

13.33 hrs.

*(The Lok Sabha adjourned for lunch till Half Past Fourteen of the Clock)**(The Lok Sabha re-assembled after lunch at thirty-five minutes past fourteen of the Clock)*

[SHRI PRAKASH VIR SHASTRI in the Chair]

STATUTORY RESOLUTIONS RE : WEST BENGAL (PREVENTION OF VIOLENT ACTIVITIES) ACT, 1970 AND WEST BENGAL MAINTENANCE OF PUBLIC ORDER ACT, 1970—Contd.

MR. CHAIRMAN : Shrimati Sharda Mukerjee.

श्री स० मो० बनर्जी (कानपुर) : सभापति महोदय, मैं नियम 340 के मातहत एक प्रस्ताव रखना चाहता हूँ।

सभापति महोदय : अभी तो सदन की कार्यवाही प्रारम्भ नहीं हुई है। पहले श्रीमती शारदा मुकर्जी का भाषण हो जाने दीजिए।

SHRIMATI SHARDA MUKERJEE : Mr. Chairman, undoubtedly this is a bad law, a vicious law, even more vicious than the Rowlatt Act, enacted 50 years ago.

SHRI S. M. BANERJEE : Rule 340 says :

“At any time after a motion has been made, a member may move that the debate on the motion be adjourned.”

There are two motions before the House, one by Shri Ganesh Ghosh and another by Shri Jyotirmoy Basu, recommending to the President the repeal of two enactments. I want this discussion to be adjourned in order to discuss the serious situation obtaining in the textile industry because the House is going to be adjourned on the 18th. There is lock-out in many mills in Kanpur. The industrialists, on the strength of their government, have declared a lock out and 10,000 workers are in the streets in Kanpur alone. I would request that the Labour Minister or the Minister of Foreign Trade should make a statement on the strike and lock-out.

सभापति महोदय : माननीय सदस्य कृपा करके अपने स्थान पर बैठ जायें। जो कुछ वह चाहते हैं, उसका काफी अंश वह कह चुके हैं। इस प्रकार के प्रश्नों को उठाने के बारे में कुछ नियम हैं। माननीय सदस्य इस सदन के एक पुराने सदस्य हैं। इसलिए वह उनसे अच्छी तरह परिचित हैं।

श्री स० मो० बनर्जी : सभापति महोदय, एक तरफ यह सरकार है और दूसरी तरफ जे० के० इन्डस्ट्री है। मिल मालिकों ने इल्लीगल लाक-आउट कर रखा है और कानपुर में आम हड़ताल होने जा रही है। आप मंत्री महोदय से कहें कि वह इस बारे में एक स्टेटमेंट दें।

सभापति महोदय : श्रीमती शारदा मुकर्जी।

SHRIMATI SHARDA MUKERJEE : As I was saying, this is undoubtedly a bad law, which is more vicious than even the Rowlatt Act passed 50 years ago. The law, as enacted, has got the formal sanction of the Consultative Committee and it has now come to Parliament for an equally formal sanction. Unfortunately, the situation in Bengal is so grave that one cannot afford to oppose it, because the first thing that must be done is that peace must be restored and anarchy and insurrection which are a threat to our national security have to be put down. The position there is such that the life of nobody is safe and all assumptions of democratic life have been upset. We have been shocked to hear the ghastly news of the brutal stabbing of the wife and son of Shri Parimal Ghosh. Therefore, we have to give this extreme power to the Government.

I only hope that this will be only a temporary measure and not a permanent measure. It cannot be an all-time answer because of certain things which have grown over the past few years and which were not controlled merely because the way in which the law was administered was itself defective. When those, who have the responsibility of administering the law and of giving to the people the guarantee of the rule of law, themselves fail, a stage comes when things have gone too far and you have to take this extreme measure.

I am very sorry to say that the Government's actions elsewhere do not somehow create the confidence that when you give them the power, the power will be utilised properly and will not be misused against innocent people, that it will be used where it should be used to catch the guilty people. This is what one fears because we have had President's rule in Bengal and things have not grown better. After all, one could have said that violence and disruption was due to inter-party rivalry, but when you had President's rule, why is it that peace has not been brought to that unfortunate province?

I want to bring to your notice some of the cases which have happened outside Bengal. I will leave Bengal aside, because Bengal has a peculiar history on which there has been enough said in this House. I want to know why even when they have the full power, they do not use it. For instance, a case has been brought to my notice that in Bombay in June 1970 or thereabouts the Enforcement Directorate carried out a raid on the premises of an advocate by the name of M. J. Mistry and his family. The incriminating documents, which were found in the possession of this man, showed the transfer of something like Rs. 90 crores of black market money to a Swiss bank.

How is this done? Black market money is collected, silver is purchased, that silver is smuggled out to Dubai, in Dubai it is converted into foreign exchange and then that foreign exchange is transferred through official ways, through a bank, to a Swiss bank.

SHRI JYOTIRMOY BASU (Diamond Harbour): No PD Act for them.

SHRIMATI SHARDA MUKERJEE: This is the customary way of doing it. This is not done just in one transaction. Many people are involved in it and everybody along the way is paid, from the last man to the topmost man. On this Rs. 90 crores, which amounts to about £50 million sterling, this man has been given 3 per cent commission by the Swiss bank for transferring this money. This amounts to something like £1.5 million. By official rate it comes to about Rs. 2½ crores; by market rate it comes to Rs. 5 crores. . . . (Interruption)

SHRI K. NARAYANA RAO (Bobbili): This debate is about West Bengal and the talking about Maharashtra.

SHRIMATI SHARDA MUKERJEE: I want to prove to you that when the Government has the power, the Government does not act and if the Government does not act, the people will rise. I have here a photostat copy which I am prepared to lay on the Table of the House. I want to know when the Government has the power, why it does not act against guilty people. That is the question. If the Government does not act, the people will rise and will take the law into their hands and will see that justice is given to them. No amount of this kind of passing the Preventive Detention Act is going to improve matters. I tell you that if you put 10 military men to every citizen in Bengal, you will not be able to restore order unless you give them justice. This is exactly what I wanted to prove and this is why I have brought these photostat copies. Have they investigated? Those of you who are sitting on the Government side should not protect these people because on the Rs. 90 crores deal there are many people who have got money. Do you know that unless people in high places are corrupt, the people at the bottom will not be corrupt? I know today there is corruption in every branch of administration and there is corruption in every branch of armed forces. How is it possible that Government officers and military officers and Ministers are able to have these enormous houses? I was also the wife of a military officer. I did not have a house in my name when my husband died. How is it possible that people with small salary grow rich? When you talk of giving justice to the poor man, is it that by taking more and more powers you will ensure justice to the poor man?

I would like to read out to you what has been written in this letter. Here is a letter written by Mr. Mistry—it is a photostat copy—to the Foreign Commerce Bank Inc., Switzerland, which says:

"Please transfer £40,000/- from my a/c No. 705336 to Mr. D. S. Gardi a/c No. 706529 in your Bank."

These are the documents which were confiscated. Here is another letter from the Swiss Bank

[Shrimati Sharda Mukerjee]

guaranteeing 1.5 million pounds sterling. I want all sections of the House to get together and ask the Government what action the Government has taken on this. This is an important thing. Many things come to our notice.

Sir, I have to support this Act, I only hope that the Government will use this Act wisely. You have to give them powers. If they misuse powers, let us go against them. You must restore peace in Bengal. I know what you will say that if you give a match box, it will be misused. A mad man will misuse the match box and he will set fire. But wise man will not misuse it. That does not mean that nobody should be given a match box. Let the Government have powers. I hope the Government will use them properly.

With your permission, Sir, I would like to lay on the Table of the House.... (*Interruptions*).

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, यह होना चाहिये ।

श्री रवि राय (पुरी) : हम लोग मांग करते हैं कि यह सभा पटल पर रखा जाय ।

श्री मधु लिमये : इनको कुछ समय और दिया जाय । इन्होंने जो दस्तावेज रखना चाहते हैं उसकी पृष्ठभूमि हम जानना चाहते हैं ।

SHRIMATI SHARDA MUKERJEE : It has been brought to my notice that there are certain people who are carrying on a regular business in the transfer of black money. You know, some days back, there was the case of a certain Maharashtra Minister who went to a travel agent, produced a certain draft and the draft was found illegal because he did not have sanction.... (*Interruptions*).

SHRI N. K. P. SALVE (Betul) : On a point of order, Sir.

SHRIMATI SHARDA MUKERJEE : What point of order? This was reported in the newspaper.... (*Interruptions*).

SHRI N. K. P. SALVE : Sir, you are the sole arbiter to determine whether or not what the hon. lady is saying is relevant or not. That is entirely in your discretion. If you think she is relevant, she must go on. But the whole nation is critical of the way in which we are conducting ourselves in Parliament.... (*Interruptions*) Please listen ; sit down. (*Interruptions*)

SHRI N. K. P. SAEVE : I am not yielding for a moment. I do not want to be brow-beaten.

श्री समापति महोदय : किसी सदस्य को बैठने के लिये कहना या न कहना अध्यक्ष के आसन का काम है मेरा अनुमान है कि आपको ऐसा नहीं कहना चाहिए था ।

SHRI PILOO MODY (Godhra) : Mr. Salve, I think an apology is called for.

SHRI N. K. P. SALVE : But the fact remains, Sir, that I for one would want people found guilty to be brought to book. The question is about the procedure. In view of the incrimination nature of the document the hon. Lady Member has referred to, she should at least state that the matter is not *sub judice* before she lays it here.

SHRI P. G. SEN (Purnea) : She is putting the document. Did Mr. Shashi Bhushan make sure before making allegation against Morarji Bhai ?

SHRI N. K. P. SALVE : I am not yielding. This is a matter of procedure.

SHRI S. KUNDU (Balasore) : On a point of order, Sir.

श्री समापति महोदय : अगर आपको यह पता था कि मामला सब-जू-डिस है, तो आपको उसी समय आपत्ति उठानी चाहिये थी, लेकिन आपको भी पता नहीं है कि मामला सबजूडिस है या नहीं है । इसको सदन के पटल पर रखने की अनुमति दूंगा, या नहीं दूंगा, इसको देखने के बाद निर्णय करूंगा ।'

SHRI N. K. P. SALVE : If the matter is *sub judice*, under the Rules of Procedure the matter cannot be referred to here. If it is not *sub judice*, let the gracious lady say so that the matter is not *sub judice*.

SHRI S. KUNDU : On a point of order. It is a wrong assertion that if some matter is *sub judice*, it cannot be discussed. Sir, at least the facts can be stated in the House. Nobody is commenting on the judgement. As a point of fact, the hon. lady Member is producing a photostat document and it has nothing to do with *sub judice* case. (*Interruptions*) I do not know what is actually wrong with these lawyers.

SHRI RANDHIR SINGH (Rohtak) : Your ruling must be accepted. Sir, the hon. Member is calling lawyers as 'funny lawyers'.

SHRI S. KUNDU : The country is critical of the functioning of this House that it is not going to expose the black-marketeers. Sir, Parliament cannot be some sort of an annexe to the judiciary.

श्री सभापति महोदय : मैं आपसे अनुरोध करूंगा कि आप पहले इन्हें अपना भाषण समाप्त कर लेने दें। उसमें अगर कोई आपत्तिजनक बात होगी तो मंत्री महोदय उत्तर देने वाले हैं, उसमें वे उसका स्पष्टीकरण कर देंगे। आप बीच में क्यों समय लेते हैं ?

गृह-कार्य मंत्रालय में और इलेक्ट्रॉनिक्स और वैज्ञानिक तथा औद्योगिक अनुसंधान विभागों में राज्य मंत्री (श्री कृष्ण चन्द्र पन्त) : सभापति महोदय आपने मेरे ऊपर जिम्मेदारी डाली है कि मैं इसका स्पष्टीकरण कर दूँ यह महाराष्ट्र का मामला है, इस समय चर्चा बंगाल की हो रही है, मैं कैसे स्पष्टीकरण करूंगा ?

श्री क० ना० तिवारी (बेतिया) : सभापति महोदय, मैं रूल 118 के अन्तर्गत प्वाइन्ट आफ आर्डर उठाना चाहता हूँ ...

श्री शिव चन्द्र झा (मधुबनी) : सभापति महोदय, मेरा भी प्वाइन्ट आफ आर्डर है। जब आपने एक रूलिंग दे, दिया है तो उसको

कार्यान्वित कराइये, उनको बोलने के लिये कहिये।

सभापति महोदय : प्वाइन्ट आफ आर्डर पर प्वाइन्ट आफ आर्डर कभी नहीं होता है। अगर इनका प्वाइन्ट आफ आर्डर ठीक नहीं है तो मैं व्ययस्था दे दूंगा, लेकिन पहले मुझे सुनने तो दें।

श्री क० ना० तिवारी : डायरेक्शन 118 में लिखा है :

"If a private member desires to lay a paper or document on the Table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table. If the Speaker permits the member to lay the paper or document on the Table, the member may at the appropriate time lay it on the Table."

इस डायरेक्शन के अन्तर्गत अगर कोई मेम्बर कोई चीज ले-डाउन करना चाहता है, तो वह पहले उस चीज को स्पीकर को भेजे ...

सभापति महोदय : इसीलिये मैंने उनको अनुमति नहीं दी है।

SHRIMATI SHARDA MUKERJEE : I don't want to take up much time of the House. I will certainly write to the Speaker as the cases are very few and there won't be enough time to discuss this matter in detail. These papers have just now come to me. My whole point in bringing up was this : You are giving wide powers to the Government by the Act. And, therefore, the Government must understand the responsibility, which it has not understood. Otherwise things would not have come to such a pass in Bengal. That is the point. You knock at the door of the Government for justice when you do not get justice. If you cannot even get justice in this House where can you get it ? This letter is in French, from the Swiss Bank. It is a photostat letter. It is in French and in small letters. I do not know enough French, but one point I will give.

[Shrimati Sharda Mukerjee]

Sir, 5 million pounds in sterling were given to Mr. Mistry. All I want to know from the Minister is this. The Enforcement Directorate is part of the Home Ministry. The Enforcement Directorate is under them. That is the reason why I have brought this up. The hon. Minister must say that he will look into it and I hope he will come to the House in the next session, if Parliament meets in the next session, and tell us about the position.

As far as we know, in June, 1970, after the raid was carried out, no action was taken. Tomorrow you may carry out a raid in my house and give a big heading,—Raid in Sharda Mukerjee's House—as if Government is doing a very big thing. In this case a raid was carried out and no action was taken. When I am quoting something, some are doubting my word. That is the whole point, Sir. This appeared in the newspaper; this is not something which I am saying out of my own imagination. I want to know how it is possible. The Minister of the Government goes and take a bank draft without taking the sanction from the R. B. I. and without getting the sanction from the Government. How is it possible? The Minister continuous to be in office. That is the point.

श्री अटल बिहारी वाजपेयी : सभापति महोदय, इससे पहले कि मंत्री जा जवाब दें, मैं आपके माध्यम से एक बात उनके ध्यान में लाना चाहता हूँ। इस चर्चा में यह मांग निरन्तर उठाई गई है कि अगर सरकार पश्चिमी बंगाल की स्थिति पर वस्तुतः नियन्त्रण लाना चाहती है तो उसका ठोस प्रमाण दे और ठोस प्रमाण में यह कहे कि राज्यपाल धवन को वापस बुलाया जायगा। मैं चाहता कि पंत जो इस प्रश्न के बारे में स्पष्ट उत्तर दें, क्योंकि उनके उत्तर पर निर्भर करता है कि इस सवाल पर हम सरकार के साथ मतदान करें या न करें।

15.00 hrs.

श्री तुलसी दास जाधव (बारामती) : मेरा प्वाइन्ट आफ आर्डर है ... (व्यवधान) ..

SHRI JYOTIRMOY BASU : Shri Bakar Ali Mirza had been to Calcutta and he had seen things for himself. So, kindly give him a few minutes. It is only fair that you should give him some time.

सभापति महोदय : मैं खुद सोच लूंगा कि किसको समय देना है और किसको नहीं देना है।

श्री पंत ।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, AND MINISTER OF STATE, DEPARTMENTS OF ELECTRONICS AND SCIENTIFIC AND INDUSTRIAL RESEARCH (SHRI K. C. PANT) : Mr. Chairman, Sir, yet another occasion has been provided to the House for discussing the law and order situation in West Bengal, and Members on all sides of the House have expressed anxiety about the situation there; though the appreciation of this situation has differed, depending upon the section of the House from which the Member spoke.

So far as Shrimati Sharda Mukerjee's speech is concerned, one part with which I whole heartedly agree, is that the Government have shown wisdom in bringing forward this measure. I accept that gracious comment. She has asked a question about the period for which these Acts will apply, and she said that these Acts should not for ever remain on the statute-book. I would like her and the House to note that these Acts will be valid for the duration of the President's rule and for one year thereafter, unless repealed by the State Government. This position has to be understood, because the time element is an important one in regard to these measures.

Some hon. Members, notably Shrimati Sucheta Kripalani and Shri Samar Guha, both of whom I do not find in the House now, painted a graphic picture of what is happening in West Bengal. Others also have expressed their concern. I do not want to repeat all that. But I would like to give a few figures only to paint the background against which we are considering these measures.

Over 1500 incidents of varying degrees of violence have come to notice in the last few months. Not less than 100 persons have lost their lives, and as many as 45 members of the police forces, persons discharging their duties under law, have been killed and a large number has been injured. I have emphasised that they were discharging their duties under law, because, after hearing some of the hon. Members' speeches, it seems as though the only crime which is unforgivable in West Bengal has been to stop the crimes of others.

Educational institutions have been subjected to acts of utter vandalism. Objects of public veneration have been deliberately desecrated, and while one may respect Lenin, one would have expected Shri Jyotirmoy Basu to have shown some concern for the other objects of veneration there which have been desecrated. All these have happened. I am only giving the bare bones of the situation, and yet the irony is that the Government are asked to explain why they are bringing forward these measures.

Another irony is that we are attacked from both sides. Some hon. friends say that we have been very soft and that we have delayed in bringing forward these measures. . . .

SHRI PILOO MODY : He is also supported from both sides.

SHRI K. C. PANT : . . . and that the whole problem is a pure and simple law and order problem. On the other hand, and surprisingly enough, those who say this are to the left of my friends in the geographical or topographical sense, who complain that we are over-acting to the situation or over-reacting and that we are giving too many powers to the police and that we are unleashing the forces of repression. These are two extreme views. I would only urge on the House to take a mature and balanced view of the situation and appreciate that Government are trying to tackle a difficult situation with firmness, with the necessary restraint and with due consideration for the deeper malaise that has to be attended to in West Bengal if the situation is to be brought fully under control. The problem has deep roots. It is not a problem of today, yesterday or the day before. It has longer roots. As we

tackle it, it will take time but we are tackling it, and sometime the rigorousness of the reactions one sees is a measure of the success we are achieving in tackling the situation.

My hon. friend, Shri Madhu Limaye, with his usual eloquence argued that the administration had adequate powers under the existing laws, the IPC and the Cr. P. C. to deal with the situation. Even he will accept that the situation in the State is extraordinary. It is not an ordinary situation. This fact cannot be ignored. My hon. friend, Shri Krishna Menon, said that there is violence in the whole country, in West Bengal as well as in other parts of the country, but one hears more of violence in West Bengal.

SHRI JYOTIRMOY BASU : True.

SHRI K. C. PANT : True. It is because, the fact is behind it, the fact of greater violence in West Bengal. That is why one hears more of it. If this basic fact of the extraordinary situation in West Bengal is kept in view, then alone can one see the need for these laws in its true perspective, It is not as though the West Bengal Government did not try to deal with the situation without these measures. The House knows well enough that for months together, the West Bengal administration tried to deal with the situation and it was only after several months that they began to say that they would need some kind of preventive law to deal with the situation. In the House we were asked again and again what the Government were going to do about this, how the situation was to be controlled. We were accused of generally brutalising the atmosphere that was there, the killings that were going on, the brutal murders that were going on, the inter-party clashes that were going on and so on. In view of all these, at least in the last few weeks or month, the demand for a preventive detention measure of some kind began to gather support, and it is because the situation there took a certain shape that one found hon. members in this House also reacting to that situation.

There was reference to the rule of law and why it was not sufficient. The assential condition for maintaining the rule of law is that people, the witnesses and the aggrieved should be

[Shri K. C. Pant]

able to come forward without a sense of fear and insecurity to depose before the courts. That is basic. If that is missing, you cannot enforce the rule of law. In Bengal, it is not at all easy to secure any reliable evidence in regard to the murderous violence carried out by the Naxalites and other antisocial elements.

There were instances quoted in the House where perhaps in daylight a murder was committed, many people were watching it, but when it came to giving evidence, there was a sense of terror and nobody came forward to give evidence. This is a matter of fact. Also there were the hit-and-run tactics of the Naxalites which made it difficult to intercept or apprehend them. Nevertheless, a large number of arrests were made. I have given the figures several times in the House and will not repeat them. It is also a fact—and we were asked in this House on various occasions why it happened—that a large number of those arrested were set at large on bail. You know that there is separation of the judiciary and the executive in West Bengal. These people were released on bail. It was for the courts to release them, but the courts also could not do anything in the absence of evidence. Once they were granted bail and came back into circulation, they went back to their provocative acts of violence and tried to demoralise the forces of law and order and the public at large. So, all considered, it was felt that powers of preventive detention would really make for a more humane and less brutal handling of this problem.

Some hon. Members, Shri Madhok and Shrimati Sucheta Kripalani in particular I think, referred to the fact that this Act was not brought forward earlier. Shri Madhok seemed to be a little jealous of the fact that our party and the CPI are able to co-operate in various areas. He made a complaint of it, and he said that we have been soft because of this co-operation. It is true that we try to co-operate with all the parties who agree with our programmes. I am glad you find it amusing because you seem to co-operate with people who do not agree with your programme. Do not make me give instances. There is the recent instance of Kerala, and many of my

hon. friends in that corner of the House come from that part of the country.

Here is a case in point where we do differ in our attitude to this Bill. The Government thinks that it is necessary in the conditions in West Bengal to bring the Bill. Some hon. Members do not agree. But we have brought forward this Bill in the larger interests of Bengal and the country.

We do realise that even now many hon. Members and parties who have supported this measure have done so not because they support preventive detention as such, but because of the situation that prevails in West Bengal and because they appreciate the need for dealing with this extra-ordinary situation, and they feel that they should support this measure for dealing with this extra-ordinary situation in the absence of any other way out. Government welcomes this support from the different sections of the House. I would only like to assure my hon. friend Shri Krishna Menon, who again is not here, who spoke of the possible encroachment on the fundamental rights of our citizens, that we on this side of the House are equally jealous of these rights, and there is no question at all of our being unmindful of these rights. The trouble is that in this case those who want to destroy laws and democracy are using the liberties which the law assures as tools of destruction. That is the sum and substance of the dilemma and the problem, and these measures are directed only against these elements which are out to destroy everything that this House cherishes and has cherished. It is the qualitative change in the Naxalite activities, gruesome in its nature, which had made it necessary for Government to bring these extraordinary measures, which have also mustered support in this House and outside.

One of the points urged, and even where it was not urged perhaps it was the unspoken thought in many minds, was the possibility of the abuse of this measure against political adversaries. The House is aware that when the original measure was brought forward in June, preventive detention of any person was envisaged for reasons connected with the security of the State or the maintenance of public order.

The scope of these two terms was not defined or delimited, and as such it aroused apprehensions in the minds of many, or at least some, regarding the possibility of misuse of the law. Care has, therefore, been taken to spell out clearly the violent activities to prevent which only the powers of preventive detention can be invoked in the present measure. My friend Mr. Salve has already explained the statutory safeguards provided in the legislation against possible misuse. He went into them at great length. I congratulate him for his studious contribution to this debate. My Hon. friend Mr. Basu need not laugh at studiousness; it only exposes him.

15.15 hrs.

[MR. SPEAKER *in the Chair*]

In view of Shri Salve's exposition, I need not go into that aspect of the matter. I do not know if my Hon. friend Prof. Mukerjee really took note of the specific provisions of the present law and the restrictions within which the laws would operate. If one goes through these provisions it will be abundantly clear that they are pointedly directed against the outrageous activities of the Naxalites and other anti-social elements operating with them in West Bengal. Recourse to preventive detention can be had only against persons who are likely to indulge in one or more of the activities enumerated in Section 3 of the Act. Maintenance of public order or security of the State can be prejudiced by other activities also. But here the area has been deliberately limited. I may further say that the State Government have in their instructions ample brought out these points so that the scope of the Act is clearly understood by all concerned. I would therefore urge that this Act has been brought into being only when it became absolutely necessary to do so and it has been brought in a form which mitigates if not eliminates all possibilities of abuse.

My hon. friend Shri Madhu Limaye seems to have had the impression that persons could be detained for the mere propagation of any views or any causes or any ideas. This is not so. I think when my Hon. friend Mr. Salve interrupted him yesterday, he himself conceded that this was not so. The essential ingredient in the Act is the need for preventing the use

of any lethal weapon or any instigation to use any lethal weapon. This is the operative part. As my friend Mr. Limaye knows, the law does not penalise propagation of any ideology. The provisions of the Act have been carefully drafted to restrict its scope to those who resort to the use of lethal weapons in the propagation of ideologies in the manner the Naxalites have been doing. I am confident that Shri Limaye does not agree with those methods.

Some hon. Members have spoken of police excesses. I have often been asked as to why we did not give some response to the allegations that are made. I shall try to go into a few cases which we have enquired into; the list is long and I have selected a few of them. The allegations generally are either that deaths of Naxalites in police custody have been caused by the police or that suspected Naxalites have been shot dead without provocation and shown as having been killed in encounters. As far as I can understand these are the two types of allegations that are made. Government have made their stand clear in this matter. All specific complaints will be enquired into and persons found at fault punished. I have said so in this House; the Prime Minister has said so and we have said so in the other House also; we have repeated it time and again. There need be absolutely no doubt on this score. In fact a number of these complaints have already been looked into. I may mention that in at last two instances cases had been registered according to law and investigations are in progress. Disciplinary action has also been taken against some policemen. The House is also aware of the Government's decision to appoint a commission of enquiry or rather a judicial commission under the Commission of Enquiries Act to go into the discovery of eight dead bodies in mysterious circumstances in Barasat. The police authorities have reiterated their instructions to their subordinates to deal with the problem with the requisite firmness tempered by the utmost restraint. We in turn have been advising them on this score. What I wish to urge on this occasion is that the police are performing an extremely difficult task under exceedingly trying circumstances. They have been subjected to murderous and inhuman provocations. But even so, the police force as a whole have functioned with patience and restraint. Nothing could be

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more demoralising at this juncture than the wholesale condemnation of an agency discharging unenviable duties cast upon it. We should never forget that whereas there can always be an erring policeman or two, when we chastise the whole force and when we seek to denigrate the force as a whole—let us not forget that tomorrow or yesterday for that matter—many of my—hon. friends opposite do require police help in interparty clashes, when one party attacks another; there are numerous instances where their leaders are exposed to danger police help is required, and it is the duty of the State to provide that help, whether it is the Mayor of Calcutta or the SSP workers in the coalbelt, or whether it is the other side—I do not want to name them. On various occasions I have been asked by Members from various parts of this House as to why we are not doing more to provide protection to their partymen in various circumstances. I wholly appreciate their concern, and it is the duty of the Government to provide whatever assistance it can. But that assistance can only come through the lawful agency which is charged by this house, by the laws of the land and by Government to maintain law and order. How is that agency going to maintain law and order if an impression is created that it is indulging all the time in criminal activities and that the faults of a few are generalised into faults of the whole force? I would only request that a sense of perspective be maintained in this matter so that we do not blunt the only agency we have to maintain law and order under trying circumstances.

SHRI SHIVA CHANDRA JHA : Why not the police force be democratised? (*Interruption*).

SHRI K. C. PANT : Let us by all means democratise it, whatever that means. (*Interruption*). While we are doing it, let us not forget that the police force is required today, tomorrow and the day after. This process of 'democratisation' may take sometime, or to understand what it means.' (*Interruption*).

The CRP—the much-maligned CRP—is a pet target of some hon. members. We had received some 28 specific complaints about excesses of the CRP; all of them were en-

quired into. In at least 26 of them, the allegation has turned out to be baseless. In fact, in seven or eight cases, it was found that the CRP was not at all deployed in that area. For instance, it was alleged that the CRP had committed several atrocities on women in Chelna and Bojitpur villages of District Hooghly. On enquiry it was found that the CRP was never deployed in those villages. It was reported in the *New Age* that the CRP killed a pregnant woman by firing at Homnipota in Nadia district, on 17-4-1970. The enquiry revealed that the CRP was not deployed in that area on that date. It was alleged that the CRP beat up some newspaper hawkers of Durgapur. The enquiry revealed that the CRP was never posted anywhere near the place where the incident is alleged to have taken place. On 12-7-1970, it was alleged that the CRP had opened fire at Bon Hooghly and one person had been injured in the firing. On enquiry, it was found that the local police had opened fire; the CRP was not present during the firing incident. In the *New Age* dated June 28th, it was alleged that the CRP posted in Jharmajgram, Jalpaiguri district, was indulging in assault, rape, etc. The enquiry, showed that CRP was neither deployed nor posted in Jharmajgram.

My Hon. friend Shri Ganesh Ghosh alleged with great feeling that women were being molested and raped. He proceeded to give graphic details of what CRP had done at Basanti police station in 24 Parganas and at Dapa. He did not give any dates. In regard to Basanti, a similar, allegation was made in a memo presented by a women's organisation, Paschim Bang Mahila Samiti and an immediate enquiry was made. It was found that CRP was not at all deployed in that area. May be some other policemen did something at some time. But so far as the specific charges made against the CRP are concerned, we have enquired into them and these are the facts as I know.

I would like to give some details about what happened at Dapa. Presumably Shri Ganesh Ghosh was referring to an incident which had taken place on 1st June. At about 9 PM on

that day, there was an inter-party clash where bombs and crackers were freely used. The local police party which went to intervene was attacked. Two constables were injured and a police vehicle was damaged. The police tried to disperse the rioters with tear gas, but it was not effective. Hence some rounds of muskets were fired. The crowd started dispersing but one section of the crowd went on to attack the district police camp. Bombs, pipe guns, crackers, bows and arrows were freely used. The local police inspector was injured. The police resorted to firing, as a result of which one woman unfortunately was killed and another girl of 12 years received bullet injuries. But the CRP was not in the picture at all until then. It was called in to patrol the area in view of the serious disturbance which had occurred. The CRP was not involved in any firing or in any act of misbehaviour.

We will not hesitate to take strong action, wherever it may be called for, whether it is CRP or local police. In fact, in one case, we came to the conclusion that a particular unit of CRP acted without necessary restraint. The case related to searches of the houses of some respectable citizens in Nartala area. The searches followed the bombing of a CRP vehicle. Because we came to the conclusion that the necessary restraint was lacking, the company was immediately transferred from that area and proper action initiated against the specific individuals involved in this incident.

This House, I am sure, can now judge for itself the political motivation behind many of the complaints levelled against the CRP, a force which is performing its difficult duties against heavy odds in West Bengal. Some of my friends opposite have the habit of quoting instances from the Calcutta newspaper *Jugantar*. May I return the compliment and invite attention to the article appearing in the issue of *Jugantar* dated 23rd November 1970, which sets out in bold relief the factors which have precipitated the situation in West Bengal? My hon. friend, Shrimati Kripalani, dealt with all these factors at some length and I do not want to go into them myself. But I am sure the House by now is aware of the concrete instances of the permissiveness of the UF

Government and the steady and systematic erosion of all the processes of law in West Bengal while they were in power.

Some members are not tired of singing the hymn of hate against the police. But I wish they took a very objective view of the situation. We are having this debate in the shadow of the brutal attack by some persons on the wife and sons of a colleague of ours, Shri Parimal Ghosh, a respected, popular member of this House whom all sections of the House like and respect. Both his wife and son were in their house. She was preparing the table for breakfast and he was having his exercise. These young men came in and first attacked the mother and later on went on to attack the son.

DR. RAM SUBHAG SINGH (Buxar):
 Have the culprits been apprehended?

SHRI K. C. PANT: I do not know the latest position. But every nerve will be strained to apprehend the culprits. All I can say is that this brings home to all of us, because of its nearness and closeness to one of our colleagues, the tragedy of what is happening there. It is not a matter of finding fault with the government in this matter. It is a human problem.

SHRIMATI SHARDA MUKERJEE: All of us have been asking for the change of the Governor. I have mentioned it in the beginning of my speech. Why don't you at least change the Governor? Why insist on hanging on to the Governor?

SHRI K. C. PANT: It is very difficult not to yield to a lady. But she must not disturb me at the moment when an important point is before the House. I again want to repeat that this tragedy, this brutal assault on the wife and son of Shri Parimal Ghosh is some thing which immediately brings to the mind of every member of this House the situation obtaining in West Bengal. So many others have also lost their lives. We do not know them, their faces and names, and we only read about them in the newspapers. But what a tragedy is it that every day four or five young men should die, many of them in the streets of Bengal, that every day people should be killed. It is this violence in Bengal which all of us

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have to fight, it is this violence which we are all determined to suppress, and I hope that with the help of all sections of the House it would be possible.

DR. RAM SUBHAG SINGH: Withdraw the repressive measure.

SHRI K. C. PANT: From this remark of Dr. Ram Subhag Singh I feel that the effect of whatever I have said has been lost on him.

I would point out that according to the information with us during the last ten or twelve days there have been about 26 incidents where people have been victims of violence in West Bengal. Six are reported to have died in inter-party clashes and the Naxalites have accounted for the remaining twenty. The victims included four policemen. No one has been killed in police firing during this period. These are important facts, these are significant facts because they show that once the police has got some confidence, has got this power under this law, then the police acted with renewed confidence and greater restraint. This is a fact which I would like the House to appreciate.

We were all pleading for this on the ground that we do not like punitive measures and these preventive measures would be more effective in making it possible to control the situation without punitive measures, without resorting to police violence. I do not know how much one can read into these figures but at least during these last ten or twelve days the fact that of the 26 people that have died no one has been killed by the police is indicative, is significant in the context of what we have been saying and expecting, and this was the whole logic of the measure which the President has enacted in consultation with the West Bengal Consultative Committee.

Again, I would like to refer to some of the allegations that have been made. Paschim Bang Mahila Samiti presented a memorandum to the Prime Minister, alleging police atrocities against women in five districts. We directed the State Government to make an enquiry into every specific allegations made in that memorandum. I have received a report from the District Magistrate, Malda. One

of the allegations was that a fourteen year old girl was raped and left unconscious in a nearby bush and that no action was taken against the police even after they had been identified. On receipt of this complaint, the sub-divisional magistrate held a local inquiry. The girl as well as her grandmother completely denied the allegations.

There was also an allegation that on 22nd April the house of a worker of the local peasants' union was raided in Kharba police station area and that his daughter, again a 14-year old, was molested. It was also alleged that the same night another house was raided and an old mother was assaulted. On inquiry it was found that there was no raid at night. The police went to the houses and questioned in broad daylight. The father as well as the 14-year old victim denied the allegation of molestation; so did the mother and her son.

SHRIMATI SUSEELA GOPALAN (Ambalapuzha): Are you prepared to have a judicial inquiry on these points?

SHRI K. C. PANT: Are you not prepared to accept anything at any time?

SHRIMATI SUSEELA GOPALAN: These are grave charges.

SHRI K. C. PANT: I can multiply the incidents but I would not like to take more time of the House. I have a few other incidents but I find that I have taken a lot of time. I may, however, assure the House that we will not shield any police official who may be found to indulge in any excess. But police baiting can also be a double-edged weapon.

I would like to remind Professor Mukerjee of a recent resolution passed by the State Conference of the CP (M) which says *inter alia* :—

“The CP (M) is not against any stringent action to curb Naxalite activities but in the name of suppressing Naxalites the police are engaged in suppressing CP (M) workers. There are several instances of party workers being taken by the police and treating them as Naxalites. CPI and other enemies of the party gave tips to the police about their arrests.”

Our friends in the CPI may be interested to know that the Resolution does not relate to West Bengal but to Kerala.

As the House is aware, there were some gruesome murders around Trivandrum. The State Government spared no efforts in pursuing these cases vigorously. The House, I am sure, will appreciate how firm action under the law to deal with the practitioners of violence strangely evokes politically motivated allegations. To the extent that the Kerala Government has been successful in suppressing violence, I would like to congratulate them over it.

SHRI E. K. NAYANAR : In regard to the Nagalur incident, the Youth Congress people were arrested. They were your men. Can you deny it? I challenge you.

SHRI P. GOPALAN (Tellicherry) : In those murders how many Youth Congress people were arrested?

SHRI K. C. PANT : It is heartening to note from this resolution which I just now quoted that the CPM are "not against any stringent action to curb Naxalite activities". This is your own resolution.

SHRI E. K. NAYANAR : We agree.

SHRI K. C. PANT : So, it is never too late to learn.

Many hon. Members referred to the fact that there are two sides to this question. There is the question of law and order and there is the question of development. I entirely agree that we have to pay attention to the developmental aspect as well as to the law and order aspect. As the House is aware, I have mentioned it before also, the allocation for the Fourth Plan, specially in the current year, has been substantially increased for West Bengal. A crash programme to improve the living conditions of the bustee dwellers has been sanctioned and an outright grant of Rs. 8 crores has been sanctioned. This project is expected to improve the lives of the bustee dwellers. There is a large number of bustee dwellers, I think about 11 lakhs of them, in 3,000 bustees around Calcutta.

SHRI S. S. KOTHARI (Mandsaur) : All your schemes are on papers. Why do you not implement them? You have been saying this for the last eight months. Why not implement the schemes expeditiously.

SHRI K. C. PANT : After man has become literate, all his schemes have come on paper first.

SHRI S. S. KOTHARI : I have been insisting upon implementation again and again.

SHRI K. C. PANT : Implementation is being done.

SHRI S. S. KOTHARI : It is not being done. That is my complaint.

SHRI K. C. PANT : If my hon. friend now goes to Calcutta, he will find an improvement.....

SHRI S. S. KOTHARI : I have been to Calcutta.

SHRI K. C. PANT : You have been away from Calcutta.....(Interruption).

SHRI S. S. KOTHARI : You have selected a wrong expert. Mr. Salve is an expert on accounts and taxation, not on Calcutta.

SHRI K. C. PANT : I do not trust any expert on accounts.

SHRI S. S. KOTHARI : That is why you are in the present condition.

SHRI K. C. PANT : Then, Sir, we are seeking to provide better drainage facilities, drinking water facilities, lights, roads, etc. in these bustees under this crash programme. A good beginning has been made in resource mobilisation through octroi.

Then, my hon. friend, Shri Jyotirmoy Basu, referred to the fact in one of his colourful sentences that we have scraped land reforms, Land reforms are being pursued with great vigour and speed. But they are being pursued under the law. On July 13 last, the Presidential legislation was enacted providing measures for greater protection to *barwadars*

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and improving their conditions. He knows about it because he is a member of the Consultative Committee.

SHRI JYOTIRMOY BASU : I am not.

SHRI K. C. PANT : Then you should know it. It is all the more necessary that you should know about it. I think, some of the edges would have been rubbed off if he had been a member of the Consultative Committee.

SHRI JYOTIRMOY BASU : I feel sorry how misinformed you are.

SHRI K. C. PANT : A legislation to fix ceiling on holdings on the basis of family was placed before the Consultative Committee on the 13th of this month. The drive to detect benami lands and to distribute the same amongst the eligible persons is in full swing. Till 30th September, 6.2 lakh acres of agricultural land has been taken possession of and 3.47 lakh acres have been distributed. It is perhaps because of these steps that in the month of November during the harvest season there were only 73 instances of agrarian lawlessness whereas during the corresponding period last year there were as many as 202 instances.

A reference has been made for a political approach to this problem. About the need for political education and for a well-planned programme to wean away impressionable youth from the path of violence, nobody can deny the need for it. But it would call for an unequivocal commitment, an unequivocal declaration, on the part of those who seek to wean the youth away from the path of violence to declare themselves that they will not resort to violence or that they will themselves not take to violent methods. That is the very minimum to really free politics of violence or to reduce its intensity. Unless this is done, unless the votaries of violence are constantly isolated, it will be difficult to establish lasting normalcy in West Bengal.

It is the duty of all democratic parties, all leaders of public opinion, to organise resistance to the kind of thoughtless anti-social ele-

ments that mar the life of West Bengal. Even now there are heartening instances one of which I think, was referred to by my hon. friend Shri Bal Raj Madhok about popular resistance or public resistance to the incidents of violence. The other day, there was a news item about an 18 year old girl who jumped into the fray when the bus was being burnt. She went to the rescue of the driver, she took away the bottle of kerosene from the hands of the miscreant and she saved the situation. This kind of thing is heartening and the House should take note of it. It is heartening to hear of such heroic instances amongst different sections of the people.

The basic question, however, is that even the people should feel confident before they could be mobilised to resist the forces of evil. The political climate has to be re-vitalised and there cannot be any normal political functioning so long as those wedded to violence, murder and treason are not isolated. These measures are intended only to isolate such elements. The Government are determined to isolate these lawless elements and put them out of circulation strictly according to law. At least some of the Members who have favoured the Resolutions under consideration would like to deal with them on the streets for their own reasons. The Government cannot be a party to such settlement of old scores. It is only because we are anxious to find a humane and civilised way of dealing with this danger of violence and anarchy that we have brought these measures into force. It is not to stifle dissent. Some hon. Member mentioned that it is to stifle dissent. We respect dissent. Our whole system of democracy is based on that and I can assure the House that it would only be the absence of legal measures such as these which would ultimately make a mockery of freedom, dissent and democracy in this country.

I am sure the House will reject the two Resolutions. Thank you.

श्री अब्दुल गनी दार : एक बात बताएंगे कि मिस्टर धवन आपके पेट है या प्राइम मिनिस्टर के ?

SHRIMATI SHARDA MUKERJEE : Sir, I had raised a point when you were not there

in the Chair. I drew attention regarding certain smuggling cases which were brought to the notice of the House. I would like the Minister to give an assurance that he will let the House know what action he is taking in the matter as the Enforcement Directorate is part of his Ministry.

Secondly, Sir, on this side of the House we feel that things have not improved at all since President's rule has come in West Bengal. Unless Government can assure us that they will consider the question of changing the Governor, we shall be forced to abstain from voting.

श्री प्रकाश वीर शास्त्री (हापुड़) : इसमें इतना जरूर कर दीजिये कि आप कम से कम मंत्री महोदय को यह कह दें कि जहां तक राज्यपाल का सम्बन्ध है या सरकारी कर्मचारियों का संबंध है जिनके कारण बंगाल में हिंसा बढ़ रही है उनके लिये सख्ती से इस प्रकार के निर्णय लें कि जिससे उन लोगों को दुर्बलता से भविष्य में बंगाल में इस प्रकार की कठिनाई न बढ़े।

SHRI K. C. PANT : On the general question raised by Shri Prakash Vir Shastri—about taking administrative steps to tone up the administration—Government are duty bound to take all such steps. If it includes the removal of the Governor, that is a different matter. You cannot just simplify the whole thing into one of removing the Governor. It is not just as simple as that. I would beg of the House not to minimise the seriousness of the situation. Some Members feel strongly about certain points; I have noted what all they have said. I will convey them to the proper quarters. That is all that should be hoped for at this stage.

श्री प्रेम चन्द वर्मा (हमीरपुर) : मेरा कहना यह है कि जो राजनैतिक लोग वहां पर गड़बड़ करते हैं उसके बारे में क्या कोई ऐक्शन लेंगे? वहां के जो राजनैतिक लोग हैं, ऐसी पार्टियां हैं जो सारे गड़बड़ के लिये जिम्मेदार हैं, ता मैं जानना चाहता हूं कि क्या आप उसके सिलसिले में कोई ठोस कदम उठाएंगे?

SHRIMATI ILA PALCHOUDHURI (Krishnagar) : I have just received a letter from my constituency where a press worker has been beaten and stabbed to death because he refused to print Mao Tse-tung's literature. The people of Krishnagar are asking for the CRP to be posted there to control such violence. The hon. Minister should say something about this.

SHRI BAKAR ALI MIRZA (Secunderabad) : Is it not a fact that one Mr. Sen, who is a solicitor, who is the head of a huge family and who has a high status, said to the Governor, in the presence of the IG, the Home Secretary and the Police Commissioner and all others, after describing the incident that he and his nephew saw about a particular murder, and asked the Governor with folded hands to give him protection and said 'Kindly see that I am not harassed in the significance of the reign of terror by the police which is existing there'? He is a solicitor, a man of law, and a man with a great standing; he has got a four-storeyed house there, and he lives in a joint family, the biggest joint family in Calcutta. I would like to know whether this is a fact or not.

SHRI KUCHELAR (Vellore) : I would like to know from the hon. Minister what active measures have been taken by the Crime Branch of the Central Government in regard to the detection and investigation of certain incidents which have been left so far without any investigation in the recent West Bengal incidents.

SHRI JYOTIRMOY BASU : I would beg of this House to treat this matter with great seriousness, because these measures will mean the greatest encroachment on human rights if they are brought into force.

SHRI N.K.P. SALVE : He is quoting scriptures.

SHRI JYOTIRMOY BASU : Let us take one by one the points covered by the hon. Minister as also the other Members. If we talk about Naxalites, then let us see who they are. They are mostly desperate youths. But today there is a greater number of police-engaged agent provocateurs and hardened criminals.

[Shri Jyotirmoy Basu]

Let me give you a very simple example. The other day, a truck was detected carrying 6500 k. g. of potassium chloride. Will you expect us to believe that this supply of explosives to Calcutta in West Bengal was going on without the knowledge of the police? If you ask me, I do not. Now, the police cannot control all the deployed hardened criminals. That is why our dear friend Shri Parimal Ghosh's wife and son have been stabbed and we are all very sorry for him, and we are anxious to know how they are progressing. But do you know that only the other day, the CRP trespassed forcibly, entered into his residence and ransacked the whole house? Are you aware of this fact that the CRP trespassed forcibly into his house, entered into the house of a Minister of the Central Government and ransacked the whole house? Let the hon. Minister say whether it is true or not. Who created this situation? Who created these criminals? Who created these criminals who have been deployed and utilised? It is 20 years of Congress rule in West Bengal, which had created these criminals. (*Interruption*) I respect the Dada for his age but not for his utterances. A prominent and very senior editor of Calcutta had told me that he wanted to write an article criticising the extremist action. He was told by his owner who is a Congressman not to write such articles, because that was going to be a thorn in the flesh of the CPM.

As for Shri Bal Raj Madhok, may I ask him one question? They had contested 44 seats in West Bengal last time. May I ask him in how many cases his party had recovered their deposit money? May I ask him how many did his party win?

SHRI KANWAR LAL GUPTA (Delhi Sadar): In Delhi, they dare not even stand. How many did they have in Delhi?

SHRI JYOTIRMOY BASU: We do not come where we are not wanted by the people.

Shrimati Sucheta Kripalani talked about the UF regime.

Now the CPI (M) and UF never wanted to be a tool for the jotedars and capitalists like its Congress predecessors. That was why there

was so much of hue and cry. As for Shrimati Ila Palchoudhuri, may I tell her that her great leader, Atulya Ghosh, whom she almost called a 'God on earth' had engineered riots between the Oriyas and Bengalis, between Sikhs and Bengalis, between South Indians and Bengalis? On enquiry it was found that the leaflet inciting this was printed in the Pradesh Congress Bhavan (*Interruption*).

SHRIMATI ILA PALCHOUDHURI: Why should he bring in the name of a person who is not present here?

SHRI JYOTIRMOY BASU: As regards Rabindra Sarovar, this has been repeated time and again.

Where is Shri Samar Guha? This is a falsehood that has been propagated about the Rabindra Sarovar incident. The proof of the pudding is in the eating. We went there, a litmus test was taken. Then there was a Corporation election for 100 seats and we swept the polls. Shri Krishna Menon is sitting here. I have the pleasure to sit next to him. He was there and he is here as a result of the people's verdict. All these concocted stories were thrown into the waste paper basket. So let them not talk about these bogus stories which they manufacture with the help and co-operation of the jute press which they favour by allowing them to do blackmarketing in newsprint and by feeding them with advertisements. Even now, I tell them: do not depend upon the jute press and the police so much; otherwise, you will be digging your grave deeper.

In West Bengal, fascism has risen. The police has been made to run amuck, imagine: it is now 25 days, going to a month, since 11 bullet-ridden dead bodies of young boys between 15 and 25 two were above 30 were found. The policemen have tried all sorts of eye-catching drills. The CBI was there, the great confidant of many here. 25 days have passed. What has happened. Not a word has come out, because we know it for certain that the Police had committed the murders. So another policeman cannot be expected to expose them. I have written letter after letter to the Prime Minister asking her to give me a copy of the autopsy report. Even she is not willing to give

it. She is not willing to utter a word. That is because the Government is hand in glove with the murderous policemen in Bengal who are conducting a mass annihilation campaign to devour the young flowers of West Bengal. They should hang their head in shame for that.

The Deputy Commissioner, North, Shri Chakraborty, was seen shooting by eye-witnesses including the mother and brother of the deceased, shooting at the children and killing them. Has the DC been prosecuted. No, because the moment they do it, he will turn round and say: "You wanted me to do it. Now you want to prosecute me. I will expose everything. So all right, keep quiet. Do not do it". That is the whole thing.

Then the shooting of a boy opposite Calcutta University, Krishna Kanta Misra, a 5th year student. Imagine, many of you have children studying in colleges. The Commissioner of Police and the Governor told us—Shri Bakar Ali Mirza and Shri Badrudujja were with us—that it was a killing by mistaken identity. What happened? If I am asked to shoot Shri Pant and instead I shoot Shri Khadilkar, I escape the murder charge! I put it to you, Sir, as a lawyer. Tell us whether the shooters should be prosecuted or not under 302 or any other provision. But no, it cannot be done.

The police vindictiveness has known no limit. Take the case of an MLA who was caught on suspicion, Shri Vinay Konar of Burdwan. He was humiliated, beaten and dragged in the public street, never granted bail. This is sheer shameful conduct of vindictiveness that they are perpetrating in West Bengal today.

Under what sense of democracy, under what sense of their socialism, can they tell the police to take the law into their own hands? They can shoot and get away. How can they do that? And they have done so in hundreds of cases.

The question has been brought here by another gentleman that the United Front supported the P. D. Act. If they had supported, they should have made it public and clear. They opposed it, they still oppose it in principle. If they come to power again, they will oppose it. They will not have this sort of undemocratic and draconian Act in existence.

They detained thousands of people, and they released whom? Smugglers, food adulterers, wagon breakers, black-marketeers, habitual criminals and the variety which Mrs. Mukerjee has just now mentioned, which is ruining the country's economy. You cannot touch them. You are only anxious to touch and kill and annihilate your political opponents.

On 28th/29th October a decision was taken by the Bengal Government under instructions from the Centre. A meeting of the Advisers presided over by the Governor took a decision that the provisions under the Police Regulations that every police firing should be enquired into be kept in abeyance for three months. I wrote to the Prime Minister the next day, and she replied:

"I have your letter of the 1st November, regarding the reported decision of the West Bengal Government not to hold enquiries into police firings. I myself have no further knowledge beyond what has been stated in the Press. We are finding out the facts from the West Bengal Government, after which I will write to you again. With good wishes, . . ."

She said that she would write to me again. That was on 7th November and today is 15th December. Nothing has happened.

But the most interesting part is that the very next day a report appeared in the *Jugantar* owned by Congress (R). They did not know what they were doing. I will produce it later. The *Jugantar* has clearly said that the Centre was not informed about the decision which I say again, I have done it before, is untrue. They said clearly that the Centre was kept posted with the development.

I say this is one of the greatest encroachments on human rights. Bureaucrats are given freedom to take a decision of this nature without the consent and concurrence of the Home Minister. I want to ask the House, can that be done? So, I say: God help this country where the Prime Minister, on such an important and vital issue, could dare tell something wholly untrue. Mr. Pant may take note of what I have said just now.

SHRI K. C. PANT *rose*—

SHRI JYOTIRMOY BASU: I am not yielding.

Truth, fairplay and justice cannot be expected from these people who are subservient to money bags. That is their only object.

I will come to the points raised by the Minister. It is a reign of terror which you have let loose to curb political opponents and to get better results in the next election. You are trying to tackle Bengal's problems through die-hard, superannuated stooges of the Prime Minister. You are only aggravating the situation.

Only an elected Government of the people can face the problems. You tried to get the P. D. Act, not today but on 1st January, 1970. The nation, the country and this House had rejected it. So, you dared not touch it. You always manage to survive and get protected by such draconian Acts. The administration has enough powers as it is now, but they are not enough perhaps to your mind to serve your political purposes. You want to detain the working cadre of your political opponents so that you can hoodwink the people and get elected and stick on to power. Mr. Pant, I am sorry to say, is either ignorant or has misled this House. Judiciary in West Bengal is not separated in all the districts; it has been done only in a few. Even after the separation of the judiciary, chapter VIII trials are under the executive and there could hardly be any fairness. Mr. Pant should not tell cock and bull stories here. The accused or his co-servicemen are asked to enquire. What justice can you get out of that? I wish the Minister and his policemen were one per cent as pious as he tried to create an image of. Do you expect that victims of police atrocities will ever come forward to tell you the truth of the matter? A mother who had lost two of her sons in Shahanpukur, they were shot under her very nose by the Deputy Commissioner of police and she broke down when she narrated it, I have got the tap recording—she says that even today policemen are coming to her house and kicking at the door and threatening: if you complain to anybody, you will lose your third son also. Who will dare to report your murderer police-

men to any police station? They want to take political dividend out of this advantage. They have created the CMDO to obstruct the Calcutta Corporation because the CPM is in it for the last one year or a little over. You can never go in for real land reforms because it involves liquidation of jotedars, which in turn means the liquidation of the Congress. Congress (R) and those who are near them mean monopolists in urban areas and jotedars in rural areas.

I shall in conclusion cite only one example of the PD Act from a letter which I have received yesterday. It is signed by District Magistrate, S. Banerjee. I can assure you that this officer has never read what is in the charge sheet and I shall read it out; it is in Bengali. I have to translate it. The letter is from the Government of West Bengal, D.M.'s office, Burdwan, Memo No. 16/PV/dated 10.12.1970, that is to say, issued just five days ago. According to the new Detention Act, the person held is Kali Bada Das. Among the other charges are: On 7.10.1969 with our followers you illegally detained one Rana Pada Das; you have forcibly taken paddy from Government land standing in the name of Gopal Mandal; on 21.6.1970 (six months ago) you threatened and asked Mr. K. N. Singh Roy to leave the village within three hours...

MR. SPEAKER: You time is up.

SHRI JYOTIRMOY BASU: On 2.11.1970 in the evening you threatened B. P. Singh Roy I am reading from that chargesheet—near Jaugram railway station and told him that you would get his people arrested by the police in the Dimakali dacoity case.

These were enough for his detention. I ask Mr. Salve: May I present to you these documents if you have any suspicion? I again caution: this Government has nothing to do with the people that are outside who are groaning under the pressure of severe rise in prices and living conditions. You drop this draconian Act; or else this will be the last nail on your coffin.

SHRI K. C. PANT: There was one just small point to which Shri Jyotirmoy Basu

referred; that is, the judiciary and the executive are not separated in the whole of Bengal. He is correct there. It is only in eight of the 15 districts that it is separate, but they include Calcutta and Hooghly, the areas where this violence is the most. (*Interruption*) I am only correcting it. What he said is correct.

SHRI JYOTIRMOY BASU : All your statements need to be corrected.

SHRI KRISHNA MENON (Midnapore) : Under the powers that you have taken in these Acts, where is the separation of the judiciary from the executive?

MR. SPEAKER : Order, order. Shri Ganesh Ghosh.

SHRI GANESH GHOSH (Calcutta South) : Sir, this discussion has at least done one good thing: it has given a little chance to the people of our country to see in true colours the real characteristics of those parties and groups who up till now have laid monopoly claim to be the sworn democrats. It is amusing to see how those political chameleons are strutting about on the political arena of our country. At 12 O'clock today, somebody was shivering with anger against our President's action in derecognising a handful of princes, these erstwhile feudal tyrants who even now want to go as princes and Maharajas and want to take away crores of rupees from the poor people. Very good; but four hours after that, when this question of taking away the liberty of four and a half crores of people of West Bengal, of depriving them of their fundamental rights and giving the police and the irresponsible bureaucrats the liberty of detaining the people without trial came up, the political chameleons supported it, because it is a question of the fundamental right of four and a half crores of people.

As you know, and as Shri Krishna Menon has very ably put it yesterday, no civilised country, no democratic country in the world has such a fascistic statute on its statute books—the law for depriving its own citizens of the fundamental rights and liberties and of detaining them without trial. Of course, only in exceptional circumstances, when the very basis of the existence of a State is endangered, as for

example, during wars, are such measures enacted. There is some violence in West Bengal by the Naxalites and by some anti-social elements, and some people have been killed. But has the basis of security, the very existence of our country been endangered? Has any special emergency been declared by our President? Nothing of the sort. Yet, these so-called democrats, these Congress democrats, and the Congress leaders want to put these fascistic measures in the Statute-Book.

In the morning, a certain political leader became very angry, because the President's executive action in derecognising the Princes was not passed by this Parliament earlier and he did it all by himself, and that was considered to be very undemocratic. But when it is a question of depriving the people of West Bengal of their fundamental rights—and these two fascistic measures have been described aptly by Shri Krishna Menon as draconian, when these have already been imposed on West Bengal without taking prior consent and approval of this Parliament, the same leader says this is very good, and he still wants to go about as a democrat.

There is no emergency declared by the President. Only the other day, Shrimati Indira Gandhi and the Congress leaders passed such a draconian measure upon the people of West Bengal. Why? Just to make it easy for the Congress leaders in West Bengal to win the coming election. Shrimati Indira Gandhi and other Congress leaders are in a hurry because they are thinking of the election. But they are counting without the host. Because it is not a handful of Congress leaders who will have the last say. It is the people of West Bengal who will have the last say. And we are grateful to the Congress leaders for one thing. They have given two spells of President's rule to West Bengal, which have given enough chances to the people there to learn by their bitter experience what these Congress leaders stand for and whom they really serve.

What happened in Durgapur a week back? Several weeks ago there was a strike there. Taking advantage of this strike, hordes of CRP were brought in. The minister, it seems is allergic to any reference to the CRP. The CRP, the Border Security Force, the West

[Shri Ganesh Ghosh]

Bengal Armed Constabulary, the Eastern Frontier Rifles, the Armed Constabulary and what not were sent there. More than 25,000 armed constables were sent to Durgapur for a population of 63,000 men, women and children. The minister said that many cases of allegations have been enquired into and it has been found that no CRP was deployed there. Yes ; he is talking just like a Congress leader. What nonchalance and indifference to human life and honour of women ! I will give only one instance of what happened in Durgapur. There were terrible oppressions by the police—not only by the CRP but by the Central Industrial Reserve Police, the Border Security Force, the Armed Constabulary and what not, I do not know. When the District Magistrate went there, about 120 ladies, wives and mothers of the striking employees, went in a procession to speak to the District Magistrate and to bring to his attention what the armed police sent by the Congress leaders to Durgapur have done to them. When this procession came within a hundred yards from the District Magistrate, they were stopped by the CRP, the Border Security Force, etc., etc., and within the full view of the District Magistrate, the saris of all the ladies standing in the front row were taken away and burnt on the road. This fact was brought to the notice of the Governor. (*Interruptions*). This minister will probably tomorrow say that on investigation it has been found that no CRP was deployed there. What about the Border Security Force, etc. ?

श्रीमती लक्ष्मीबाई (मेडक) : अध्यक्ष महोदय, इन लोगों की प्रैक्टिस हो गई है कि औरतों के बारे में तरह तरह की कहानियां कहते हैं। मैं उनकी कहानियों को खूब जानती हूँ। मुझे मालूम है कि नलगोंडा और हैदराबाद में इन लोगों ने क्या किया है। मैं चाहती हूँ कि माननीय सदस्य ने साइडिंग के बारे में जो कुछ कहा है उसको प्रोसीडिंग से निकाल दिया जाये।

SHRI GANESH GHOSH : We brought this to the attention of Shrimati Indira Gandhi and also of the Governor, Mr. Dhawan. What action did they take ?

SHRI K. C. PANT : I will inform him of the action taken.

SHRI GANESH GHOSH : I am not yielding. You said that at Basanti and Dhapa, the CRP was not deployed. But what about the Border police, the Armed Constabulary, the Eastern Frontier Rifles, etc., and the Bengal Armed Police ? You did not say anything about them. You thought by this you could get out. You are trying to get out, but the elections are coming if not in 1971, at least in 1972. Do you know what happened at Durgapur ? After so much repression, there was an election there last week to some committee in Durgapur. Could your party get a single seat out of 83 or 85 seats there ? No. Only the C. I. T. U. led by the CPM got all the seats. This is the writing on the wall. If you have eyes to see, look at it.

Much has been made of the inquiry. It is said that all the 26 cases have been found to be baseless.

SHRIMATI ILA PALCHOU DHURI : Mr. Speaker, the hon. Member....

SHRI GANESH GHOSH : You have spoken on Rabindra Sarovar. We have heard you. You speak tomorrow ; not today. I am speaking about what concerns the ladies of West Bengal and being a lady yourself....

MR. SPEAKER : I would request him not to annoy women.

SHRIMATI ILA PALCHOU DHURI : Sir, he has mentioned the Border Security Force and vilified them. On the borders of Nadia they have given protection to thousands of women.

SHRI GANESH GHOSH : Much has been made by this Minister of the inquiry which had been conducted, and evasive answers have been given. I challenge him, if he has got the guts, to come with us, or ask the Prime Minister, Shrimati Indira Gandhi, to come with us. We will give her protection ; we will give you protection.

SHRI K. C. PANT : The cat is out of the bag now.

SHRI RANDHIR SINGH : We do not want your protection.

SHRI GANESH GHOSH : Come to Dapa, if you are not afraid, and see for yourself.

SHRI K. N. TIWARY : Then how is it that you could not give protection to members of your own party ?

SHRI GANESH GHOSH : Come to Dapa, come to Basanti and Durgapur and see the position. Yet, you say that inquiries have been made.

MR. SPEAKER : He should conclude now.

श्री प्रेम चन्व वर्मा : अपने आदमियों को तो बचा नहीं पाते हैं और प्राइम मिनिस्टर को प्रोटेक्शन देने की बात कहते हैं ।

श्री रणधीर सिंह : खुद तो रो रहे हैं और चिल्ला रहे हैं, हमें मार दिया, काट दिया और प्राइम मिनिस्टर को प्रोटेक्शन देंगे ।

श्री गणेश घोष : प्रोटेक्शन की जरूरत नहीं है तो ऐसे ही चलिये । वासन्ती चलिये, घापा चलिये, हिम्मत है तो ।

MR. SPEAKER : I would request him to kindly conclude his speech. At the same time, may I request hon. Members on this side not to interrupt him. Let him have his say.

SHRI GANESH GHOSH : I am grateful to the hon. Members on this side and that side also who have expressed concern at the way the CRP have treated the women of West Bengal. My very humble submission, request, appeal and prayer to them is this ; let us jointly go in a deputation and see the Home Minister and the Prime Minister, Shrimati Indira Gandhi. All of you have respect for the honour of women of West Bengal, all of you have expressed your concern, including my hon. friend, Shrimati Ila Palchoudhuri. She had said the other day "we do not approve of it." If you do not approve of it, let all of us go on a deputation and request the Prime Minister to make an inquiry into the allegations made here and also outside. I would

request Shri Krishna Chandra not to believe these things. If you have any respect for human value, you come there or request Shrimati Indira Gandhi herself to come there to Basanti, Dhapa and Durgapur and many other villages where the honour of women has been violated. We will prove it.

Many hon. gentlemen have asked me, what is the way out ? Yes, violence begets violence. Through rifle only, through the CRP and the Border Police you cannot stop Naxalite violence. What is the way out ? Gentlemen, just think for a moment with a cool brain. Why take responsibility for West Bengal ? These measures are meant only for the people of West Bengal and not for the people of any other place. Why not hold an election there ? Give the responsibility of administration to the representatives of West Bengal and let them do as they think best. Are you afraid to hold elections ? You must be, because the people of West Bengal know who the Congress leaders are, who they stand for and whom they are serving. If you have got the least respect for democracy and human values, make arrangements for an early election in West Bengal. Hand over the administration to the representatives of West Bengal and see what happens. You cannot solve the problems. Only the representatives of West Bengal can.

SHRI K. C. PANT : With your permission, Sir, I wish to make one point. He was quite right in saying that women were molested in Durgapur. I concede to him that. A magisterial inquiry was held into it and they have come to the conclusion that the CP(M) men were responsible for that.

SOME HON. MEMBERS : Shame, shame.

SHRI P. RAMAMURTI : I want you to hold a public inquiry.

SHRI JYOTIRMOY BASU : Let there be a public inquiry. Shri Pant is again misleading the House. . . . (*Interruption*)

MR. SPEAKER : Now, I put Resolution moved by Shri Jyotirmoy Basu to vote. The question is :

"This House resolves that in pursuance of sub-section (4) of section 3 of the West

[Mr. Speaker]

Bengal State Legislature (Delegation of Powers) Act, 1970, the West Bengal (Prevention of Violent Activities) Act, 1970, laid on the Table on the 23rd November, 1970, be repealed by the President by enacting a repealing Act.

This House recommends to Rajya Sabha that Rajya Sabha do concur in this Resolution."

The Lok Sabha divided :

AYES

Division No. 18]

[16.33 hrs.

Abraham, Shri K. M.
Adichan, Shri P. C.
Badrudduja, Shri
Banerjee, Shri S. M.
Basu, Shri Jyotirmoy
Bhagaban Das, Shri
Biswas, Shri J. M.
Chakrapani, Shri C. K.
Chandra Shekhar Singh, Shri
Chaudhuri, Shri Tridib Kumar
Esthosc, Shri P. P.
Ghosh, Shri Ganesh
Gopalan, Shri A. K.
Gopalan, Shri P.
Gopalan, Shrimati Suseela
Halder, Shri K.
Jha, Shri Bhogendra
Jha, Shri Shiva Chandra
Joshi, Shri S. M.
Limaye, Shri Madhu
Meghachandra, Shri M.
Menon, Shri Krishna
Mirza, Shri Bakar Ali
Misra, Shri Janeshwar
Modak, Shri B. K.
Molahu Prasad, Shri
Mukerjee, Shri H. N.
Nair, Shri Vasudevan
Nayanar, Shri E. K.
Pandey, Shri Sarjoo
Patel, Shri J. H.
Patil, Shri N. R.
Ramamurti, Shri P.
Ray, Shri Rabi
Satya Narain Singh, Shri
Thakur, Shri Gunanand

NOES

Ahmed, Shri F. A.
Ahmed, Shri J.
Amat, Shri D.
Amjad Ali, Shri Sardar
Ankineedu, Shri
Arumugam, Shri R. S.
Asghar Husain, Shri
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Barupal, Shri P. L.
Basu, Dr. Maitreyee
Basumatari, Shri
Baswant, Shri
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhandare, Shri R. D.
Birua, Shri Kolai
Bo e, Shri Amiyanaath
Brahmanan.tji, Shri Swami
Brij Bhushan Lal, Shri
Chanda, Shri Anil K.
Chanda, Shrimati Jyotsna
Chandrika Prasad, Shri
Chavan, Shri D. R.
Chittybabu, Shri C.
Choudhary, Shri Valmiki
Damani, Shri S. R.
Dandeker, Shri N.
Dass, Shri C.
Deshmukh, Shri B. D.
Deshmukh, Shri K. G.
Digamber Singh, Shri
Dinesh Singh, Shri
Dwivedi, Shri Nageshwar
Dwivedy, Shri Surendranath
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gautam, Shri C. D.
Gavit, Shri Tukaram
Gohain, Shri C. C.
Govind Das, Dr.
Gowda, Shri M. H.
Guha, Shri Samar
Gupta, Shri Kanwar Lal
Hem Raj, Shri
Horo, Shri N. E.
Iqbal Singh, Shri
Jadhav, Shri Tulshidas
Jadhav, Shri V. N.
Jagjiwan Ram, Shri

Jamir, Shri S. C.	Parmar, Shri D. R.
Jamna Lal, Shri	Partap Singh, Shri
Kamalanathan, Shri	Parthasarathy, Shri
Kamble, Shri	Patel, Shri Manibhai J.
Kamala Kumari, Kumari	Patel, Shri Manubhai
Karan Singh, Dr.	Patil, Shri Anantrao
Karni Singh, Dr.	Patil, Shri C. A.
Kasture, Shri A. S.	Patil, Shri Deorao
Katham, Shri B. N.	Patil, Shri S. B.
Kavade, Shri B. R.	Patil, Shri S. D.
Kedar Nath Singh, Shri	Patil, Shri T. A.
Khadilkar, Shri	Patodia, Shri D. N.
Kinder Lal, Shri	Pradhani, Shri K.
Kisku, Shri A. K.	Qureshi, Shri Mohd. Shaffi
Kothari, Shri S. S.	Radhabai, Shrimati B.
Kotoki, Shri Liladhar	Raghu Ramaiah, Shri
Kripalani, Shrimati Sucheta	Raj Deo Singh, Shri
Krishna, Shri S. M.	Ram Dhan, Shri
Krishnan, Shri G. Y.	Ram Swarup, Shri
Kundu, Shri S.	Ramji Ram, Shri
Kureel, Shri B. N.	Ramshekhar Prasad Singh, Shri
Kushwah, Shri Yashwant Singh	Randhir Singh, Shri
Lalit Sen, Shri	Ranga, Shri
Lakkar, Shri N. R.	Rao, Shri Jaganath
Lutfal Haque, Shri	Rao, Shri K. Narayana
Mahadeva Prasad, Dr.	Rao, Shri J. Ramapathi
Mahajan, Shri Vikram Chand	Rao, Dr. V. K. R. V.
Mahajan, Shri Yadav Shivram	Raut, Shri Bhola
Maharaj Singh, Shri	Reddy, Shri Ganga
Malhotra, Shri Inder J.	Reddy, Shri M. N.
Mandal Dr. P.	Reddy, Shri R. D.
Mandal, Shri Yamuna Prasad	Roy, Shri Bishwanath
Maran, Shri Murasoli	Roy, Shrimati Uma
Marandi, Shri	Sadhu Ram, Shri
Master, Shri Bhola Nath	Saleem, Shri M. Yunus
Mehta, Shri P. M.	Salve, Shri N. K. P.
Minimata Agam Das Guru, Shrimati	Samanta, Shri S. C.
Mishra, Shri G. S.	Sankata Prasad, Dr.
Misra, Shri S. N.	Savitri Shyam, Shrimati
Mohsin, Shri	Sayeed, Shri P. M.
Muhammad Sheriff, Shri	Sen, Shri Dwaipayana
Mukerjee, Shrimati Sharda	Sen, Shri P. G.
Mulla, Shri A. N.	Shambhu Nath, Shri
Murthy, Shri B. S.	Shankaranand, Shri B.
Muthusami, Shri C.	Sharma, Shri Beni Shanker
Nahata, Shri Amrit	Sharma, Shri Madhoram
Naik, Shri G. C.	Shastri, Shri Prakash Vir
Naik, Shri R. V.	Shastri, Shri Raghuvir Singh
Oraon, Shri Kartik	Shastri, Shri Sheopujan
Pahadia, Shri Jagannath	Sheo Narain, Shri
Palchaudhuri, Shrimati Ila	Sher Singh, Shri
Pant, Shri K. C.	Sheth, Shri T. M.
Paokai Haokip, Shri	Shinkre, Shri
Parmar, Shri Bhaljibhai	Shiv Chandika Prasad, Shri

Shukla, Shri S. N.
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Siddheshwar Prasad, Shri
 Sinha, Shri Satya Narayan
 Sonar, Dr. A. G.
 Sonavane, Shri
 Supakar, Shri Sradhakar
 Suraj Bhan, Shri
 Sursingh, Shri
 Suryanarayana, Shri K.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Uikay, Shri M. G.
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Virbhadra Singh, Shri
 Viswambharan, Shri P.
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

MR. SPEAKER : The result* of the division is :

Ayes : 36
 Noes : 179

The motion was negatived

MR. SPEAKER : There is another Resolution by Shri Ganesh Ghosh. There is an amendment in the name of Shri Deven Sen. First I put that amendment to the vote of the House.

Amendment No. 1 was put and negatived.

MR. SPEAKER : I shall now put Resolution moved by Shri Ganesh Ghosh to the vote of the House.

The question is :

“This House resolves that in pursuance of sub-section (4) of section 3 of the West Bengal State Legislature (Delegation of Powers) Act, 1970, the West Bengal Maintenance of Public Order Act, 1970, laid on the Table on the 3rd December, 1970, be repealed by the President by enacting a repealing Act.

This House recommends to Rajya Sabha that Rajya Sabha do concur in this Resolution.”

The Lok Sabha divided.

AYES

Division No. 19]

[16.35 hrs.

Abraham, Shri K. M.
 Adichan, Shri P. C.
 Badrudduja, Shri
 Banerjee, Shri S. M.
 Basu, Shri Jyotirmoy
 Bhagaban Das, Shri
 Biswas, Shri J. M.
 Chakrapani, Shri C. K.
 Chandra Shekhar Singh, Shri
 Chaudhuri, Shri Tridib Kumar
 Esthose, Shri P. P.
 Ghosh, Shri Ganesh
 Gopalan, Shri A. K.
 Gopalan, Shri P.
 Gopalan, Shrimati Suseela
 Halder, Shri K.
 Jha, Shri Bhogendra
 Jha, Shri Shiva Chandra
 Meghachandra, Shri M
 Menon, Shri Krishna
 Mirza, Shri Bakar Ali
 Misra, Shri Janeshwar
 Modak, Shri B. K.
 Molahu Prasad, Shri
 Mukerjee, Shri H. N.
 †Muthusami, Shri C.
 Nair, Shri Vasudevan
 Nayanar, Shri E. K.
 Patel, Shri J. H.
 Ramamurti, Shri P.
 Ray, Shri Rabi
 Reddy, Shri Iswara
 Satya Narain Singh, Shri
 Thakur, Shri Gunanand

NOES

Ahmed, Shri F. A.
 Ahmed, Shri J.
 Amat, Shri D.
 Amjad Ali, Shri Sardar

*Shri Dhireswar Kalita also recorded his vote for Ayes.

†Wrongly voted for Ayes.

Ashgar Husain, Shri	Khadilkar, Shri
Babunath Singh, Shri	Kinder Lal, Shri
Bajpai, Shri Vidya Dhar	Kisku, Shri A. K.
Barupal, Shri P. L.	Kothari, Shri S. S.
Basu, Dr. Maitreyee	Kotoki, Shri Liladhar
Basumatari, Shri	Kripalani, Shri J. B.
Baswant, Shri	Kripalani, Shrimati Sucheta
Besra, Shri S. C.	Krishna, Shri S. M.
Bhagat, Shri B. R.	Krishnan, Shri G. Y.
Bhandare, Shri R. D.	Kundu, Shri S.
Birua, Shri Kolai	Kureel, Shri B. N.
Bose, Shri Amiyanath	Kushwah, Shri Yashwant Singh
Brahmanandji, Shri Swami	Lalit Sen, Shri
Brij Bhushan Lal, Shri	Laskar, Shri N. R.
Chanda, Shri Anil K.	Lutfal Haque, Shri
Chanda, Shrimati Jyotsna	Madhok, Shri Bal Raj
Chandrika Prasad, Shri	Mahadeva Prasad, Dr.
Chavan, Shri D. R.	Mahajan, Shri Vikram Chand
Chittybabu, Shri C.	Mahajan, Shri Yadav Shivram
Choudhary, Shri Valmiki	Maharaj Singh, Shri
Damani, Shri S. R.	Malhotra, Shri Inder J.
Dandeker, Shri N.	Mandal, Dr. P.
Dass, Shri C.	Mandal, Shri Yamuna Prasad
Deshmukh, Shri B. D.	Maran, Shri Murasoli
Deshmukh, Shri K. G.	Marandi, Shri
Digamber Singh, Shri	Master, Shri Bhola Nath
Dinesh Singh, Shri	Mehta, Shri P. M.
Dwivedi Shri Nageshwar	Minimata Agam Dass Guru, Shrimati
Dwivedy, Shri Surendranath	Mishra, Sri G. S.
Ganesh, Shri K. R.	Misra, Shri S. N.
Ganga Devi, Shrimati	Mohsin, Shri
Gautam, Shri C. D.	Muhammad Sheriff, Shri
Gavit, Shri Tukaram	Mukerjee, Shrimati Sharda
Gahani, Shri C. C.	Mulla, Shri A. N.
Govind Das, Dr.	Murthy, Shri B. S.
Gowda, Shri M. H.	Nahata, Shri Amrit
Guha, Shri Samar	Naik, Shri G. C.
Gupta, Shri Kanwar Lal	Naik, Shri R. V.
Hem Raj, Shri	Nayar, Shrimati Shakuntla
Horo, Shri N. E.	Oraon, Shri Kartik
Iqbal Singh Shri	Pahadia, Shri Jagannath
Jadhav, Shri Tulshidas	Palchaudhuri, Shrimati Ila
Jadhav, Shri V. N.	Pant, Shri K. C.
Jagjiwan Ram, Shri	Paokai Haokip, Shri
Jamir, Shri S. C.	Parmar, Shri Bhaljibhai
Jamna Lal, Shri	Parmar, Shri D. R.
Kamalanathan, Shri	Partap Singh, Shri
Kamble, Shri	Parthasarathy, Shri
Kamala Kumari, Kumari	Patel, Shri Manibhai J.
Karan Singh, Dr.	Patel, Shri Manubhai
Karni Singh, Dr.	Patil, Shri C. A.
Kasture, Shri A. S.	Patil, Shri Deorao
Kavade, Shri B. R.	Patil, Shri S. B.
Kedar Nath Singh, Shri	Patil, Shri S. D.

Patil, Shri T. A.
Patodia, Shri D. N.
Pradhani, Shri K.
Qureshi, Shri Mohd. Shaffi
Radhabai, Shrimati B.
Raghu Ramaiah, Shri
Raj Deo Singh, Shri
Ram, Shri T.
Ram Dhan, Shri
Ram Swarup, Shri
Ramji Ram, Shri
Randhir Singh, Shri
Ranga, Shri
Rao, Shri Jaganath
Rao, Dr. K. L.
Rao, Shri K. Narayana
Rao, Shri J. Ramapathi
Rauti, Shri Bhola
Reddy, Shri Ganga
Reddy, Shri M. N.
Reddy, Shri R. D.
Roy, Shri Bishwanath
Roy, Shrimati Uma
Sadhu Ram, Shri
Saleem, Shri M. Yunus
Salve, Shri N. K. P.
Samanta, Shri S. C.
Sankata Prasad, Dr.
Sapre, Shrimati Tara
Savitri Shyam, Shrimati
Sayeed, Shri P. M.
Sen, Shri Dwaipayana
Sen, Shri P. G.
Shambhu Nath, Shri
Shankaranand, Shri B.
Sharma, Shri Beni Shanker
Sharma, Shri Madhoram
Sharma, Shri Naval Kishore
Shastri, Shri Prakash Vir
Shastri, Shri Raghuvir Singh
Shastri, Shri Sheopujan
Sheo Narain, Shri
Sher Singh, Shri
Sheth, Shri T. M.
Shinkre, Shri
Shiv Chandika Prasad, Shri
Shukla, Shri S. N.
Shukla, Shri Vidya Charan

Siddheshwar Prasad, Shri
Sinha, Shri Satya Narayan
Sonar, Dr. A. G.
Sonavane, Shri
Supakar, Shri Sradhakar
Suraj Bhan, Shri
Sursingh, Shri
Suryanarayana, Shri K.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Uikry, Shri M. G.
Verma, Shri Balgovind
Verma, Shri Prem Chand
Virbhadra Singh, Shri
Vyas, Shri Ramesh Chandra
Yadav, Shri Chandra Jeet

MR. SPEAKER : The result* of the division
is :

Ayes : 34

Noes : 176

The motion was negatived.

16.35 hrs.

STATE OF HIMACHAL PRADESH BILL

MR. SPEAKER : We will pass this Bill as soon as possible today, so that it could go to Raja Sabha tonight. There is not much of controversy about it. The hon. Minister. He may formally move it and then make his speech.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE, DEPARTMENTS OF ELECTRONICS AND SCIENTIFIC AND INDUSTRIAL RESEARCH (SHRI K. C. PANT) : Sir, I beg to move.†

“That the Bill to provide for the establishment of the State of Himachal Pradesh and for matters connected therewith, be taken into consideration.”

*The following member also recorded their votes :

Ayes : Shri Madhu Limaye ;

Noes : Shri Siddayya, Shrimati Laxmi Bai and Sarvashri Anantrao Patil and C. Muthusami.

†Moved with the recommendation of the President.