

(b) and (c). The Oxygen Plant stopped because of an unforeseen mechanical breakdown which took some days to set right.

Shri Chintamani Panigrahi: May I know what was the total loss so far as production is concerned and who is going to make good the loss? Will it be the contractor or others?

Sardar Swaran Singh: No outsider can make good the loss. If this machine breaks down, like the breakdown in a motor car, no one makes good the loss. These are the normal operation risks which have to be faced.

Shri Chintamani Panigrahi: May I know whether this was taken over from the contractor after the testing? If so, what was the total loss incurred because of this breakdown?

Sardar Swaran Singh: I could not say whether it has been formally taken over or not. If it has not been formally taken over, then, it will be for the supplier to rectify the defect. But the loss of production is something which even a supplier cannot make good.

Shri Chintamani Panigrahi: May I know if, before the Government took over this plant, it was tested? If not, I would like to know whether it has been decided or not as to whether loss of production resulting because of this breakdown is to be borne by the supplier.

Sardar Swaran Singh: In this particular case, there was a mechanical breakdown which could easily be rectified if the requisite spares were there. The requisite spares were not there or they could not be easily located. It took some time before the necessary spares could be put in position and it was thereafter that the converter started working. These are normal operational defects with regard to which we cannot hold any supplier responsible.

Shri Braj Raj Singh: May I know why the normal precaution was not taken in such normal matters to have

the normal spares available for the plant so that such breakdowns do not occur? The question about ultimate loss has not been answered.

Sardar Swaran Singh: The normal precautions were taken. But breakdowns are breakdowns and they take place in spite of precautions. So far as the second part is concerned, the plant did not work for 12 days. On an average of 12 blows per day, the loss of production can be estimated at roughly 4300 tons of steel ingots.

Shri Chintamani Panigrahi: May I know whether the Steel Ministry has decided to enquire into this matter as to why this breakdown took place and whether there were also previous breakdowns?

Sardar Swaran Singh: In the case of any breakdown an enquiry is always there. It is part of the functioning of the management that they look into the causes to see whether it was accidental or what was the defect; and then proper measures to rectify the defect are taken.

Shri Narasimhan: The Minister was heard to say—if I heard him correctly—that a new spare part was brought. Could we know the cost of the spare part?

Sardar Swaran Singh: I have not got the information.

Ban on Communal Parties

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*1905. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Kumbhar:
Shri Prakash Vir Shastri:
Shri Aurobindo Ghosal:
Shri M. K. Kumaran:

Will the Minister of Home Affairs be pleased to state:

(a) whether a proposal to ban communal parties is under consideration; and

(b) if so, the decision taken in this regard?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): The matter is under examination

Shri Ram Krishan Gupta: May I know whether Government have received the views of the Law Ministry? What is the view of the Law Ministry?

Shri Datar: Government has received some representations from some bodies and they are being considered.

Shri Ram Krishan Gupta: May I know the names of the parties which are considered to be communal at present?

Shri Datar: Will the hon. Member wait till Government comes to a decision?

Shri Tyagi: Have the Government been able to make up their mind as to what is the definition of a communal party? Does it signify parties which are operating as political parties or only organisations formed on a community basis?

Shri Datar: Government will have to define what is a communal party in the first instance and then make laws.

श्री म० सा० द्विवेदी : मैं जानना चाहता हूँ कि क्या मंत्री महोदय का ध्यान विधि मंत्रालय के उस वक्तव्य की ओर गया है जिसमें उन्होंने कहा है कि इस प्रकार का बैन लगाया जाना संविधान के अनुकूल नहीं है और यदि मिनिस्ट्री ने इस बात का विस्तार नहीं किया तो उन्होंने उस पर कैसे निर्णय दे दिया और वक्तव्य दे दिया और यदि यह मामला विचाराधीन है तो यह समस्या इस समय कहाँ पर है ?

Shri Datar: All these aspects themselves are under consideration as to whether such a ban can be imposed and, if so, in what way and what law should be passed.

श्री म० सा० द्विवेदी : मध्यम महोदय मैंने जो पूछा है उसका जबाब नहीं मिला...

Mr. Speaker: Does he belong to any communal party? Let me give preference to those who can be called, in any manner, communal parties. Shri Vajpayee.

Shri Vajpayee: In that case I do not want to put a question, Sir.

Mr. Speaker: I do not want to be misunderstood. But I thought that those who can apparently be called as such must be given an opportunity to put questions. It does not mean that I come to the conclusion or that I want it to be inferred that Jan Sangh is a communal party. (Interruption). So, there is no communal party. I will go to the next question.

Shri Vajpayee: I want to put a question.

Shri D. C. Sharma: The question is in my name. I may also be called. (Interruption).

Mr. Speaker: If there is no communal party at all represented in the House, why worry?

Shri Vajpayee: I should like to put one question. What exactly is under consideration? Are the Government considering about a total ban on communal parties even if their activities are confined to religious or cultural affairs, or are they considering the banning of communal parties from participating in politics? What is under consideration?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): The communal problem is a serious problem for us to deal with, and there is no doubt that some positive and definite action will have to be taken to curb this evil which at present exists in different parts of the country and for which partly some of the organisations are also responsible. Whatever law is made, it will be applicable to those parties only which are communal. Of course, as my colleague said, we cannot define communal organisations correctly and exactly at the present

moment, but that definition will have to find a place either in the law or in the executive order that we issue. So, only those parties will have to be tackled which are really communal and which create illwill and ill-feeling between one community and another.

The difficulty is that some parties say that they are not communal; yet they function and behave in a way which does create communal bitterness. That is our main difficulty. Anyhow, all these matters are being considered. In so far as the declaration of a particular party as unlawful is concerned, of course, that is one way of dealing with the problem. Personally, I think it is better to deal with these parties on an ideological plane, but a situation might arise in which Government might have to intervene and take legal action. We have had some discussion and we have considered over this problem. I do not want to take more time of the House. I might also say that we have also referred the matter to the Election Commission. We want to know their opinion about the communal organisations. We have thought over this matter and we want to know their reaction also. In these circumstances, I would suggest that we should be given time for further consideration of this matter, and when we have arrived at some decision, we will take the House into confidence.

Shri Tyagi: Do the Government consider the Dravida Kazhagam as a communal party?

Mr. Speaker: Order, order. The hon. Member wanted to know whether the cultural and social activities of any sectarian or communal party are also sought to be banned, or, only those parties which dabble in politics, though they are only communal parties, are sought to be banned. If there is a small party, relating to a particular sect or religion, and if it tries to promote its social and economic condition, is it also banned? All that he wanted to know is whether communal organisations are going to be banned if they enter into politics and

whether they would not be recognised as such, or whether those parties also will be banned even if they follow their own activities, without interfering with the lawful authorities, in regard to cultural and social matters. That is the question which was put by Shri Vajpayee.

Shri Tyagi: I want to know whether the Government would consider the Dravida Kazhagam as a communal party.

Mr. Speaker: Order, order. Let the answer be given to the earlier question.

Shri Lal Bahadur Shastri: It is quite obvious that if there is a backward class organisation and if it works for its own interest and for its own welfare, the question of taking any action or dubbing it as a communal organisation cannot arise. As I said, for political purposes or for political motives, if one community tries to create.....

Mr. Speaker: ... to utilise politics...

Shri Lal Bahadur Shastri: trouble or difficulty to another community, then, that party or organisation has to be matters. (Interruptions).

Shri Tyagi: In the opinion of the Ministry, is the Dravida Kazhagam a communal party? They are participating in the elections; they are having open meetings, calling Sita a prostitute and Rama a drunkard. All this is happening. I want to know whether such a party will be declared illegal.

Mr. Speaker: Once or twice, the hon. Minister has said that the exact definition of a communal party which will be banned or whose entry into politics will be banned is being considered and has been referred to the Law Ministry and every action is being taken. If and when they arrive at a decision, we will know it. Without the knowledge of this House, no Act will be passed to ban such activities. Therefore, at that stage, we will have ample opportunity to go into this

matter. What is the good of asking the hon. Minister now to define it?

Shri Tyagi: I want one clarification. Is that scheme being considered for the purpose of safeguarding the elections or the day-to-day life in the country? Is it only from the point of view of law and order that these bodies will be declared illegal or is it to safeguard the elections? What is the purpose?

Shri Vajpayee: Or, is it for safeguarding the Congress position in the elections?

Shri Lal Bahadur Shastri: I may inform the House that we have not made up our mind whether we will declare any communal organisation as unlawful. As I said, it may be one of the steps. We have not yet made up our minds.

Secondly, I am surprised that Shri Tyagi should ask whether we propose to take this action with a view to gain some advantage in the elections. It is very surprising. We must have the general interest of the people in our heart when we proceed with these matters. (*Interruptions*)

Mr. Speaker: Naturally it is a controversial matter. A number of hon. Members are anxious to elicit as much information as possible. If the hon. Minister is here and now able to give any further information, I will certainly allow some more questions. But he says that the whole matter has been referred to, and is under the consideration of the Election Commission and others.

Shri Tangamani: The news papers say one thing and.....

Mr. Speaker: Order, order. The newspapers will always give out something; some news is partly based on facts, and partly, or to some extent wholly, a major portion of the news is from their own imagination, as to what will happen and so on. Under these circumstances, there is no good forcing any authoritative statement from the hon. Minister when he says he is considering it. I am sure the House will

have an opportunity, when this matter is finally decided and placed before the House, to discuss it, and then various suggestions as to what ought or ought not to be done will be made. I will certainly allow an opportunity. Without the knowledge of the House nothing will happen. In the meanwhile, if the Government is taking any action, at every stage it need not be reported to the House.

Shri Ranga: Though my hon. friend has expressed his righteous indignation at the suggestion supposed to have been made by my hon. friend Shri Tyagi, is it not a fact that this question came up for serious consideration of the Government only after this was given consideration on two occasions by the party to which my hon. friend belongs and to which I also belonged earlier? Is it not also a fact that they never took the trouble of consulting the leaders of the other parties before they began to give consideration to this matter?

Shri Lal Bahadur Shastri: I am sorry to say that the hon. Member is wrong. This matter was not considered when the party gave thought to that aspect which was referred to by the hon. Members, that is, the elections. In fact, he will remember that soon after the Jabalpur incident and riots, this question came up. It came to the forefront just after the Jabalpur riots, and the Government felt, when they found that the trouble is still there and the feelings are so strong and that some people are there to excite and incite them, that they must think of taking some action against the people concerned. So, it was after the Jabalpur riots. It had nothing to do with the elections at all. I am sorry he has also been misled by Shri Tyagi. This is what the Congress Party considered: they considered that in fact these troubles generally brew up and arise when the election are near and some of the parties take advantage of that and try to incite the feelings with a view to get the votes of the people. So, the Congress Party merely considered whether something could be done to

prevent it so that the people might not be able to exploit the elections for their own ends.

Shri Narayanankutty Menon: The hon. Minister was saying that the matter has been referred to the Election Commission and that it is under consideration. In yesterday's newspapers we read that the hon. Law Minister, to whom obviously the matter has been referred for legal opinion, made a speech in Bombay saying that it is practically impossible and illegal to consider the putting of a ban on political parties under the present Constitution.

Mr. Speaker: Whatever it is, it has not yet been reported upon by the Ministry.

Shri T. B. Vittal Rao: We would like to know what has been referred to the Law Ministry—whether it is the examination of certain political parties whose names have been suggested by the Government, and whether they should be treated as communal organisations or not. For example, there is a Muslim League; it is a particular party. I want to know whether such parties have been named and are being considered, or whether it is a general question that has been referred to the Law Ministry.

Shri Lal Bahadur Shastri: The general question has been referred. We have not named any party. The parties will have to be named when we arrive at a final definition of what communal organisation are. The general problem has been referred to the Law Ministry. As regards the Election Commission—the aspect which was referred to by Shri Ranga—the Election Commission has also to give its opinion as to whether in connection with the elections, we can take some action against communal organisations.

Shri Sampath: Do the Government think that the existing laws are inadequate to tackle the persons or organisation which breed communal ill-will?

Mr. Speaker: He wants to know whether Government have examined the cope of the existing laws and the sufficiency of the existing laws to tackle this problem, which was referred to as having given rise to incidents of the kind of Jabalpur incidents and what is the need for a new law?

Shri Lal Bahadur Shastri: We have examined the existing laws also. In fact, we have advised the State Governments as well as the Union Territories to take some effective action under the existing laws. There is another opinion that we have not got enough power to deal with the communal situation and communal organisations. It has been, of course, shown in so far as the last Jabalpur and Saugor riots are concerned.

Shri A. P. Jain: May I seek a clarification whether for the first time the question of the emotional integration and suppression of communal tendencies came up before the Bhavanagar session of the Congress, i.e., before the AICC and a committee was appointed? Even before the Jabalpur riot took place, another committee was set up by the Congress Parliamentary Party. (Interruptions).

Shri Nath Pal: We are not interested in what you do or what you want to do. We are interested in what the Government does. (Interruptions).

Mr. Speaker: What is it that he wants to know from the Government?

Shri A. P. Jain: Suggestions have been made that the initiative has been taken by the party because of the coming elections.

Mr. Speaker: What is his question?

Shri A. P. Jain: My question is, the initiative by the Congress Organisation and the Congress Party was taken long before the Jabalpur riots and it has nothing to do with the elections.

Shri Tyagi: May I know in how many cases the Home Ministry has

resorted to section 153A of the IPC which directly deals with communal tension and whether the normal law was ever resorted to?

Mr. Speaker: Next question.

Shri A. P. Jain: What about my question?

Mr. Speaker: This matter is still under consideration. I only want to avoid any misapprehension; let us wait and see what exactly Government do. I am not going out of the way in suggesting that when I was the Secretary of the Congress Party in 1948, from the seat where Shri Tyagi sits now, I myself moved a resolution, immediately after the murder of Mahatma Gandhi, that no religious party or communal party shall be allowed to dabble in politics. We passed that resolution, but it has not been given effect in that manner. Instead of bringing a Bill here to give effect to it, they have been devising various methods of doing so. Evidently they thought the climax has been reached in Jabalpur. Therefore, let us allow them to consider this matter and bring it before this House. I will give ample opportunity to hon. Members to discuss it threadbare and see that the Government come to a proper conclusion in the interests of all parties concerned.

Shri Braj Raj Singh: May I know whether whatever decision is to be taken shall be taken much ahead of the next election?

Mr. Speaker: I am sure that something will be done before the next session.

Shri Lal Bahadur Shastri: Yes, Sir; certainly whatever we have to do, we will try to come to some decision as early as possible, definitely much before the elections.

As regards Shri Jain's question, I have merely to say that as Minister in charge of Home Affairs, I know that a resolution was passed in the Bhavnagar session.

Shri Hem Barua: On a point of order. We are very often told by you and very rightly too that the Question Hour is meant for eliciting information. I thought a little bit differently about the Question Hour. I thought the Question Hour is meant for keeping the Government on its toes perpetually. Whatever that may be, here is Shri Jain, who has come out with a sort of propaganda on behalf of the Congress Party. (Interruptions).

Some Hon. Members: No.

Some Hon. Members: Yes.

Mr. Speaker: I have understood the point of order. I find that not all hon. Members, but some hon. Members, utilise the Question Hour for purposes of propaganda. I do not think the hon. Member who raised the objection is an exception. Before I rule out a question, very often I ask them, "What is the question?" They say "I am still coming to the question". That is what hon. Members say. When once it enters into the record, I am helpless. Ultimately I find there is no question. I do not want to expunge all that. It does not matter. The hon. Member is not going to be carried away by propaganda inside this House, when he is immune to the propaganda outside this House. He need not worry himself. (Interruptions).

Shri Ram Krishan Gupta: On a point of order. There was one question about the speech of the Law Minister. Now the Law Minister has come. Some clarification may be sought from him.

Balachedi Palace of Jam Sahab of order. Next question.

Balachedi Palace of Jam Sahab of Nawanagar

***1907, Shri Ramakrishna Reddy:** Will the Minister of Defence be pleased to state:

(a) whether the Union Government have purchased the Palace of Jam Sahab of Nawanagar at Balachedi;