

[Shri Mohsin]

I am thankful to Raja Saheb Mr. P.K. DEO for his kind words regarding me. He has reminded me about the development to be made in Mysore State, about *garibi hatao* schemes to be implemented. He has been a very good friend of mine. Perhaps if he was not born a Raja, he would have been with us. Unfortunately that birth comes in the way of joining our party.

About the *garibi hatao* programme we are very particular to implement such programmes. We solicit his cooperation and broadmindedness to sacrifice a bit at least for the *garibi hatao* programme and I am sure my friend will not disappoint me.

Many other suggestions were made by some friends, Mr. Naik and some others. One was about inter-State seniority list and other things. All these things will be conveyed to the President.

With these words, I appeal to the House to support the Bill.

MR. DEPUTY SPEAKER : The question is :

"That the Bill to confer on the President the power of the Legislature of the State of Mysore to make laws, as passed by Rajya Sabha be taken into consideration."

The motion was adopted.

MR. DEPUTY SPEAKER : We have taken up clause-by-clause consideration. The question is :

"That clauses 2, 3, and 1, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 2, 3, and 1, the Enacting Formula and the Title were added to the Bill.

SHRI MOHSIN : I beg to move :

"That the Bill be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

15.44 hrs.

STATUTORY RESOLUTION RE: WEST BENGAL SECURITY (TRIPURA RE-ENACTING) SECOND AMENDMENT ORDINANCE

MR. DEPUTY SPEAKER : We will now take up the Statutory Resolution in the name of Shri Jyotirmoy Bosu.

SHRI JOYTIRMOY BOSU (Diamond Harbour) : I beg to move :

"This House disapproves of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971 (Ordinance No. 4 of 1971) promulgated by the President on the 3rd May, 1971."

The West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance is yet another detention ordinance specially meant for the colony of the Centre named Tripura. This ordinance as usual is meant for continuing repression and for deriving political advantage out of that for the ruling party. It is a desperate attempt to rehabilitate politically the Congress Party in Tripura.

15.46 hrs.

[SHRI K. N. TRIWARY *in the Chair*]

During the past two or three years, we have seen them following a policy of deputing such officials as had earlier experience of handling peasants' and workers' agitations, that is, handling communist movements or movements led by the communists. We have known one superintendent of police who was taken there as IG, his background and his notoriety. That is the type of officials that they want to send to these small places to terrorise the people and to terrorise those who lead and organise agitations against exploitation and repression. Otherwise, how could one explain this ordinance ?

The parent Act was originally meant for West Bengal, and it had expired. This ordi-

nance is just an offshoot of that ; just because if it is challenged in a court of law, it is likely to be struck down, therefore, Government have taken recourse to bringing it here and taking this House's time.

Let us see the type of treatment that they have been meting out to people who have been arrested and detained under the different detention Acts. Very recently we had been talking about the Maintenance of Internal Security Bill. It is not yet an Act ; it is still in the Rajya Sabha, and I am told that they are trying to hustle it through there and very wrongly so.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHSIN) : We shall pass it.

SHRI JYOTIRMOY BOSU : He may hope to pass it.

Under this ordinance, they have detained a very well-known political leader, Shri Syed Badrudduja, a man aged over 75 years. He is kept in jail in the month of June in West Bengal where there is a lot of humidity and heat. Here is a gentleman aged 75 or 76, who had been in politics and who was an eminent leader for the last 45 or 50 years, and he was refused even a fan. Not only that, an advocate who happens to be a Member of Parliament, a very eminent advocate, Shri Shashanka Shekhar Sanyal who wanted to meet him was refused permission to meet him. It had first been agreed upon by the Jail Superintendent that he could go and interview Shri Badrudduja to give him legal advice. The gentlemen came at the jail gate, and there the Home Secretary's instruction came to the Jail Superintendent, and the gentleman had to go back without seeing Shri Badrudduja. Are we to accept that we are living in a jungle, in an age of barbarism perpetuated by this Government here ? They talk about socialism, and they talk about democracy ; but they are treating a man who had not surrendered to them in this fashion. They had wanted to make him a Cabinet Minister and get the support of the Muslim voters from Bengal before the last elections. Just because he would not sell his head like so many others on the other side, he is being taught a lesson today. It is a matter of deep shame and regret that a man aged 75 could be treated so harshly. Are they civilized

enough to understand these things that a man was declined even a fan in a cell in the month of June ? I could understand it if he were a criminal. But he is a political leader.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) : A man arrested for printing counterfeit notes is provided with a fan.

SHRI JYOTIRMOY BOSU : We know the facilities given to the money-bags who are sent behind the bars, to those who are patrons of the other side, those who finance them and those who give them money for doing horse-trading in Gujarat, Mysore, Punjab and Bihar. When they are taken to jail on charges of food adulteration, blackmarketing, spying, smuggling which is ruining the economy of the country, under-invoicing and over-invoicing involving Rs. 400 crores in foreign exchange every year, my hon. friend cannot touch them, because if he touches them, then he will go out of existence, and therefore he dare not touch them.

When we were discussing the last Bill, we were told this was being done to prevent espionage. What sort of espionage? I have cited a concrete instance in which a British secret service agent, one Brig. Stevens who had a phoney job of the secretary of the Duar branch of the India tea Association was involved; his sole job was to do intelligence work.

At the eastern border of India between Bhutan, Sikkim and India, in that remotest part, there he became very chummy, very friendly, hand in glove with the person to-day who is sitting as a Secretary of a Department in West Bengal Secretariat, and with the person who has till the other day Commissioner of Police, maintaining law and order on your behalf and trying to catch spies and the third one is the Commissioner of a Division.

May I ask Mr. Mohsin, doctor heal thyself. Set your machine right first before you try to poke your dirty nose in others clean affairs. You are doing all these things in order to remove political opponents, people who pose challenge to your throne and you want to remove them. That is why you are trying to take recourse to these methods. This will leap into history as a black act in an era which will be known for its anti-democratic actions.

[Shri Jyotirmoy Bosu]

Sir, another person was Dr. Yazdani, who was Minister in the United Front Government, a proper doctor and a man who had been an army officer once upon a time; I know him. He has been arrested. Why? These two by-elections were pending at that time. Why? You know in 1972 we are going to have another general election for the Assembly. So you had to remove them.

One of his (Mr. Yazdani's) relations has written a letter. I got it this morning. Mr. Mohsin, you can see from a minority community. Put your heart and try to find out what you are doing as a Minister in order to keep yourself in power. Is it right? You are a lawyer, I know. You should have better understanding of things. You should be more of an appreciator of human freedom and democracy of human rights. But what have you opted for? You have sold your soul to these people, the power grabbers, and you are clinching your hands in this black act. What explanation will you give when you go back to your Constituency and when you will be asked these questions? Are these Detention Acts absolutely essential or is it being done in order to keep you rotate in power in this method?

Mr. Mohsin will make a note, this gentleman, Dr. Yazdani's relation Dr. Gulamyad was told vide Memo No. 3426, "you may have interview with your relative at 4 P.M. on 8-6-1971." We went on 8-6-1971. From a very far off place he came. He went to Dr. Yazdani. But there he was not granted this interview. Another Deputy Jailor wrote him a letter, "Interview not held. Another date will be fixed, etc. etc." So, is it not harassment of the person who dispute your political superiority, or whatever it is? To harass his relations you deprive him of minimum requirements of life. Is this the way? Do you know—even the foreign rulers, the Britishers—they showed much more respect to the political opponents. I remember I read the speech made by the then Viceroy of this Country—Lord Linlithgo who said, "If I have to deprive somebody of his freedom and detain him, we must see that he is not deprived of his normal comforts." They gave family allowances. They gave all sorts of comforts. But to-day we have you who are denying comforts to a man of 75 years who has been a Member of this House, who had been a political leader

for the last 45 years. That is where you have come down to.

Then, Mr. Mohsin, you should not forget and you must have the courage to speak out that it is the hardened Police officials who in 1965 Mr. Justice A. N. Mulla had very rightly described as organised gangsters who are forcing you. You are playing in their hands. They are forcing you in this black act. With one stroke of the pen in 1965, 8000 persons from the minority community were put behind the bars. 8000 families were ruined. Why they were detained, even to-day they do not know.

With one stroke of the pen they were put behind the bars; with another stroke of it, when the purpose was served, they were released. That is the type of democracy Shrimati Indira Gandhi is trying to sell us here today in the 20th century. You cannot fool everybody; you can try to fool some; but you cannot fool everybody. That is the position.

Let us see how this Ordinance has been applied in Tripura. There was a Congress leader whose daughter was studying in class eight or nine in the Kalangpur Higher Secondary school. She got less than 100 marks out of 700 or 800—I am not sure. But she had to be promoted because she happened to be the daughter of a top Congress leader. The moment that was done, the other students who got higher marks than her but were not promoted wanted promotion. The Headmaster refused. What happened? The students staged a peaceful protest strike for one day. After a few days that Congress leader came with some goondas to the school and within its premises during school hours gave a good beat-up to the teachers and students. Then, after a few days, this Ordinance was applied and some of the teachers and students were arrested. In protest against that, the Government employees in Tripura called for a *bandh*. Immediately thereafter, the office-bearers of the Government Employees' Union—I can give their names—Babuldas, Joy Biswas and others—were arrested under this Ordinance and detained.

Sometime ago some of the tribals, for whom this Government has done nothing at all—were doing jhume or shifting cultivation, that is by deforestation to some extent—in a place called

Jhomb Jala, Champak Nagar. They were arrested and detained. How do Government expect these people to survive if they do not give opportunities to them to work and live? Is it Government's intention to clap them all inside jail? Then you must have a much bigger jail. If this be the line of approach, I do not know how many more jails you will have to have in the years to come. This is coming.

I am told that in the middle of 1969, for staging a strike in Dharma Nagar, they were told 'You are connected with Naxalites'. Then this Ordinance was applied and they were arrested and detained.

As far as Tripura is concerned, Mr. Kao of the Research Analysis Wing is very active. He has sent two specialists, selected officials, to go and create a special cell in Tripura. The object is to set the people right by repression. Out of the two seats in the Lok Sabha, both were captured by CPI (M) members. So this is a very alarming situation. So a special cell is being created under the direction of the Intelligence, Research Analysis Wing. For that, of course, there is no dearth of money. All this is being done to curb the peasant and working class agitation carried on democratic lines. All this is against the CPI (M).

How have the tribals been repressed in Kanchanpur? They used elephants to smash their cottages in Pykul. Their leader, Mondidar Rieng, led an agitation against the moneylenders who are charging 200-300 per cent interest on loans they give to the tribals.

16 hrs.

This gentleman, our leader, led an agitation, and what have you done? You wanted to help the moneylenders, you are a Congress man. So, these moneylenders came to the Police and asked them to detain this man, as otherwise their business was going to dogs. Immediately this Ordinance was applied to him and he was arrested and detained.

We say that you have failed in every sphere. You have miserably failed to bring about any development in Tripura. Unemployment is very acute there. You have failed there too. High prices are prevailing for daily essentials in Tripura and you cannot bring any relief to the people.

Communications with Tripura are through I.A.C. and there also the people are in a very difficult condition.

I only say one thing,—that if you feel you want to protect yourself like Gen. Franco, you will get isolated, because people have come to know you. They understand that you are nothing but stooges of big monopolists and capitalists—foreign and Indian. Therefore, either you serve the people or you quit. You feel that the police, army, militia and this Detention Act will save you, but I can tell you that this is not going to give you any help. People will throw you out like a piece of rag not before long.

MR. CHAIRMAN : The Resolution moved :

"This House disapproves of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971 (Ordinance No. 4 of 1971) promulgated by the President on the 3rd May, 1971."

Shri Suryanarayana.

*SHRI K. SURYANARAYANA (Fluru) : Mr. Chairman, Sir, the Government is doing their best to bring peace in the country without using the tactics that are followed by the Communist Party. The Government while doing so is proving their sincerity by appointing Inquiry Committees wherever necessary. The Government is trying to implement the various promises given by them to the electorate here. One of such promises is to see that the democratic institutions remain alive and progressing. But whenever such measures are brought before this House with this idea, our Communist friends make it a point to oppose them. It is very saddening to see that our friend Shri Jyotirmoy Bosu opposing the measure that is brought before this House. Our Communist friends are trying to follow the methods that are followed by other Communist countries but they have no say in the functioning of the Governments in those Communist countries. In those countries if people criticise policies of the Government they are dealt with severely and in certain cases the whereabouts of the critics are not known afterwards. Our Government is making sincere efforts in implementing the various democratic principles that have been enunciated by leaders like

*The original speech was delivered in Telegu.

[Shri K. Suryanarayana]
Mahatma Gandhi. But still we find our Communist friends are opposing this measure tooth and nail.

It may be recalled that the same party was in power in West Bengal recently. In order to make their Government secure, they had enacted similar measures which they are opposing now. This is very surprising. In addition to this they are habituated to conduct walk-outs frequently for the purpose of publicity. Shri Jyotirmoy Bosu has mentioned a few cases where according to him injustice has been done. There are ample provisions in the law to safeguard people from such hasty action by biased officials or politicians. The Government also made a provision for appointment of an Inquiry Committee wherever it was necessary. All the cases and points enumerated here by the hon. Member would better be placed before such a Committee. Then the genuineness of these statements would be examined. It would serve no useful purpose if the Member chooses to enumerate these points here before us. I would advise my friend Mr. Jyotirmoy Bosu not to do so here.

Every one of us here is very keen to see that peaceful conditions prevail in West Bengal. Just as an epidemic in East Bengal is threatening the lives of people in West Bengal, so also if there is disturbance and unrest in West Bengal it would threaten the peaceful life of the people in the contiguous States Orissa, Andhra Pradesh, Madras etc. With this in mind we are trying to bring peace in West Bengal and Tripura in particular and the country in general by bringing a bill of this nature. It would not bring credit to this Government if it tries to make use of this Bill against its political opponents—Communists or others.

Most of our Communist friends here who are opposing this Bill I remember were soliciting votes by professing their support to Shrimati Indira Gandhi and her party during last elections. It is strange to see them now opposing Shrimati Gandhi's policy so vehemently. It would appear as if they are opposing Shrimati Gandhi's policies with political motives.

I therefore submit that we should endeavour to localise and destroy this epidemic of unrest that is creating chaotic conditions in West Bengal and threatening the neighbouring

States. For this purpose we should support the progressive measures that are being brought here by Shrimati Gandhi's Government. I would also submit that if anybody opposes such progressive measures it would boomerange on them. I therefore request that you should all support the Government and strengthen its hands to bring about peace and progress in the country.

*SHRI LUTFAL HAQUE (Jangipur): Mr. Chairman, Sir, today my friend Shri Jyotirmoy Bosu has introduced a resolution seeking the repeal of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance. We have to consider in this connection the situation in West Bengal and whether there is any necessity for the Security Ordinance or not. Tripura (Interruptions)....

SHRI JYOTIRMOY BOSE: Mr. Chairman he does not know it is not meant for West Bengal only, but meant for Tripura, a colony of the Centre. (Interruptions)....

SHRI LUTFAL HAQUE: I am speaking on the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance 1971.

He has suggested that the Security Ordinance should be repealed. The conditions prevailing in West Bengal during the last two or three years and particularly after the general elections of 1967 (Interruptions)....

सभापति महोदय : अगर आप हिन्दी में बोल सकते हैं तो हिन्दी में बोलिये। अगर अंग्रेजी में बोल सकते हैं तो अंग्रेजी में बोलिये। अगर आप बंगला में बोलना चाहते थे तो आपको पहले से नोटिस देना चाहिये था ताकि ट्रांसलेशन हो सकता। अब डिफिकल्टी हो रही है। (व्यवधान)

श्री लुत्फल हक : हम बंगला में बोलेंगे (व्यवधान)

सभापति महोदय : टेप पर जो होगा वह ले लिया जाएगा। आप की स्पीच का ट्रांसलेशन हो जाएगा। आप बोलिये।

*The original speech was delivered in Bengali.

SHRI LUTFAL HAQUE : Those who want to repeal the resolution under discussion they are all elected members from the State of West Bengal. That is why I want to make my submission regarding this resolution for the sake of making those elected members of my State understand as to whether there is any necessity for repealing the ordinance or not. The situation that developed in the state of West Bengal after the 1967 general elections is known not only in every nook and corner of India but also known to the outside world. Today in West Bengal, in the name of maintaining law and order murders are taking place and there is no legal protection to the people against those murders. People there are indulging in various sorts of illegal activities. Law and order has completely disappeared from that State. The lives of the people there are constantly in danger. At any moment something may happen to them and that is why the people are living under constant fear and anxiety. (Interruptions).. From whatever angle we may consider the necessity of this security ordinance, I definitely feel that it should be there for some more time in West Bengal especially. The first victim of this Ordinance were those against whom cases were pending on charges of participating in Naxalbari movement but on political consideration those cases were later on withdrawn. Even prisoners against whom there were charges of murder were released as they were declared to be political prisoners. So the trouble started from that very time when murderers were released on political considerations.

Sir, I know that all the preventive detention measures were used by my friends opposite when they had their Government in the State of West Bengal in the name of maintaining law and order in the State. But my friends opposite will say that those preventive measures were used only against the black marketiers but that is not true. They were used against political parties whom they did not like. (Interruptions) Considering the situation that is prevalent in West Bengal today, there is no certainty that similar situation will not arise in Tripura. Nowadays in West Bengal there is complete disorder in the educational field. Even people cannot move there freely and for this type of situation there the erstwhile Government must be held responsible. There is no guarantee that similar chaotic condition will not develop in Tripura. Therefore, this ordinance which is applicable to Tripura must receive our full

support. We know that in the name of social welfare how alternative arrangements were made in Tripura. We should support this ordinance in order that peace may be established by supporting this piece of legislation. It is our responsibility to support this legislation so that peace is maintained in the country and the democratic traditions are also maintained. Processions of people carrying spears, lathis and other arms were witnessed during the regime of the United Front Government and there is no guarantee that such things will not happen in Tripura, when power once again goes to them. It is therefore desirable that the Government of India should take adequate precautions and apply this particular legislation to Tripura also. (Interruptions) My friends know me and I know each one of them. I know their method of working and they know our method of working. For the sake of peace, for the sake of justice, for the sake of well-being of the people and for the sake of democracy I urge that this piece of legislation must be made applicable to Tripura. With these words I conclude my speech.

श्री एम० सत्यनारायण राव (करीमनगर) : जनाबे सदर, त्रिपुरा में जो वाक्यात गुजर रहे हैं, उनके मुताल्लिक किसी को डाउट नहीं है। मैं नहीं चाहता कि वहां पर जो परिस्थिति है उस को कंट्रोल नहीं करना चाहिए। उसको जरूर कंट्रोल करना चाहिए। लेकिन सवाल यह है कि कुछ दिन पहले हमने जो इनटर्नल सिक्युरिटी बिल पास किया है, क्या वह काफी नहीं है? उसमें ऐसे काफी प्राविजन्ज हैं, जिनके तहत लोगों के खिलाफ कोई भी एक्शन लिया जा सकता है। इसमें कोई शक नहीं है कि त्रिपुरा और वेस्ट बंगाल में सिटुएशन ग्रेव है और वहां एक्शन लेने की सक्त जरूरत है। मैं उसको ओपोज नहीं करता हूं। सरकार इनटर्नल सिक्युरिटी बिल और इस किस्म के जो दूसरे बिल लाती है, उन के आबजेक्ट से कोई एतराज नहीं है, लेकिन मुसीबत यह है—इस बारे में मेरा भी तजुर्बा है—कि जब उनको अमल में लाया जाता है, तो लोगों को तकलीफ होती है। इन कानूनों के तहत डिस्ट्रिक्ट मैजिस्ट्रेट्स और दूसरे अफसरों को पावर दे दी जाती है, लेकिन वे इनके प्राविजन्ज का इस्तेमाल गैर-जिम्मेदारी से करते हैं।

[श्री एन० सत्यनारायण राव]

सदनमेंट को ध्यान रखना चाहिए कि ऐसा न हो।

श्री ज्योतिर्मय बसु ने बहुत सी मिसालें दी हैं कि इस कानून का इस्तेमाल पोलिटिकल आपोनेन्ट्स के खिलाफ किया जाता है। अगर वे बातें सही हैं, तो मैं उनको कनडेम करता हूँ। मेरी रिक्वेस्ट है कि इस कानून का इस्तेमाल सरकार अपने पोलिटिकल आपोनेन्ट्स के खिलाफ न करे।

SHRI DASARATHA DEB (Tripura East) :
Mr. Chairman, Sir, I rise to support the Resolution sponsored by Shri Jyotirmoy Bose regarding the disapproval of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971 (Ordinance No. 4 of 1971) promulgated by the President on the 3rd May, 1971.

Sir, this West Bengal Security Act of 1950 had been imposed in Tripura for so many years. It has got certain limitations. They have extended it for certain periods and after the expiry of the life of this Act it has become a practice of the Government to revitalise this Act and again enforce it.

Sir, in this connection one should remember that the present Act—the West Bengal Security Act—which had been originated in West Bengal itself is no longer in force in West Bengal. It is a dead Act. They introduced this Act in Tripura only with one motive, that is the political motive to suppress the political opponents there. It is a kind of black Act. This time they have brought this Ordinance and asked this House to pass it because that was the controversy in Tripura itself. People who were subjected to this Act—black Act—are attempting to go to the court and challenge the validity of the Act itself because the parent Act was dead. Just to avoid that thing the President has promulgated the Ordinance and now they wanted to give it a regular appearance.

The Central Government armed the Tripura Government with so many black Acts like this. These are all repressive measures. It is a kind of Preventive Detention Act. As soon as the

life of the Preventive Detention Act expired, because at that time the ruling Congress did not command a majority in the House, it dared not extend the Preventive Detention Act but they extended the Orissa Preventive Detention Ordinance, 1970, to Tripura. They extended the Assam Disturbed Areas Act, 1955 to Tripura. They also enforced the Armed Forces (Assam and Manipur) Special Powers Act, 1958 in Tripura. They are also having the Maintenance of Internal Security Act very soon if they can get it passed in the Rajya Sabha.

But armed with all these extraordinary Powers, the Government does not feel confident. They are very much afraid of the people. That is why they wanted to arm themselves with so many arms. Now they have brought this Ordinance. They have already promulgated it in Tripura. I ask this Government, how many repressive laws they want to have. I say, it is a devil's desire.

You know, Tripura is a very backward place and is very much neglected. We do not have any industry and the people are agitating for that. Because this Government has done nothing for the people of Tripura, for their upliftment and to improve their economic conditions, now the people will have to agitate against them. They want to survive. But they do not want to face the people and give them good things. They want to suppress the voice of the people by using these kinds of black Acts.

I can give you a lot of examples of what Tripura is suffering from. A lot of unemployed people is there. Youth's minds are very much agitated. They want jobs. But these people, the Tripura Government or the Central Government, would not provide them with work. So, the youth's minds are bound to be agitated. For their own survival they want this type of Act so as to suppress all those unemployed people.

You will be surprised to know, this Government has already decided that 60 percent of the total area of Tripura should be under forest reserve. More than two-thirds of the area is hilly and if 60 percent of the total area is brought under the forest reserve, then what remains for the people? Nothing will remain, with the result that one lakh Tribal people have been thrown out of employment.

They extended the forest reserve area and the tribal people were evicted from that land. They have already been evicted from the land. Some people cannot go elsewhere immediately. So, they have to cultivate that land because, traditionally, they have been cultivating the forest land. What does this Government do against these people? They have instituted cases against them on the plea that these people have been violating the forest law. Hundreds of people were put under jail custody. First they arrested them and put them under the jail custody under provisions of the West Bengal Security Act and, after putting them for 3-4 months inside the jail, they started using some other provisions of the Criminal Code and put them under jail custody. They are doing these things.

I want to refer to another case also, that is, Mandida case. My hon. friend, Shri Jyotirmoy Bose also referred to it. Then, I want to refer to Palku case also. In 1962, this land had been brought under cultivation by the tribal people. They had settled there. But the Tripura Government wanted to give that land to some other people, to some other vested interest. Then, they created some sort of trouble there. Ultimately, what happened was that when the tribal people resisted against the land grabbers, all the tribal people were put behind the prison bars, under the West Bengal Security Act and under so many provisions of the Criminal Code. They have instituted criminal cases against them. These land grabbers were allowed to occupy that land and still they are occupying that land. The cases were instituted against the tribal people in the 1962. Even today, they are pending in the court because they will not be able to produce any evidence against the tribal people. But the cases are lingering on and, in the meantime, the tribal people would have been finished economically.

Then, I want to refer to another case, that is, Laxi Narayanpur case. The tribal people have settled on that land. The land was surveyed and recorded by the Survey and Settlement Department. The proposal was made that the land should be allotted to those tribal people. Just on the eve of General Elections, in 1967, the Chief Minister promised a section of non-tribal people, who were rehabilitated elsewhere earlier, that if they voted for the Congress, they would be given that land. They

voted and, ultimately, what happened was that this land was given to those people. The tribal people resisted that. First they were put under police custody and kept there for months together. Under this sort of Act, land grabbers were allowed to occupy that land. Now, these tribal people are completely evicted from that land. Still the land rests with the land-grabbers.

I want to refer to the Paikhola case. What did actually happen? Police repression was going on in this case. In 1964, Muslims deserted the land and went to Pakistan and the tribal and non-tribal refugee, landless poor people, occupied that land and started cultivation there. But the Tripura Government wanted to give that land to some other vested interests. They were non-cultivators, but big monied people.

MR. CHAIRMAN : This motion is about the Ordinance.

SHRI DASARATHA DEB : All these Ordinances are being used against them.

As I already mentioned, the West Bengal Security Act has been in force in Tripura for a long period. Because this law has already expired and people were preparing to go to the Court to challenge it, they have promulgated a West Bengal Security Ordinance trying to take the opinion of the House and thereby frustrating the people's attempts to go to the court. In this Paikhola case, what actually happened? These people have applied to the Government also for giving that settlement on that land, but they refused. Ultimately, they say, 'You cannot do it.' But people refused. Then this Government with the help of elephants smashed their houses and dragged them out of their land. This is a very serious case.

MR. CHAIRMAN : You have taken more time than the mover himself.

SHRI DASARATHA DEB : But this is a very important matter. I want to refer to my case. In 1966 when I was a Member of this House and Mr. Biren Dutta was also a Member of this House, we were arrested and taken into Police custody, jail custody, under the provisions of this West Bengal Security Act, on the 29th of August 1966. What was the charge against us? The charge was: we plotted to murder the Chief Minister,

[Shri Dasaratha Deb]

Mr. S. L. Singh. Very fantastic. What was the incident? On the 29th evening there was a clash between some military personnel and some cinema ticket blackers. Some clashes were there and the Police resorted to lathi charge. By that some passers-by and students were injured and some students were taken into Police custody. On the 29th August the students held a big demonstration demanding the release of the arrested students. Police opened fire. Three lives were lost. Then the students proceeded up to the Assembly House and there were some clashes like that. At that time, myself and Mr. Biren Dutta were in Parliament and we had to go to Agartala to address a public meeting. So, we reached Agartala directly from Delhi on the 29th at about 11 or 12 noon. But all the incidents had taken place before that. Even the Police firing took place before 9 a. m. But we were arrested and charged that we plotted to murder Mr. S. L. Singh. Fantastic. You can go through the file and see. I was refused to be classified as Division I under-Trial being a Member of this House in 1966. I had been treated as a Division III under-trial prisoner. I had to plead in the Court for it and got Division I. Not only myself, Mr. Biren Dutt and so many others, were there. There were 4 M. L. A.s belonging to my party. Do you know the reason? It was because the Tripura Government was afraid of facing the election. I was put inside the jail under the Defence of India Rules in 1962. In 1966, in the month of July, I was released by the Supreme Court, on the basis of a writ of *habeas corpus*.

Again Mr. S. L. Singh wanted to put us inside the jail. It was only then, before filling the nomination of Parliamentary election in 1967 that I was released on bail. Not only myself, but there were others also.

I oppose this Ordinance and I support Mr. Jyotirmoy Bosu's Resolution. I say, this Act should not be there. It is a shameful Act. It is a disgraceful thing to have such an Act. Every democratic-minded person will oppose it.

SHRI S. K. SARKAR (Joynagar): I want to speak in Bengali and I want permanent arrangements are made.

(Spoke a few words in Bengali)

*The original speech was delivered in Bengali.

MR. CHAIRMAN: In future please give prior notice if you want to speak in your own language. Otherwise there will be arrangement of translation. At present there is no arrangement for Bengali translation. In due course it will be made. So, it is better if you can speak in Hindi or in English.

*SHRI S. K. SARKAR: Today I shall concentrate on Bengali. My opposition friend Shri Jyotirmoy Bosu has put forward a resolution to disapprove the application of the West Bengal Security Tripura (Second Amendment) Bill in Tripura. I oppose it. I believe that he has put forward this resolution only to oppose for the sake of opposition.

We are the people of West Bengal. We have link with Tripura. We know the geographical location of Tripura and a large number of Bengalis live there. (Interruptions) There has been a heavy influx of refugees and I feel that ordinance that has been introduced by the Government is indeed a very wise step.

From the experience that we have gained I can very well say that considering the situation in West Bengal, if we neglect the eastern sector of the country today we will have to make amends, the whole of India will have to make amends for this tomorrow. We are the representatives of the people—we are the representatives of ten lakhs of people. What do we see when we go there? We have to take police protection when we move out. We have to take police protection at our residence. Every day when we move about we have to be in the company of a few more persons. This is the state of insecurity that prevails there today and we do not want that this state of insecurity should be repeated in any other State. We want that every citizen in every State should live in peace. Unfortunately, this state of insecurity is spreading in other parts of India—in Assam and Tripura. If the Government remains inactive, if the Government fails to realise the seriousness of the situation, then I am sure that the day is not far off when this house of cards will crumble to pieces.

What do we find in West Bengal today? Millions of people have come there. The Governments of West Bengal and Tripura are feeling helpless about the whole situation. We

feel that at any moment communal feelings may flare up. We feel that any moment communal riots may take place there and such a situation can be created by our opposition friends or by their political bureau. This is our experience and in the past during the regime of the opposition members who are opposing this ordinance from there such state of affairs had prevailed in West Bengal. What had happened in West Bengal? Thousands of people had taken arms, bombs and weapons in their hands and as a result lawlessness had spread in the whole of West Bengal. We do not want that the same thing should be repeated in Tripura also. We will not tolerate this and we want this House to know it clearly. I ask my friend Shri Jyotirmoy Bosu who claims to be the spokesman for West Bengal to place his hands on his chest and along with all his friends turn back and oppose these. Let me see how brave he is. I know he cannot do it. Just as I am unable to do anything, so he is unable to do anything. In West Bengal the unsocial elements are being pampered in the name of Naxalites and this was done during their own regime. They are the creator of lawless elements and it cannot be forgotten that the Naxalites are their step children. (Interruptions) We do not want that this fire should spread in Tripura. We want that adequate steps should be taken against these elements. I will say that if they love this country, if they love democracy, they should not oppose this Bill.

Democracy is in danger in West Bengal. But I am thinking of the fate of our Constitution. Those who do not have faith in Constitution, those who do not believe in democracy, those who do not believe that power can come through these avenues, have come forward to take part in the parliamentary democracy, and they have come here in absolute majority despite all their disbeliefs. I congratulate them for it is victory of the Constitution—the democratic Constitution. We believe in the utility of the opposition and we have come here in that capacity. In spite of that they have come forward to subvert the Constitution with all their mind.

The people of West Bengal are helpless people and we do not want that some one else should also become helpless like us.* The police are feeling helpless. It is foolish to say that they are interested in appearing to give

protection. For, no policeman can dare to come out of his house. There is no police that can come out of his house to market. This is the position there. Security rests on the police, but the man who feels insecure most is the policeman. This kind of situation cannot be allowed to be repeated in Tripura. So, I support this measure. So, I endorse the opinion of our Government fully, and I oppose Shri Jyotirmoy Bosu's resolution. I request all the Members to unite and to oppose his resolution. I support this ordinance whole-heartedly.

SHRI JYOTIRMOY BOSU : On a point of order. Let it be correctly put on record that he supports this ordinance.

SHRI S. K. SARKAR : No, I did not say that ; I said that I only supported the measure, that is, the ordinance.

श्री रामाबतार शास्त्री (पटना) : मान्यवर, राष्ट्रपति जी द्वारा जो वेस्ट बंगाल सिक्योरिटी सेकेन्ड अमेंडमेंट आर्डिनंस जारी किया गया है और जिसको अस्वीकार करने के सिलसिले में श्री ज्योतिर्मय बसु ने प्रस्ताव पेश किया है मैं उसका समर्थन करता हूँ।

सभापति महोदय, जनतंत्र की बात तो बहुत की जाती है, और सारे लोग जो जनतंत्र में विश्वास नहीं करते वह भी जनतंत्र की बात करते हैं, लेकिन जनतंत्र के नाम पर इस तरह का काला कानून लगाना कहां तक जनतंत्र की रक्षा करना है आप इसका अंदाजा स्वयं लगा सकते हैं। त्रिपुरा में इस आर्डिनंस के द्वारा वहां के जो किसान अपनी जमीन की लड़ाई लड़ रहे हैं, वहां के जो मजदूर अपनी मांगों को लेकर लड़ते हैं उन्हें दबाने के लिये इस तरह का काला कानून बनाया जा रहा है। यह अनुभव बताता है, और दो साल तक मैं कांग्रेस सरकार की जेलों में नजरबन्द रह चुका हूँ, और मुझे मालूम है कि कैसे-कैसे लोगों को नजरबन्द किया जाता है, कोई तर्क संगत बात रहती नहीं, फिर भी पुलिस वाले और पुलिस अधिकारी जिसको चाहते हैं जेल में डाल देते हैं, और यह बात सब लोग जानते हैं कि सचमुच में जो लोग समाज विरोधी तत्व हैं,

*The translation of the Bengali portion of the speech ends.

[श्री रामाबतार शास्त्री]

जो साम्प्रदायिकता फैलाते हैं, जो गुंडागर्दी करते हैं, ऐसे लोगों को नहीं पूछते, बल्कि उन्हें पुलिस वाले सहारा देते हैं। लेकिन जो राजनीतिक काम करते हैं, मोक्षण के खिलाफ मजदूरों की लड़ाई में आ जाते हैं, किसानों के संघर्ष का नेतृत्व करते हैं, ऐसे लोगों को जेल में डाला जाता है। और आप को सुन कर आश्चर्य होता कि जब 1948 में मुझे नजरबन्द किया गया था तो उसमें ग्राउन्डस क्या दिये गये थे—A former student of Kashi Vidyapith. यह संस्था महात्मा गांधी के कर कमलों द्वारा स्थापित की गयी थी। लेकिन यह मेरे डिटेंशन आर्डर में लिखा था। जो मन में आता है नजरबन्दी के नाम पर जुमं लगा देते हैं। और जो एडवाइजरी बोर्ड बनता है उसकी पावर इतनी कमजोर कर देते हैं कि वह कुछ नहीं कर पाता। इसी तरह से यह त्रिपुरा के लिये किया जा रहा है। अभी इंटरनल सेक्योरिटी आडिनैंस के बारे में जो बहस हुई थी उसमें भी इस तरह की बात हुई थी...

श्री फूल चन्द बर्मा : सभापति महोदय, सदन में कोरम नहीं है।

सभापति महोदय : कोरम के लिये घंटी बजायी जा रही है। गणपूर्ति हो गयी, माननीय सदस्य अपना भाषण आरम्भ करें।

श्री रामाबतार शास्त्री : मैं यह कह रहा था कि मैंने स्वयं 1965 और 1966 में, जब मुझे जन आन्दोलन के सिलसिले में हजारों बाग जेल में जाना पड़ा था, तो मैंने देखा कि त्रिपुरा के बहुत सारे लोगों को, सैकड़ों लोगों को सालों से नजरबन्द करके रखा गया है और कोई मुकदमा नहीं चलाया गया। जब चाहा जिसको पकड़ कर जेल में डाल दिया। तो इस तरह का काला कानून बनाने और जनतांत्रिक आन्दोलनों, जन-आन्दोलनों पर हमला करना कहां तक जायज है, इस बात पर सदन को विचार करना चाहिये। इसकी तफ्तील में जाने का मेरे पास समय नहीं है, फिर भी इतनी बात जरूर कहना चाहता हूँ कि

जिस तरीके से इस तरह के कानूनों का इस्तेमाल होता है वह सही नहीं है। जो लोग सही माने में वर्तमान पूंजीवादी समाज पर हमला करते हैं, सामन्ती व्यवस्था पर हमला करते हैं और जी भारत के अन्दर मोनोपली को मजबूत करने वाले लोग हैं उनके ऊपर हमला करते हैं, उन्हीं लोगों के ऊपर इस तरह का डिटेंशन कानून लागू किया जाता है....

गृह मन्त्रालय में उपमन्त्री (श्री मोहसिन) : इसमें तो डिटेंशन का प्रीवीजन् है ही नहीं।

श्री रामाबतार शास्त्री : सेक्योरिटी है न। तो इस तरह के कानून नहीं बनने चाहिये क्योंकि जिसको चाहेंगे जेल भेज देंगे। यह हमारे यहां की जो सामाजिक और राजनीतिक व्यवस्था है उसमें फिट नहीं करता है। इसलिये मेरा कहना है कि सरकार को इसको वापिस लेना चाहिए। और अगर आप वापस नहीं ले सकते हैं तो कम से कम सदन को इसे जरूर ठुकरा देना चाहिये।

इन शब्दों के साथ मैं निरनुमोदन के प्रस्ताव का जोरदार समर्थन करता हूँ।

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHSIN) : The Resolution before the House is very limited in scope. But most of the members who participated in the debate spoke generally in regard to the provisions of the West Bengal Security Act. Many have spoken about detention.

SHRI JYOTIRMOY BOSU : It is indirect detention.

SHRI MOHSIN : I shall deal with the points raised in two parts. First I shall explain the circumstances that led to the promulgation of the Ordinance in question and then I shall briefly state the need for applying the West Bengal Security Act to Tripura, though, strictly speaking, it is not within the scope of the Resolution before the House.

The West Bengal Security Act of 1950 which had been in force in Tripura since 1956 was due to expire on 25 January 1971. The Government of Tripura proposed to further ex-

tend the operation of the Act. Since however a Bill to this effect could not be introduced and passed in the Tripura legislature by 24 January 1971, the President issued the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance 1971 (Ordinance No. 4 of 1971). On 17 March, the Tripura legislature passed the West Bengal Security (Tripura Re-enactment) Amendment Bill 1971, re-enacting the provisions of the Ordinance. The Bill was received by the Central Government for the assent of the President. Because cl. 3 (1) of the Bill provided for the repeal of the Presidential Ordinance, we were advised that the Tripura legislature is not competent to repeal a Central law. This defect in that clause would also make ineffective cl. 3 (2) which sought to validate pending proceedings of the West Bengal Security Act. To remove these defects, the Bill would have to be returned to the Tripura Legislative Assembly for reconsideration. But the time available before the expiry of the President's Ordinance was too short for the Tripura Assembly to meet for the purpose. Moreover, as this House will recall, as a large influx of refugees from East Bengal had started by then, it was not practicable to convene a session of the Legislative Assembly. Therefore, it was not considered appropriate to return the Bill to the Assembly for reconsideration. Instead, the President's assent was given to the Bill as passed by the Tripura Assembly, and simultaneously a second Ordinance was issued to rectify the defective clause 3, so that pending proceedings under the West Bengal Security Act did not abate. The House will appreciate that the second Ordinance, which is the subject matter of the Resolution, was a large necessity and need not have been issued if the conditions in Tripura permitted the convening of a session of the Legislative Assembly for the reconsideration of the Bill passed by it.

17 hrs.

Regarding the need in Tripura for the provisions of the West Bengal Security Act, I do not propose to speak at length. This House has in the past considered the West Bengal Maintenance of Public Order Act 1970, and has appreciated the need for such a law to deal with the problems of security and public order in West Bengal. The provisions of the West Bengal Security Act are quite similar to those of the West Bengal Maintenance of Public Order Act. The problems in Tripura are

also such that such a law is necessary to enable the Administration to deal with them. The problems of security and public order in that Union Territory arise mainly out of the activities of the Mizo and other tribal insurgents and the Naxalite elements. The insurgents have been responsible for a number of raids in the areas of Tripura, which adjoin the Mizo district. In July last year, there was a serious attack on the Gumti Hydel Project and some nearby places. In February this year there were a number of raids in which the insurgents looted considerable property. Moreover, I may submit for the information of the House that the tribal insurgent seeking to go to Pakistan for getting training and assistance in arms pass through Tripura territory and it is for the Tripura authorities to check such movements. Though there have not been any serious incidents of violence during the last few months in Tripura involving Naxalites, such elements have continued to indulge in small and frequent incidents involving damage to property. The House will agree that to deal with all such elements, the provisions of the West Bengal Security Act are of considerable importance.

I may point out some of the more important specific provisions. Sections 6 and 7 relate to protected places and areas, sections 10 and 11 provide penalties for sabotage and subversive acts, section 14 provides punishment for carrying or possessing corrosive substances, section 16 permits the use of force to stop looting, section 17 provides for the imposition of curfew and sections 24 and 25 prohibit unlawful drilling and the use of unofficial uniforms. None of the provisions relates to detention as mentioned by some speakers.

The threats to security and public order in Tripura have been seriously aggravated by the huge influx of refugees from East Bengal. More than 9 lakhs of refugees have so far come into this small territory and the House can imagine the resultant tremendous strain on the local Administration. It will be unfair to expect the local authorities to manage the situation without their being armed with such provisions as are contained in the West Bengal Security Act. Apart from the provisions that I have earlier mentioned there are some more which are particularly useful in the situation now prevailing in Tripura. I would particularly draw attention to section 20, which pro-

[Shri Mohsin]

vides for restriction on movement of commodities, etc. and section 29 which provides for the requisitioning of property. These provisions are extremely important to enable the Administration to provide shelter to the refugees and ensure steady supply of food stuffs.

My hon. friend Mr. Jyotirmoy Bosu spoke about the detention of many persons especially belonging to the minorities. It may be. But it is of no consequence whether one belongs to a minority community or the majority community when the country is faced with such an emergency. In such a contingency as this, community is no consideration at all. Security of the country is far more important than the liberty of the individual.

To sum up, I have explained to the House the legal necessity for the promulgation of the President's second Ordinance and the need in Tripura for the provisions of the West Bengal Security Act. I would request the House to reject the Resolution before the House. I may mention in conclusion that the Government of Tripura propose to introduce in the Tripura Legislative Assembly a re-enacting Bill to replace the Ordinance.

SHRI R. V. BADE (Khargone) : The hon. Member said that the huts of tribals were destroyed by elephants. Has he got something to say about it ?

SHRI MOHSIN : I would require notice because I cannot go into stray incidents referred to unless they relate to the Act.

SHRI JYOTIRMOY BOSU : Mr. Suryanarayana referred to the P. D. Act during the U. F. Regime. May I tell him that the P. D. Act was the creation of this *garibi hatao* democratic party. We had put behind the bars only those black-marketeers and harden the criminals who were the creation of 20 years of golden rule in West Bengal. Those black-marketeers were released as soon as Dr. P. C. Ghosh, the Shikhandi of the Congress P. D. Government came to power. As soon as Dr. Ghosh landed in the Writers Building huge garlands were brought by these black-marketeers and Agarwal and his family. He was profusely garlanded. All glory to you, Mr. Suryanarayana. You and your party want to survive politically through the P. D. Act,

through police, through the army and weapon. You have gone to the extent of opposing my resolution. You call your party a progressive party. Let it be put before the people of the country. . . . (Interruptions) This point about cholera, you are manufacturing. No wonder others will get it. Shri Lutfal Haque was brought there at short notice by the Deputy Minister and he has had to say something. He has gone away. It is a good thing he has gone away. Not knowing about the resolution which I had tabled he was all the time talking about irrelevant things. As a man in the know of things that had happened in West Bengal politics he talked about the security of the State, the security of the party in power and so on. May I ask him and his party : what does he think about the espionage case in which Mr. Atulya Ghosh, then a Congress stalwart was deeply involved ? What about the case in which Mr. Sunil Das, a very important executive in the AICC Officer was deeply involved and was arrested ? You can reply to that if you have a reply.

What about Gen. Kaul ? By writing that book, did he not violate the provisions of the Official Secrets Act ? Mr. Bhandare, you be honest at least for a change. Tell us, by writing that book, whether Gen. Kaul did not violate the Official Secrets Act. But you dare not touch him because, if you touch him, all the skeletons will come out of the cupboard. So, you keep quiet and digest it.

What about the persons who have been engineering communal riots in this country for the last 20 years ? In fact, I know during the last five years, you have really achieved the roll of honour in which none can beat you. Bhagalpur, Ahmedabad, Meerut—I can tell you 20 names. How many have you punished, and how many have been prosecuted ? We know the Congress Ministers in Bhiwandi and Ahmedabad who are deeply involved. But you dare not touch them, because if you touch them, the cat will be out of the bag. (Interruption) . . .

Today, what about your *samajwad*, your democracy ? The proof of the pudding is in the eating. It is the litmus test. Your police budget of 1952 which barely touched Rs. 2 crores, is today Rs. 89.9 crores. Your defence budget is touching Rs. 1,200 crores of direct expenditure, not to speak of indirect expenditure. I know what it is. All your welfare talk is

nothing but *gup*. So, do not try to blame others. On the one hand, you go on increasing the police and defence budgets. On the other hand, you talk about wage-freeze of the workers.

MR. CHAIRMAN: Please finish.

SHRI JYOTIRMOY BOSU: I am finishing; you are a very good man.

MR. CHAIRMAN: You are also a very good man, but you must finish your speech now.

SHRI JYOTIRMOY BOSU: Let me come back. We have been talking about secrecy and security of the State. What secrets do you have? You have mortgaged the country and its contents to the foreigners. You have mortgaged the country. You have a loan of nothing less than Rs. 1,500 crores. Under their pressure, the Bell Mission pressure, you devalued the rupee and brought discredit to this country.

What about defence? You buy all your defence requirements from foreigners. What secrets you have? You cannot have anything secret. They know more than what you think you know.

AN HON. MEMBER: Did your party call the Chinese as aggressors? (*Interruption*)

SHRI JYOTIRMOY BOSU: Mr. Shakti Sarkar, may I tell you about me? I move about very freely. Before 1967 elections, there was an attempt to murder me in a place you know very well. ** ** I may tell you, this present law and order crisis (*Interruption*)

SHRI C. M. STEPHEN (Muvattu puzha): Sir, I raise a point of order. In the first place, what the hon. Member has been saying is absolutely irrelevant to the subject-matter before the House. Secondly, he is making reference to all sorts of people who are not in the House, and that reference is absolutely defamatory and absolutely incriminatory. It is against the rules of procedure of the House.

MR. CHAIRMAN: There is one thing. Persons who are not in the House—their names will not go on record. That portion in Shri Jyotirmoy Bosu's speech stands expunged. Second-

ly, I request you not to travel from China to Peru. Please confine yourself to the subject.

SHRI JYOTIRMOY BOSU: I have a right of reply. May I make a submission? The points that have been raised by hon. Members, I am entitled to cover them. I should be able to cover them.

Sir, the West Bengal law and order crisis is the creation of your party. Directly or indirectly, you are not only financing, engineering and operating this law and order crisis through your intelligence agencies but this economic crisis is due to the 20 years of your utter and perpetual neglect of the people.

MR. CHAIRMAN: Again you are straying away from the main subject.

SHRI JYOTIRMOY BOSU: I must say these things. I tell you, by your action—Mr. Dasaratha Deb's arrest, and what has been narrated just now—it is a glaring instance of how you could misuse your power. I say you have avoided very cleverly. Talking on the principle of political philosophies of your party, you went through the legal details. That does not really interest us very much. What about the existing law of the country? Tell me excepting this influx of the refugees, what are the other abnormalities in Tripura that have made them bring this on the floor of the House and pass it?

About Mizos, I had been to the Mizo hills only the other day. I have never seen in my life such suppression that you are doing there. They have the worst economic conditions arising out of the partitioning of the country. The segregation programme adopted by Gen. Manekshaw is the worst type of torture and repression that can be practised on a society. You are practising forced labour on them. At night, they cannot take out a torch. They cannot call in a doctor or a gynaecologist if there be a delivery case. It is a black chapter for the country. This Government must give statehood to Tripura and regional committee for the tribals and maintain the tribal reserves as were constituted in 1943.

Sir, I stick to my statutory resolution. Government must accept it and withdraw the Ordinance.

*Expunged as ordered by the Chair.

MR, CHAIRMAN : The question is :

"This House disapproves of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971 (Ordinance No. 4 of 1971) promulgated by the President on the 3rd May, 1971."

The Lok Sabha divided.

17.21 hrs.

AYES

[Division No. 13]

Bhattacharyya, Shri S. P.
Bosu, Shri Jyotirmoy
Brahman, Shri Ratanlal
Chandra Shekhar Singh, Shri
Das, Shri R. P.
Deb, Shri Dasaratha
Dutta, Shri Biren
Ghosh, Shrimati Bibha
Hakder, Shri Krishna
Hazra, Shri Manoranjan
Joarder, Shri Dinesh
Krishnan, Shri M. K.
Lalji Bhai, Shri
Mehta, Dr. Jivraj
Mukherjee, Shri Samar
Mukherjee, Shri Saroj
Narendra Singh, H. H. Maharaja
Ramkanwar, Shri
Rao, Shri M. Satyanarayan
Roy, Dr. Saradiash
Saha, Shri A. K.
Saha, Shri Gadadhar
Shamim, Shri S. A.
Shastri, Shri Ramavatar
Singh, Shri D. N.
Sinha, Shri S. N.
Vijay Pal Singh, Shri

NOES

Ahmed, Shri F. A.
Alagesan, Shri
Ambeah, Shri
Ansari, Shri Ziaur Rahman
Babunath Singh, Shri
Barua, Shri Bedabrata
Barupal, Shri P. L.
Bhandare, Shri R. D.
Chandra Gowda, Shri
Chaudhary, Shri Nitiraj Singh

Chavan, Shri Yeshwantrao
Chawla, Shri A. N.
Chhotey Lal, Shri
Choudhury, Shri Moinul Haque
Dalbir Singh, Shri
Dalip Singh, Shri
Das, Shri A. C.
Dharia, Shri Mohan
Gandhi, Shrimati Indira
Ganeah, Shri K. R.
Gill, Shri Mohinder Singh
Godara, Shri Mani Ram
Gopal, Shri K.
Horo, Shri N. E.
Ishaque, Shri A. K. M.
Jamilurrahman, Shri Md.
Kailas, Dr.
Kedar Nath Singh, Shri
Lakshmitankamma, Shrimati
Mandal, Shri J. N.
Mirdha, Shri Nathu Ram
Mishra, Shri Jagannath
Mohsin, Shri
Oraon, Shri Kartik
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Pandey, Shri K. C.
Pant, Shri K. C.
Prashar, Shri Narain Chand
Pratap Singh, Shri
Patel Shri Prabhudas
Pradhani, Shri K.
Radhakrishnan, Shri S.
Raj, Bahadur, Shri
Ram Dhan, Shri
Ram Swarup, Shri
Ramji Ram, Shri
Rana, Shri M. B.
Rao, Shri Jagannath
Sedhu Ram, Shri
Saini, Shri Mulk Raj
Samanta, Shri S. C.
Sankata Prasad, Dr.
Sarkar, Shri S. K.
Savant, Shri Shankarrao
Shankar Dev, Shri
Sharma, Shri N. K.
Shastri, Shri Shivpujan
Shinde, Shri Annasahab P.
Shivnath Singh, Shri
Siddayya, Shri S. M.
Stephen, Shri C. M.
Suryanarayana, Shri K.
Tayyab Hussain Khan, Shri
Tombi Singh, Shri N.
Vekaria, Shri

MR. CHAIRMAN : The result of the division is :

Ayes 27 ; Noes 66*

The motion was negatived.

Shri A. K. Sen,
Shri S. A. Shamim,
Shri R. V. Bade,
Shri A. K. Kotrshatti,
Shri Nuggehalli Shivappa,
Shri S. S. Tewari,
Shri M. Deiveekan, and
Shri H. R. Gokhale".

17.20 hrs.

ADVOCATES (AMENDMENT) BILL

MR. CHAIRMAN : Now, we shall take up item No. 12. The House has already agreed that this item would be disposed of without discussion. The Minister may move the Resolution.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY) : Sir, on behalf of Shri H. R. Gokhale, I beg to move :

That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill further to amend the Advocates Act, 1961, made in the motion adopted by Rajya Sabha at its sitting held on the 26th May, 1971 and communicated to this House on the 27th May, 1971 and do resolve that the following 24 members of Lok Sabha be nominated to serve on the said Joint Committee, namely :—

Shri Frank Anthony,
Shri T. Balkrishniah,
Shri Banamali Babu,
Shri R. D. Bhandare,
Shri Bashweshwar Nath Bhargava,
Shri B. K. Daschowdhury,
Shri P. K. Deo,
Shrimati Ganga Devi,
Shri C. D. Gautam,
Shri A. K. Gopalan,
Shri Annasaheb Gotkhinde,
Shri Mohammad Tahir,
Shri H. N. Mukherjee,
Shri Niti Raj Singh Chaudhary,
Shri Pravinsinh Solanki,
Shri K. Narayana Rao,

MR. CHAIRMAN : The question is :

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the House on the Bill further to amend the Advocates Act, 1961, made in the motion adopted by Rajya Sabha at its sitting held on the 26th May, 1971 and communicated to this House on the 27th May, 1971 and do resolve that the following 24 members of Lok Sabha be nominated to serve on the said Joint Committee, namely :—

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Shri Bashweshwar Nath Bhargava,
Shri B. K. Daschowdhury,
Shri P. K. Deo,
Shrimati Ganga Devi,
Shri C. D. Gautam,
Shri A. K. Gopalan,
Shri Annasaheb Gotkhinde,
Shri Mohammad Tahir,
Shri H. N. Mukherjee,
Shri Niti Raj Singh Chaudhary,
Shri Pravinsinh Solanki,
Shri K. Narayana Rao,
Shri A. K. Sen,
Shri S. A. Shamim,
Shri R. V. Bade,
Shri A. K. Kotrshatti,
Shri Nuggehalli Shivappa,
Shri S. S. Tewari,
Shri M. Deiveekan, and
Shri H. R. Gokhale.

The motion was adopted.

*The following Members also recorded their votes :

AYES : Prof. S. L. Sakena and Shri D. D. Desai.

NOES : Dr. Jivraj Mehta, Sarvaashri Krishnarao Patil, Ram Bhagat Paswan, S. L. Peje, J. G. Kadam, Sudhakar Pandey, and Lakshminarayanan.