

LOK SABHA

Monday, February 20, 1961 [Phalguna
1, 1882 (Saka).

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Amendment of Extradition Law

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*142. { Shri P. G. Deb:
Shri Arjun Singh Bhadauria:
Shri S. A. Mehdi:

Will the Prime Minister be pleased
to state:

(a) whether it has been decided to
amend the extradition law; and

(b) if so, to which countries it will
be applicable?

The Deputy Minister of External
Affairs (Shrimati Lakshmi Menon):
(a) and (b). Yes, Sir. It is proposed
to introduce shortly an Extradition
Bill to consolidate and amend the law
relating to the extradition of fugitive
criminals, which will also contain pro-
visions regarding its application to
different countries.

Shri P. G. Deb: May I know the
names of those countries which have
been extending their co-operation in
the exercise of this extradition law?

The Prime Minister and Minister of
External Affairs (Shri Jawaharlal
Nehru): There is no question of
extending co-operation. With some
we have arrangement, treaties; with
others we have not. There is no ques-
tion of co-operation or lack of co-
operation.

1924(Ai) L.S.D.—1.

Shri P. G. Deb: May I know if
Pakistan, Ceylon and Burma have
been extending their co-operation in
this regard?

Shri Jawaharlal Nehru: I do not
understand the word 'co-operation'.
We have either treaties with them or
we have not. With some we are dis-
cussing this for a long time, it is pend-
ing still. There are certain difficult
points even with regard to countries
which have broadly agreed. It has
taken us years in correspondence to
get a proper formula accepted by
both.

Shri Chintamani Panigrahi: The
specific question is whether Pakistan
has agreed to this extradition law
which the Government of India wants
to have.

Shri Jawaharlal Nehru: No country
has disagreed. The question is, some
points arise, some slightly different
points arise which we discuss, formu-
late, and there is a continued discus-
sion about how it should be put, how
it should be applied. But to put it
in that away as if some country is
standing out not prepared to co-
operate with us will not be correct.

Shri Sadhan Gupta: May I know the
countries with which we have extradi-
tion treaties up to now.

Mr. Speaker: The hon. Member is
a lawyer. He can refer to the books.

Shri Sadhan Gupta: Books will not
reveal what the countries are.

Mr. Speaker: How does he practise
in a court of law where extradition
may have to be taken advantage of?

Shri Nath Pai: Pardon me, Sir. This
is a very legitimate information that
we are seeking. It is up to the Prime
Minister to disclose to the House the

countries with which we have been able to conclude such treaties.

Mr. Speaker: I believe the hon. Member is a barrister.

Shri Nath Pai: Yes, Sir.

Mr. Speaker: I also practised for some time. When there were various 'States' in our country, in regard to civil procedure, arrests, extradition etc. we had to utilise those powers. My objection is this. It is not one country or two countries. The hon. Member wanted a list of all the countries with which we have entered into extradition agreements. How am I going to allow that information to be given? Shall I say he may give the names of all the nineteen countries....

Shri Nath Pai: The Prime Minister can give the information.

Mr. Speaker: Very well. If the hon. the Prime Minister is willing to answer, I have no objection.

Shri Jawaharlal Nehru: I am prepared to give that information. I can not give it now, I am afraid I have not got the list. But I am prepared to give it. This is a general extradition law, of course, on the basis of which we shall proceed. There are difficulties in our way, chiefly in regard to Commonwealth countries, to fit in with their laws. There is no conflict with any country over this matter. And so we have to have a general law, and normally we proceed with each country on a reciprocal basis.

Shri Hem Barua: May I know whether we are discussing this matter with U.K. in view of Phizo's escapade to that country?

Shri Jawaharlal Nehru: This is a law for Parliament to pass. If it is passed, on the basis of that we discuss it with them. As regards Pakistan, about which one hon. Member asked, we have no extradition treaty with them at present, partly because we did not have this and we are dealing with this law—this law has always

appeared simple—but it has been with us, I do not know, for how many years, with discussions going on amid ourselves.

Shri Tangamanl: May I know whether the extradition law applies to all the Commonwealth countries?

Shri Jawaharlal Nehru: It applies to those with whom we have treaties. Our law applies to us and to those with whom we have treaties. We have not got treaties, separate treaties, with them, but the treaties will have to conform to the law that we pass here.

Shri Hem Barua: In view of the fact that the hon. Deputy Minister said that we are proposing to formulate a law on this matter may I know whether we have the Commonwealth countries, including U.K., in our purview.

Mr. Speaker: The whole world is there.

Shri Jawaharlal Nehru: But there is this difficulty, and that is how there has been this delay; it will apply to every one on a reciprocal basis, I repeat. Therefore, it may vary with some countries but it will be within the ambits of this law. This Extradition Bill is coming up before the House in this session.

Mr. Speaker: We can have it discussed thoroughly then.

महात्मा गांधी के जीवन पर आधारित
फिल्म

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{ श्री भक्त दर्शन :
*१४३. { श्री राम कृष्ण गुप्त :
 { श्री पांगरकर :

क्या सूचना और प्रसारण मंत्री २२ नवम्बर, १९६० के अतिरिक्त प्रश्न संख्या ५६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) महात्मा गांधी जी पर फिल्म तैयार करने के बारे में अब तक क्या प्रगति