പുസ്തകം വിതരണം ചെയ്യന്ന എജൻസിയുടെ കാര്യത്തെപ്പററി ഇവിടെ ചില പരാമർശങ്ങഠം നടക്കുകയുണ്ടായി. സഹകരണസംഘം വഴി വിതരണം ചെയ്യവാനാണു് ഗവർമെക്കും തീരുമാനിച്ചിരിക്ക നത്∙

മതവികാരങ്ങളെ വ്രണപ്പെടുത്തുന്ന ചില പാഠങ്ങഠം പാഠപുസ്തകങ്ങ മിൽ ഉണ്ടെന്നു് ഇവിടെ പറയുകയുണ്ടായി. അടുത്തകൊല്ലം പാഠചുസ കുത്തു കുറുത്തിരഞ്ഞെടുക്കുന്ന കുമ്മിററിയിൽ മതകാര്യത്തുള്ള പ്രതിനിധി കളെകൂടി ഉശപ്പെട്ടത്താമോ എന്നാലോചിക്കാം.

പാഠപസ്തകങ്ങളുടെ സ്റ്റാൻഡേഡ് കുറഞ്ഞുപോയി എന്നു് ഒരാക്ഷേ പം ഇവിടെ ഉണ്ടായി.

ത്രീ. എം. നാരായണക്കുവച്ച്: സ്റ്റാൻഡേഡ് പോരാ എന്നാണ ഞാൻ പറഞ്ഞത്.

ത്രീ. ജോസഫ് മുണ്ടശ്ശേരി: വാസ്തവത്തിൽ ഇതിനുമുമ്പു് ഉണ്ടായി മുന്ന പാഠപുസ്തകങ്ങളുടെ സ്റ്റാൻഡേഡ് വളുരെ കുറവായിരുന്നു.അതു കൂട്ട വാൻ ഗവർമ്മെണ്ട് ആലോചിക്കുകയാണ്. എഡ്യക്കേഷണൽ ആൻവ് സൈക്കളേ ാജിക്കൽ റിസർച്ച് നടത്തി ഒരു ഗ്രഡേഷൻ ഉണ്ടാക്കി അതന സരിച്ച് പുസ്തകങ്ങാം സെലക്ട് ചെയ്യുന്നതിനുള്ള ഏർപ്പാട് ചെയ്യുവാ നാണ്ട് ഗവർമ്മെണ്ടു വിചാരിക്കുന്നതു്. വരുന്ന കൊല്ലത്തിൽ ആ ഗേഡ് അനുസരിച്ച് പുസ്തകങ്ങഠം സെലക്ടചെയ്യുവാൻ സാധിക്കുന്ന താണം".

ശ്രീ. എ. താണംപിള്ള: പാഠപുസൂക**ങ്ങ**ളടെ എണ്ണവം, ബസും ഒാരോ ക്ലാസിലെയും കുട്ടികളുടെ കഴിവിൽ കവിഞ്ഞാണം° ഇപ്പോഗം ഇരിക്കുന്നതെന്നു ഗവർമ്മെണ്ടിനു അറിയാമോ?

ത്രീ. ജോസഫ° മുണ്ടഗ്ശേരി: പുസ്തകങ്ങളുടെ എണ്ണം മമ്പുണ്ടായിരുന്ന തിലും കുറച്ചിട്ടുണ്ടു്. ലോവർ പ്രൈമറിയിൽ ഒരൊററ പുസ്തകമേ ഉള്ള.

ത്രീ. എം താണുപിള്ള: സിലബസ് കുട്ടിക്കുക്ക് ഭാരമായിട്ടവരാ തെ നോക്കാമോ ?

ത്രീ. ജോസഫ് മുണ്ടഗ്ശേരി: ബഹു: മെമ്പുടെ അഭിപ്രായം പരിഗ ണിക്കാം.

The question that a supplementary sum not exceeding Rs. 36,38,900 be granted under Demand XVII was put and carried.

The grant was made.

The question that a supplementary sum not exceeding Rs. 19,32,000 he granted under Demand XXVIII was put and carried.

The grant was made.

Demand XII-25-General Administration.

Minister for Public Works (Shri Abdul Majeed): I move for a supplementary demand of Rs. 40,300 under Demand XII '25 '—General Administration

LA16-5a

Minister-for Law (Shri V. R. Krishna Iyer): I second it.

Shri E. P. Poulose: The demand is moved for meeting the expenditure incurred on account of the acquisition of land for Quilon-Ernakulam Railway and also for the unification of certain laws. Even though it is not stated in the explanatory note that the demand is for new service, it can be seen that the demand is clearly for a new service. No provision is made in the original allotment. I am referring to the demand for the unification of laws. A committee has been constituted for the purpose of unifying certain important State Laws such as the personal laws of the Hindus, Muslims and Christians, the Revenue laws and some other divergent pieces of legislation now prevailing in the three different areas of the State Travancore-Cochin and Malabar. Even during the present session itself, legislation was made for unifying the laws prevailing in the Travancore-Cochin area and the Malabar area in regard to the procedure of the High court. The result of which has been that when the Bill is finally passed, we are having three sets of laws for Kerala now. We began with two sets of laws and by the time we finished the legislation, we have three sets of Laws. That is the position. This expenditure could very well be foreseen when the original Budget proposals were brought. Whatever that be, this expenditure is incurred in violation of the principles that generally apply to expenditure on a new service. I am quoting from the Book 'Parliamentary Financial Control in India written by Shri P. K. Wattal.

"for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates, such as expenditure on behalf of a service newly imposed upon the exectuive Government by statute, or to

meet the cost created by an unexpected emergency ".

So in this case this is not an expenditure imposed on the government by statute, definitely not. It is not an expenditure that has been incurred by any unexpected emergency. Government ought to have waited, till the Supplementary Grant is moved in the Assembly before any expenditure on this item was incurred. Even after the committee is functioning for the last four or five months, we have to legislate separate for the Travancore-Cochin area and for the Malabar area in regard to ver many matters.

In the first place the demand has been brought here violating the principles that generally apply to expenditure on a new service. I am again referring to the Travancore-Cochin Budject Manual, wherein it is atated:

"Expenditure on a new service not contemplated in the budget estimates for the year may not be incurred, whether the xependiture is charged or voted and whether it can be met by reappropriation or not, until it is included in a supplementary statement of expenditure presented to the Legislature and eventually in an Appropriation Act ". So the item under this demand is unanthorised expenditure. Before the Assembly has sanctioned the amount, the expenditure would not have been incurred except in violation of the rules in force in the Travancore-Cochin area, which also govern the Kerala State. So, my submission is that although the grant is only for Rs. 8,300, it is irregular. The expenditure on this new service has been incurred without any sanction or approval of the Assembly right from the very beginning.

ത്രീ. കെം ഹസ്സൻഗനി: ആരമാസക്കാലത്തിനകം സ്ഥകാര്യനിയമ ത്മാം ഏകീകരിക്കുന്നതിനും റവനൂ നിയമങ്ങ**ം ഏ**കീകരിക്കുന്നതിനും

മററുമായി ഉണ്ടാക്കിയിട്ടുള്ള ഒരു കമ്മിററിയെ നിയമിച്ചിട്ടുള്ളതിന വേണ്ടിയിട്ടാണു് ഈ സപ്പിമെൻററി ഡിമാൻറ് കൊണ്ടുവന്നിരിക്കു ന്നതും. ഈ കമ്മററിയെ നിയമിച്ചിട്ട അഞ്ചു മാസക്കാലം കഴിഞ്ഞിരി ഈ അഞ്ചു മാസക്കാലത്തിനിടയിൽ എന്തെങ്കിലും പ്രോഗസ് ഉണ്ടായിട്ടുണ്ടോ എന്ത ഞാൻ സംശയിക്കുകയാണം". സചകാര്വ നിയമ ട്ടെറം ഏകീകരിക്കുന്ന ഏതെങ്കിലും ഒരു ബിൽ ഈ നിയമസഭയിൽ കൊണ്ടുവന്നിട്ടണ്ടോ എന്നു് പയ്യാലോചിക്കേണ്ടതാണു്. കമ്മിററിയുടെ പ്രവത്തനത്തിൽ നാളതുവരെ ഒന്നും ചെയ്തതിക്കുവാൻ കഴിഞ്ഞിട്ടില്ലാ എന്നിരിക്കെ ഈ കമ്മിററിയെ ഇനിയും നിലനിത്തേണ്ടതു ആവശ്വമം ണെന്ന് എനിക്ക് തോന്നുനില്ല. ഇവിടെ ലാ ഡിപ്പാർട്ടമെൻറിൽ തന്നെ ഒരു ഡ്രാഫ്ററിംഗ് സെക്ഷനങ് അവക്ക് കൂടുതൽ സൗക ര്യത്താരം ഉണ്ടാക്കി കൊടുത്താൽ മതിയാകുന്നതാണ്. അതിനവേണ്ടി വളരെ തുക ചെലവാകമെന്നു് ഞാൻ വിശ്വസിക്കുന്നില്ല. അതുകൊണ്ടു ഈ കമ്മററിയുടെ കാലാവധി അവസാനിക്കുന്നതു് 1959 ജനുവരിയി ലാണെങ്കിൽ അന്നു് അവരെ പിരിച്ചവിട്ട് ലാ ഡിപ്പാർട്ടമെണ്ടിലെ ഡ്രാഫ്ററിംഗ് സെക്ഷൻ കൂടുതൽ സൗകര്വം കൊടുത്താൽ മതി എന്നു ഞാൻ വിചാരിക്കുന്നു. മലബാറിലേയും തിരു...കൊച്ചിയിലെയും വിദ ദ്ധന്മാരായ നിയമപണധിത്വമുള്ളവരെ നിയമിച്ചിരിക്കയാണ് എന്ന പറഞ്ഞിട്ടണ്ടു." ഈ കമ്മററിയിൽ മലബാറിൽനിന്നാരുംതന്നെ നിയമ വിദ്ധന്മാരായി പാണ്ഡിത്യമുള്ള ആളുകഠം ഉണ്ടെന്ന് എനിക്കു തോന്ന അതുകൊണ്ടു ഈ കമ്മററിയെ നിശ്ചയിച്ചിട്ടുള്ള ഡേററിൽ തന്നെ പിരിച്ചവിടണം എന്ന് ഞാൻ യവഞ്ണടിനോട് അപേക്ഷി ക്കുകയാണും.

Sri A. Thanu Pillai: This demand covers two items. One is for the continuance of the term of a Special Deputy Collector and his staff for the acquisition of land for the Quilon-Ernakulam railway. The expenditure on this account is to be met by this Government in the first instance and reimbursed subsequently from the Government of India. In regard to this, what I have to say is that even though it is the Central Government's fund, we should be careful to see that no avoidable expenditure is incurred. Anyway that cannot be seriously objected to.

As regards the other item of Rs. 8,300 for the constitution of a committee for unification of personal laws, I think, Sir, that utter irresponsibility has been shown in appointing that committee. From what I understand of this committee's work and from what has been stated here by some of the hon'ble members, one is inclined to ask whether it is public interest or private interest that has induced Government to appoint this committee. I, for one, think Sir, that public interest has nothing to do with the appointment of this committee. Government wanted to favour some people and so constituted this committee. Now, what are the facts? Sir. This committee is to codify certain personal laws of the Hindus, Muslims and Christians, the Revenue laws and some other divergent pieces of legislation. They are to be unified. How is this committee particularly fitted to unify the laws? It is stated that they were appointed for six months. Five months are now over. What is the work they have done so far? At least by this time they ought to have issued a questionnaire. I am told that the Secretary took charge only three weeks ago. If that is the fact that shows what seriousness is there in appointing this committee. I ask, Sir, what is the function of the Law Department?

[Shri A. Thanu Pillai]

We have got any number of Secretaries, Deputy Secretaries and Assistant Secretaries and staff who are conversant with legislation work and they have been doing this work for a number of years. Now this is really exasperating the Law Department. I do not see any reason why the permanent officers of the Government are not able to attend to this work.

As for the members of the Committee—I have seen some names—I do not want to say anything disparaging. I do not know on what basis they are selected. What is their peculiar qualification? What is the special equipment they have?

Then again what is it that this Committee has done so far? That is a pertinent question. They have been drawing their salary. If they wanted to give this retired Judge Rs. 450 per mensem his services could have been continued. Then at least some work could have been got out of him. This is a very questionable way in which Government business is being done. Four to five months are already over. There is only one or one and a half months more. The appointment was absolutely unnecessary. It was dictated by personal considerations. I do maintain that. Let the Minister explain to the House what work was done and what they expect to do. In these circumstances I very strongly oppose the Demand and request the Speaker to put these items separately to vote.

ത്രീ. പി. എസ്സ്. കാത്തികേയൻ: യൂണിവിക്കേഷൻ ആവ് ലാ കമ്മിററിയുടെ നിയമനം ഈവശ്വമില്ലെന്നാണം" എനിക്കു പറയാനു ള്ളതു്. ഇവിടെ ഒരു ലാ ഡിപ്പാർട്ടമെൻറ്. ആ ഡിപ്പാർട്ടമെണ്ടിൽ ലാ സെക്രട്ടരി, ഡെപൂട്ടി സെക്രട്ടരിമാർ, ജായിൻറ സെക്രട്ടരി, അസി: സെക്രട്ടതിമാർ തുടത്തി പല ഉദ്വോഗസ്ഥന്മാരുമുണ്ട്. അത്തിനെ ഒട്ടേറെ കുടിവം പ്രാപ്തിയും ഉള്ള ഉദ്യോഗസ്ഥന്മാരുള്ളപ്പോറം ഈ ജോലിയും അവ രെതന്നെ ഏരംപ്പിക്കേണ്ടതാണം". അവക്ക് അതിന പ്രാപ്പിയില്ലെന്ന തോന്നുന്നുണ്ടെങ്കിൽ അവരെ മാററി വേറെ തുളുകളെ അവിടെ വയ്ക്കുകയ ല്ലാതെ ഇങ്ങനെ ഒരു ഭാരിച്ച ചെലവു് ഉണ്ടാക്കുന്നതു ശരിയല്ലെന്നാണും ഞാൻ പറയുന്നതു്. കമ്മിററിക്ക് കൊടുത്തിരുന്ന ജോലി ഇന്നു നില വിലിരിക്കുന്ന നിയമത്തുഗം വ്യകീകരിക്കേണ്ടവ ഏകീകരിക്കുന്നതിനും പനഃ പരിശോധിക്കേണ്ടവ പുനഃപരിശോധിക്കുന്നതിനും ചെയ്യുക എന്നതാണും. താലൂറാലികമായി 6 മാസത്തെ സമയം കൊടുത്തിരിക്കയാണ്. ഇപ്പോഗം തന്നെ 5 മാസം കഴിഞ്ഞു. ഇതുവരെ അവർ ചെയ്തുജോലി പേർസനൽ ലോയെ സംബന്ധിച്ചു ഒരു ചോദ്വാവലി പറപ്പെടുവിച്ചു എന്നുള്ളതാണം". അതിനുള്ള മറുപടി അയക്കുന്നതിനു ഡിസമ്പർവരെ സമയം കൊടുത്തിട്ടു മുണ്ട്. ഈ 5 മാസം കഴിഞ്ഞു ഇനിയുള്ള ഒരുമാസംകൊണ്ട് അവക്ക എന്ന പ്രവത്തിക്കാൻ കഴിയുമെന്ന് നാം ആലോചിക്കണം. അനിശ്ചിതമായി ഈ കമ്മിററിയുടെ കാലാവധി നീട്ടിനീട്ടിക്കൊണ്ടു പോകാൻ മാത്രമേ ഇതുപകരിക്കയുള്ള. അഞ്ജിനെ ചെലവു് വർജിപ്പിക്കുന്ന ഈ നിയ മനം അസ്ഥാനത്താണും. കമ്മിററിയുടെ കാലാവധി തീരുന്നമുറയ്ക്കു അത വസാനിപ്പിക്കണമെന്നാണ് എനിക്കു പറയാനുള്ളതും

Shri V. R. Krishna Iyer: The Honourable the Leader of the Praja Socialist Party here has characteristically seen motives in whatever this Government does. I am not surprised because he has not seen any good in any thing that this Government has done after 5th April 1957. He has always seen some personal or evil motive behind anything that the Government does.

Sri E. P. Poulose: I did not attribute any motive.

Sri V. R. Krishna Iyer: I am sorry, I am not concerned with the honourable Member now. I am concerned with some other important persons. The honourable member for Trivandrum was saying "what are the qualifications of this retired District Judge" If the Law Minister wanted to give him some money that could have been done in a different way, or it could have been done by extending his term of office."

Sri A. Thanu Pillai: I did not mention about the qualification of the Judge.

Sri V. R. Krishna Iyer: I am certainly obliged. There are some things which honourable members hesitate to do sometimes. But there is a limit to which honourable Members can go. Here it has been mentioned that there has been some motive behind what has been done. It must be understood that there is good faith, and bona fides in other human beings also apart from the honourable Members sitting on the other side. I wish to say that the unification of laws which is taking place all over the country is as a result of the re-organisation of States. So, it is nothing peculiar to this State. Even the Government of India had a Law Commission. There is a permanent Law Commission with the Government of India. So, it cannot be said that we have a committee here because the Communist Party is in power. There should be a limit to imputing motives. I cannot understand the logic of one man always seeing evils in others and considering himself as the only good and perfect man. I cannot see the meaning of that approach. It is incomprehensible. We must try to see how much good we are going to get out of so much expenditure. So, let us approach the question with some kind of charity, some kind of kindness and liberality and not always be narrow-minded and always looking into some kind of dark corner. Let us not think that there is something wrong, something shady and therefore the whole Government is motivated with private motives. Let us not look at things that way. It is time that we think that these things may be good. Therefore I have hopes still that the acts of the Government will not be always looked at from that stand point.

Now let us come to the actual substance of the charges in regard to these appointments. The Government of India itself circulated to all the State Governments whether each State should not have a Law Commission. But then it was thought that it might be too expensive. This Government did not want to have that big thing. On the other hand there were certain important pieces of legislation particularly personal laws which had to be integrated and unified. We have got the Nair Act and the Ezhava Act in Travancore and in Cochin and again in Malabar in a different way. Like that for Christians and other communities also different sets of legislation is being followed. These things have got to be unified. It is said that it is a reflection on the Law Department. I do not think the Law Department is going to be moved by that. Your honour and safety is in our hands. So look to us for help and compliment. That kind of thing is not going to be sold in the Law Department. The Law Department is concerned with the usual drafting of legislation in the regular course. But this is a by-product of States Re-organisation. This is an item of very great importance which touches the sentiment of the people. We know how much difficulty we had

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with the Anti-dowry Bill. Different customs are being followed in Malabar and Travancore-Cochin. People wanted the Bill to be circulated so much so that the Bill never progressed. Some of these Bills have got to be consolidated. This work cannot be entrusted to the Law Department. Either at the Government level we have to issue a questionnaire or appoint a separate set of men who have legal eminence to devote themselves to this particular job, scrutinise the various laws and then bring forward a consolidated enactment which can be placed before the Legislature. It is the latter thing that the Government have done. Is it a reflection on the Law Department? We should not think that there is only Kerala. We have to look at the wider world and see how other people are functioning. This Law Committee is very necessary. Perhaps it may be true that this Committee has not been functioning with all the speed that I would desire or as quickly as some of the hon'ble Members have pointed out. This has been rather a tardy process. Things could have been quickened. The hon'ble Member Mr. Thanu Pillai has asked where is the questionnaire. Have these people prepared a questionnaire? I quite agree. I am certainly willing to pass these comments and ideas to the Committee and direct them to expedite the matter. But I am of the view that we do require a Committee of this kind. Here is a retired Judge who has experience of Travancore, Cochin and Malabar. He has experience in all these three areas.

Shri K. M. George: Who are the other members of the Committee?

Shri V. R. Krishna Iyer: They are (1) Shri K. Padmanabhan, Retired District Judge, (2) Shri K. P. Raman Menon, Advocate, Ernakulam, and (3) Shri C. Prabha, Advocate, Trivandrum. For the appointment of the Secretary the sanction of the High Court had to be obtained. That took a little time. So work was started a little late. Then one of the members who was working for a month or a month and a half was taken seriously ill and he has come out of the hospital. So there was a little delay. But they have passed through one Bill. They have prepared a questionnaire and probably it would have been issued today. In fact Government has been asking the Committee why there has been so much delay. Government also feel impatient about the progress made by the Committee. But on account of certain circumstances there was a little delay. Government will scrutinise the progress of the work and I may say that they will have no hesitation in putting an end to the Committee if the work done by them is unsatisfactory. But I maintain that the regular work of the Law Department is drafting Bills and that it cannot discharge this work also.

Shri A. Thanu Pillai: Is there not a full time Deputy Secretary specially for integration of Law?

Shri V.R. Krishna Iyer: There was Shri P. T. Raman Nair, Special Officer for this purpose. He started the work. But it was found that it was such a complicated thing. Subsequently another Deputy Secretary was also appointed. But the volume of legislative work is so very great. I do not know whether the members are fully aware of the expansion of legislative work. In fact a number of Bills are now ready. The Legislature sitting so frequently is not able to cope with half the legislation. Quite a large amount of legislative work is being done there. There is shortage of man power. So this matter cannot be done by the Law Department. Unification of personal laws is something which cannot be tackled by them. In my humble

view this committee is necessary. We shall take due weight of the comments and criticisms made here regarding the functioning of the Committee so that there may be a little gingering up of their work. The points referred to in the speeches here will certainly be borne by the Government and I hope there will be no difficulty in passing this Demand.

The question that a supplementary sum not exceeding Rs. 32,000 be [11 A. M.] granted under Demand XII—25. General Administration (i) Miscellaneous (i) Special staff for acquisition of land for Railways—Mavelikara Section, was put and carried.

The grant was made.

The question that a supplementary sum not exceeding Rs. 8,300 be granted under Demand XII-25 General Administration—Miscellaneous (xi) Committee for Unification of laws, was put and carried.

The grant was made.

Demand No. XIV-28-Jails and Convict Settlement

Minister for Law (Shri V. R. Krishna Iyer): Sir, I move for a supplementary grant of Rs. 2,00,000 under Demand No. XIV—28 Jails and Convict Settlements (a) Jails (1) Jails—Contingencies.

Minister for Finance (Shri C. Achutha Menon): I second it.

Sri V. R. Krishna Iyer: Sir, I would like to make a prefatory submission in regard to this demand. The unexpected increase in the prison population has resulted in extra expenditure under dieting, clothing, hospital charges, etc. Likewise the opening of a few 'A' class sub jails in places like Kasargod, Perenthalmanna—in some 4 or 5 places—has resulted in additional expenditure towards the purchase of furniture, utensils, etc., which had to be supplied to them. There has been some increase under 'batta' to prisoners. According to the practice here, when prisoners are let off, they have to be paid batta for journeys to their homes. As more prisoners came and went, it resulted in more expenditure. There has been another item of expenditure on account of the introduction of wage system of payment of wages to prisoners. That is a practice which has been adopted in many modern jails, and here, I think, that is introduced on the recommendation of the Jail Reforms Committee. These are the items which contributed to this additional expenditure. I hope the House will agree to the necessity for this supplementary grant.

ത്രീ. കെ. കൊച്ചുകളൻ: സാർ, ഞാൻ ഈ ഉപധനാഭ്യത്ഥ നയെ എതിക്കുകയാണും. 1958-59 ലെ ബഡ്ജററിൽ, 7,79,100 പ്രോ ജയിലിലെ തടവുകാക്കു ക്ഷേണത്തിനും, വസ്ത്രത്തിനും, മരുന്നിനും ജയിൽ വിമുക്കാക്കു് ബാററന്റാകുന്നതിനും മറവമായി കൊള്ളിച്ചിട്ടുണ്ടു്. അതിനും പുറമെയാണു് ഇപ്പോഗം രണ്ടുലക്കും തുപാ കൂടുതൽ ആവശ്യ പ്രെട്ടിരിക്കുന്നത്. അതിന്നു പറയുന്ന നൃായം, ഈ വർഷാം ജയിലിൽ തടവുകാർ വലിച്ചുവെന്നാണും. കൂടുതൽ ജയിലുകുറം തുറക്കേണ്ടതായിവന്നും വെന്നും മന്ത്രി പറഞ്ഞു. കഴിഞ്ഞ കൊല്ലത്തിൽ കുറെ അധികം ആളു കുറം ജയിലിൽപോയി. അങ്ങനെ പോകാനുള്ള സാഹചര്യം എന്താ അ്. തൊഴിൽകാര്യങ്ങറും വിവേചനാപരമായി ഗവമ്മെന്റ് കൈ കാര്യംചെയ്യുളുകൊണ്ടും, നീതിന്യായം നടത്തുന്നതിൽ വിമുഖത കാണി