time how much difficulty they will have. It is somewhat childish to talk about these things but it is a fact and we have great difficulty on account of it. Will the hon. Minister please tell us whether he is taking any steps or is considering to take any steps to construct a separate bath room and a latrine for every room?]

MR. DEPUTY CHAIRMAN : These questions might as well be raised in the House Committee. Has any hon. Member any question to ask on the statement which the hon. Minister has made ?

SHRI P. V. NARAYANA (Madras) : In respect of flats, the maximum rent has already been collected from 12th July to the 2nd of this month at the previous rate. Will the difference be refunded ?

SHRI B. RATH (Orissa) : Although we have no flower beds, we are charged for flower beds. Why are we charged for flower beds ? If there is no garden, why are we charged for garden upkeep ?

* English Translation.

And I want to know also what this "Miscellaneous Expenses" item is for which we are charged.

MR. DEPUTY CHAIRMAN : The hon. Member can enquire from the Estate Office.

SHRI KISHEN CHAND (Hyderabad) : These reduced rents come into force on the 1st of July. Our session started on the 13th May. Members are attending Parliament from the 13th May. It is only a matter of a month and a half and if the hon. Minister could revise the order and make it applicable from the 13th May, it would be much better.

SHRI RAJAGOPAL NAIDU (Madras) : Do the services include telephone connections also ?

SARDAR SWARAN SINGH : No.

Sir, most of the points that have been raised by the hon. Members have been very carefully considered by the Government in all aspects and also by the Housing Committee. And so far as the various points that have been raised by hon. Members are concerned, I will attempt to reply to them in the order in which they have been raised.

With regard to the extension of these concessions to the occupants of rooms in the Constitution House or in the Western Court, the position is not entirely analogous to the flats and bungalows, because in addition to the buildings certain services are also provided and also certain advantages which are not present in the case of the occupants of the flats and bungalows. At any rate this question is still engaging the attention of the Government and if it is found that the present construction of the rules is working inequitably with regard to the occupants of the Constitution House or of the Western Court, then within the framework of the rules we will try to examine the position in the light of any such inequity and we will do our best in the matter.

With regard to the charging of these rents at the duty rates for the month of June, I am afraid the decision has been taken after very careful consideration

because I made the policy decisions some time about the 16th or 17th of June and we thought that it was not possible to give retrospective effect because we were making a departure. Therefore we made it applicable from the first day of the next month namely, the 1st of July 1952.

With regard to the provision of more bathrooms or other amenities, I will certainly look into that and if there are any difficulties which are being experienced by the occupants, we will try to remove them if they are found to be genuine.

So far as the question of refund is concerned, I think it is absolutely clear and I have made an announcement that these concessions will apply from the 1st July. Hon. Members will certainly get credit for the over-payments and those who are liable to be charged more will be charged with retrospective effect from 1st July.

SHRI H. P. SAKSENA (Uttar Pradesh) : Is the difference between in-session and off-session removed ?

SARDAR SWARAN SINGH : Yes, that is removed.

THE PREVENTIVE DETENTION
(SECOND AMENDMENT) BILL,
1952—continued.

MR. DEPUTY CHAIRMAN : Now we will resume the debate on the Preventive Detention Bill.

SHRI P. V. NARAYANA (Madras) : Mr. Deputy Chairman, the Government would have done well on allowing the existing law to lapse in the month of October. I would like to go a step further and say that it would have been better if they had approached Parliament with a repealing Bill because in the Statement of Objects and Reasons it is said :

“The Preventive Detention Act, 1950, is due to expire on the 1st October 1952. The primary reason for the enactment of this legislation was to protect the country against activities intended to subvert the Constitution and the maintenance of law and order or to interfere with the maintenance of Supplies and Services essential to the community. Attempts to

do so, though considerably reduced in tempo, have not ceased and it is considered essential that the powers conferred by the Preventive Detention Act should be continued.”

This Bill was not drawn in consonance with the Statement of Objects and Reasons attached to the Bill. Here, according to them, such activities have considerably decreased in tempo. And again they deprive the people of their right of freedom and liberty mentioned in the Fundamental Rights guaranteed under the Constitution. They say there should be safety for the working of the Constitution. Is it on those lines, Sir, that this Act is being extended now ? Is it not in violation of the Constitution which was framed by those rulers ? If the tempo has reduced, then what is the necessity for the Government to extend this Act for a long period of two years—nay—2 years and 3 months, i.e. 27 months ? Previously it was extended by six months and prior to that by about a year and the present period of extension will be one and half times both the previous extensions put together. When the tempo has decreased it is up to the Government to come forward with a Bill giving it the lease of fresh life of 6 months or at the most one year. But instead of doing that they want to have a very long extension for a period of 27 months. The first question arises: where is the emergency here ? Even according to their statement there is no emergency. In no civilised countries in this world are such laws in existence in peace time. If war breaks out and the country is in a state of war, then I can understand the passing of such laws. But there is absolutely no emergency even according to the Government. What is the gesture shown on the part of the Government ? They could have approached Parliament with a repealing Bill and then if anything untoward happens, they can advise the President to prorogue Parliament and promulgate an Ordinance. And then their hands will be strengthened when they approach Parliament to make it a law by way of enactment. Instead of doing that, they want further to extend this for a period of about two years. I think no civilised country can brook this. My