

12.18 hrs.

DEFENCE OF INDIA BILL—contd.

Mr. Speaker: The House will now proceed with further consideration of the following motion moved by Shri A. K. Sen on the 21st November 1962, namely:—

“That the Bill to provide for special measures to ensure the public safety and interest, the defence of India and civil defence and for the trial of certain offences and for matters connected therewith, be taken into consideration”.

Shri Hem Barua was on his legs. He has already taken 15 minutes.

Shri Hari Vishnu Kamath (Hoshangabad): Before we proceed further with the consideration of the Bill, may I make a request to you very earnestly? This Bill is an important measure. You will recollect that the Business Advisory Committee at one stage recommended full 10 hours. Later on, because we were to adjourn soon, we reduced it to 7 hours.

Mr. Speaker: I am very sorry....

Shri Hari Vishnu Kamath: I am coming to that. I suggest that we make it 12 hours now that we are not adjourning as originally planned.

Mr. Speaker: We restored those 10 hours only yesterday.

Shri U. M. Trivedi (Mandsaur): I would like to support what my hon. friend, Shri Kamath, has said. There is no doubt that this is a very important Bill.

Mr. Speaker: We will see. First, let us proceed with the discussion.

Shri Hem Barua (Gauhati): There has of late been an attempt on the part of a section of our population in the country on the basis of the so-called Chinese proposals, the latest proposals, to undermine in a very

subtle and careful way our defence effort. And it pains me to say that a lobby is growing in this country that is engaged in a sort of propaganda saying that these latest proposals of China are honest and genuine proposals and that the country should work upon them.

I make mention of this only because of the fact that this might undermine the defence effort and also undermine the atmosphere of resistance that is growing in this country because of the tremendous response of the people and the determination so far on the part of the Government and Parliament.

That is why, I am apprehensive of the fact that if this lobby that is subtly engaged in making propaganda in favour of the so-called Chinese proposals for cease-fire and peaceful negotiations is allowed to grow in strength, it will surely undermine the defence effort of this country.

I can cite instances of people even in Delhi ringing me up and telling me that the Chinese proposals are very honest proposals and that the Government should work on these proposals, that we people should throw our weight on the side of the Chinese proposals. Not only that. Shri Frank Anthony told me that he was also getting frantic telephone calls here in Delhi. This has convinced me that there is some sort of lobby growing like that, and it pains me to say that even in Parliament there is a lobby that is growing in favour of accepting these Chinese proposals.

I say the Government and Parliament should take time to study them, as I have said before, without pride or prejudice, and then come to a conclusion.

This sort of a lobby growing in this country is bound to undermine our defence effort, is bound to undermine the grim determination of the people.

In evidence of it, may I say that I have just got a telegram this morning at 3.30. The telegram reads like this:

"We condemn your views (meaning my views) in view of mass massacre we strongly urge you exert parliament agrees cease fire proposal"

Shrimati Renuka Ray (Malda): But we are not getting any.

Shri Tyagi (Dehra Dun): Is it from Assam?

Shri Hem Barua: Let me come to that.

Besides, I am getting telephone calls from citizens who refuse to disclose their identity. Not only I, I said Shri Anthony is also getting, he told me like that.

So, whatever that might be, a sort of lobby is growing, and this is the telegram I have got.

Shri Daji (Indore): From where?

Shri Hem Barua: From Assam, at 3.30 a.m.

I am afraid this sort of thing might undermine our defence effort. That is why I have made a pointed reference to this.

Another thing is growing in the country, that is the myth of China's invincibility is growing in this country. In support of what I have said, I may draw the attention of the House to the write-up in the Statesman by Desmond Doig. If this sort of psychology grows in this country, the myth of Chinese invincibility, the myth of Chinese honesty as adumbrated in the Chinese proposals, I am afraid all that we are trying to do in the country, that was adumbrated and enunciated in the resolution that was unanimously passed in Parliament, would be thrown to the winds. That is what I am afraid of.

When the telegram says "we condemn you for your views", what is this particular view? I expressed one thing in the House because I am supremely concerned about one thing, about the reverses that we have suffered. The reverses do not unnerve me, but I am concerned with the fact that we have been humiliated, that India which is a great country, a noble country, a peace-loving country, has been humiliated in the eyes of the world, and psychologically I was not prepared for this humiliation. It is because of this that I said in the House and asked the Prime Minister whether he proposed to go in for a total war with China with massive military aid in men and money from friendly countries. I believe in it, because we have to save the freedom of our country. We have to save the territorial integrity of our country. Therefore, when I said we should go in for massive military aid from friendly countries I had in my view the preservation, the maintenance of the freedom, and the security of my country. Therefore, if people condemn me for that, possibly I stand condemned. What is this? Already there is that lobby. This was also enunciated in the latest resolution of the Indian Communist Party. What does the resolution say? The resolution negatively says one thing: that it wants India to buy on commercial basis arms from friendly countries. But it is opposed to have personnel from friendly countries. When they speak of commercial terms, possibly they are ignoring the financial difficulties that this country is facing and is confronted with. What does that mean in essence? Because we do not have the finances to buy arms and ammunition, should we allow the freedom of this country to be sacrificed and slaughtered? I cannot understand this. When the other communist countries can rush help and arms to communist China what is the harm if our country in this hour of distress and in this critical hour in history, gets arms and ammunitions, gets military aid from friendly countries with a view to preserving and maintaining our freedom and security. What is the

[Shri Hem Barma]
harm? If communist China can get arms from its communist friends, why not we? I do not understand the purpose of this resolution of the communist party when it says like that, or when it says that it is opposed to bringing in foreign personnel even to train our people to handle these modern weapons. Their motive becomes crystal clear. They want the arms and ammunitions, because of the lack of knowledge to utilise them properly on the part of our jawans, to pass into the hands of the Chinese. If they do not pass into the hands of the Chinese, they may pass into the hands of some pro-Chinese communists in this country so that they may use them profitably against our own people when the appropriate time comes. That is what I understood by reading this resolution.

I have analysed this resolution yesterday also. This fact becomes patent and very clear. Shri Kamath, the deputy leader of my Party has said that the latest Chinese note should be discussed in this House. I would beg of the Prime Minister to formulate his attitude and reaction of his Government towards this resolution and take this country. Certainly the category-Parliament into confidence as soon as possible, because I am apprehensive of this lobby that is growing in this country. What is the purpose of communist China? It has divided the population of India into two categories: so-called progressives and the right wing reactionaries. There are now two other categories: those who support the latest proposals and those who do not support the latest Chinese proposals but support the defence effort of this country. Certainly the category that supports the defence efforts of this country is much larger than the category that supports the latest proposal of China: it is infinitely larger. I am quite confident of that. Yet, when it is a total war, when the perfidious enemy is knocking at our gates, we do not want a single stray voice against the determined effort of this Parliament and Government, determined effort of the Prime

Minister particularly. Because, I also believe that if the Prime Minister's personality is torn to pieces on this question, because he is the rallying point of our country, the country will be torn to pieces.

Therefore, when the whole country, when the whole Parliament is lending support to the Prime Minister, that lobby should not be allowed to grow—the lobby which is supporting the Chinese proposals.

Now, what has happened? Some of the communists have been arrested, and Prof. Mukerjee was very bitter about that. As I have said, there can be no compromise with the freedom of this country. Anybody in this country who cannot be restrained, anybody in this country who is not in liaison or in tune with the psychology of the country, the mood of resistance in the country, the law must cover him. There is no doubt about it. What has happened? I knew how the communists are behaving; in some border areas of Assam, they are holding large meetings and the beauty of it is they have asked the congressmen to preside over those meetings—some unsuspecting congressmen to preside over those meetings. I can name them. Two main resolutions were adopted in those meetings. One resolution is the demand for a peaceful settlement of the border dispute with China. Till now, for these people it is a border dispute with China! Another resolution pinpoints or lays greater emphasis on the fact that the prices of things are rising. These are the two resolutions. Ask any man, ask any newsman or ask any CID or intelligence people in Assam they will tell you about these two resolutions. These are the two resolutions mainly passed; they pinpoint the fact that the prices of things are rising because of this conflict with China, and they want to rouse the passion of the people against this Government, against our war effort and our defence effort. We must not forget it. That is what has been going on. What do they want to do? They want to create a sort of Yennan in Assam and if possible in West Bengal also so that the commu-

nist ideology may spread to the rest of the country and the entire country may be countered.

Another thing that I want to say is about the news. What about the news? News of strategic importance gets into the press. We know the press is offering tremendous co-operation and showing signs of great restraint in this critical hour of our country. I would ask the Government to see through the Press Advisory Council that news or information about the strategic movement of our troops or about arms and ammunition coming into this country does not get publicity in our papers. That is what I would like to emphasise.

Mr. Speaker: He must conclude now. He took 15 minutes yesterday and has taken about 15 minutes today.

Shri Hem Barua: I am sorry, Sir. I am concluding now. My last point is that—we hope and trust—our Prime Minister would stand firm in this hour of trial for the nation, and let us treat the proposals of the Chinese—the so-called cease-fire and negotiations and all that—with the contempt that they deserve.

Mr. Speaker: Shri A. C. Guha. I have got a very long list of names of Members. If we have got to accommodate a sizeable number, they ought to be brief.

Shri A. C. Guha (Barasal): There has been a general acceptance of the necessity of passing a Bill like this. The only discordant voice, and that is also not quite outspoken, but in a manner it was discordant—was that of Prof. Mukerjee. We all know that by this Bill the nation agrees to surrender some of its civil rights. The States agree to surrender some of their autonomy. So, it is on the agreement of the people that this Bill is going to be passed.

Prof. Mukerjee has stated that passing of a Bill like this is against the grain of the democratic way of life. But I do not think there is any curbing of the democratic rights of the people. The Parliament remains supreme. That is the fundamental basis

of our democracy. Anything done even during emergency will generally come before Parliament. The rules to be framed under the Defence of India Act will also come before Parliament. So, the fundamental basis of democracy remains intact. But surely in an emergency, individuals and some States must agree to surrender some of their rights for the greater weal of the nation.

Prof. Mukerjee has also stated that this Bill is framed on the basis of the distrust of the people. I do not think there is any question of distrust of the people. The people have responded willingly to the call of the nation, to the call of the Government and of the leaders, putting forward their utmost efforts in the implementation of the war effort. So, this Bill is not based on the distrust of the people. With the willing cooperation of the people, this Bill is going to be passed and enforced.

Prof. Mukerjee has stated about his party. I can understand the reason of his emotional speech yesterday. There have been some arrests during the last two days, mostly of his party members, and that might have moved him to make a very emotional speech. He mentioned that their offer of cooperation was in the language of Kant a sort of 'categorical imperative.' But for a decision of the nature of categorical imperative, nobody requires months and years to take a decision. Categorical imperative means immediate response as soon as the proposal comes. The question of Chinese aggression is not just new. It has been before the country for more than one year or two years. The communist party could not decide their views about the nature of the Chinese invasion or the intention of China. He has stated about the international affiliations of the Communist Party and also about patriotism. I think he would agree that in the communist parlance, patriot was a word of abuse. Anybody to be called a patriot was considered to be almost the greatest abuse for a member of the Second International or the Third interna-

[Shri A. C. Guha]

tional. If now they have accepted patriotism as one of their virtues, that is a new thing to which the country and the Government will require some time to reconcile.

We should consider this Bill from the realities of the situation. The Chinese invasion is there and there can be no doubt about the seriousness of the situation. But apart from the Chinese invasion, we have also to consider some internal dangers. The Chinese invasion is known to everybody. But there may be saboteurs and disrupters in the country who are not quite known to the people. It is for them that this Bill is intended; not for the Chinese invaders, but for the saboteurs and fifth columnists inside the country.

From the last world war we have got two terms: quisling and fifth-columnist. Though these two terms are used as synonyms, I think there is some difference in the meaning of these two terms. A quisling is an individual who is ready to sell himself and his country in consideration of some money or some selfish interest to be derived from the enemy of the country. He is a moral pervert. There may be a fifth-columnist who may be ready to welcome an invading army from some ideological basis, on some ideological conviction. This sort of people, I think, would be more dangerous. I would like to call them, in contrast to a moral pervert, ideological perverts. They consider their views to be quite moral. They do not feel any compunction of conscience for helping a foreign invading army.

Sir, in spite of what might have been said now, it is true that international communism is not yet a dead theory in the world. At one time Lenin said that revolution or communism cannot be exported in a portfolio out of country into another. But now the theory is that revolution or communism can be exported from one country to another country on the point of a bayonet. That has been the practice

during the last few years. After the end of the Second World War we have seen that some countries have succumbed to the Communists on the doctrine of carrying communism on the point of bayonet. The fifth Columnists are there to welcome such a contingency. So, from that point of view we have to see whether the provisions of this Bill are necessary or not.

Yesterday, some hon. Members mentioned here about the subtle way of Communist working within a country. I have already told that they are morally, conscientiously convinced of their ways of thinking and their ways of working. So they feel that through any way, through any means they have to achieve their aims. For that, infiltration into all sorts of organisations is one of their methods. They have been creating cells in the government organisation, in every factory, in schools and in colleges. That is one of the methods which they have been following all through. Sir, I would like to tell this House that in every Government office there is a Communist cell which would be ready to sabotage anything including efficiency, honesty and morale of the staff. I do not mean to say that every Communist would do that. But in every Government office, every factory there is a Communist cell about which the Government has to be careful.

Shri Nambiar (Tiruchirapalli): It is not a fact (*Interruption*).

Shri U. M. Trivedi (Mandsaur): How does he know it? Let him prove it (*Interruptions*).

Mr. Speaker: Order, order. The hon. Member is giving his views, and one other hon. Member makes an interruption. Why should there be a dispute about it?

Shri A. C. Guha: It is no use disputing me about facts. According to him, my facts may be wrong, his facts may be right. I am giving the facts

according to my knowledge. I repeat, Sir, that according to my information in every Government office and department and in every factory there is a Communist cell and about these Communist cells the Government should be particularly careful. Moreover, there are communist cells in the ordnance factories also. The trade unions also sometimes have some elements about which the Government should be careful. I think the provisions of this Act will take proper care about these persons (*Interruption*).

Then there is another danger as far as India is concerned, apart from the invasion that has taken place. We have some neighbouring countries whose attitude towards India is not quite friendly. Nationals and sympathisers of those countries are plenty in India, particularly in the border regions, in the borders of Assam, in the borders of West Bengal, in the borders of Punjab, Rajasthan, Jammu and Kashmir and also sometimes in the borders of Bihar and Uttar Pradesh. The sympathisers and nationals of those border countries are there. Perhaps, some of them were arrested on charges of espionage, but they might have been leniently treated by the courts. The Government should be particularly careful about these elements. Even though we may not be on any terms of war or aggression with those countries, but the spirit and the attitude of hostility towards India, that the governments of those countries have created amongst large number of their nationals who may be roaming about in India, particularly in the border areas, has to be taken note of, and I think the Government should be careful about them.

In that connection I would like to draw particular attention to the Calcutta Port. Large numbers of the operators there are alien citizens. About their attitude and intention to India one has to be very careful. It is really regrettable that during all these years we have not been able to replace these alien citizens by our own men at a

vital place as the Calcutta Port. Moreover, in most of the boilers in Calcutta and Bihar and even in the collieries, the operators of the boilers are non-Indians, are alien citizens. Operation of boilers is a vital thing for our production. We should be particularly careful about these also.

Now I come to the question of the Chinese offer of cease fire. We should be very careful about this.

Mr. Speaker: The hon. Member should try to conclude now.

Shri A. C. Guha: I will take a few more minutes. The general opinion among the public is that it is as usual a Chinese ruse, a deceptive trick. We must not slacken our effort to get arms from everywhere on any terms we can get. There should not be any scruple in getting arms on lease and, if necessary, also getting technical personnel from foreign countries to train our people so that those arms may be used with efficiency and for the real purpose.

There is some danger in the Chinese offer to withdraw from the territory. We know after the last world war arms were distributed in a wide manner, either deliberately or were simply left over. Those arms were taken by some people and the Naga rebels is a legacy of that. The Burmese rebels are fighting with these arms. The Chinese may also now deliberately distribute arms and create some pockets which will engender trouble and sabotage in those areas. So we should be careful about even the withdrawal of the Chinese. We should see that no arms are distributed and no pro-Chinese elements can create any trouble in future.

Amongst the terms offered, there is one thing which is very puzzling. Now, the Chinese may withdraw beyond whatever they consider to be the McMahon Line. But I think they would resist and they would not allow our troops to re-occupy those vacated

[Shri A. C. Guha]

territories of ours. To leave that vast area unoccupied would mean the potentiality of danger cropping up there. The Chinese may do something which will enable them to spread seeds of trouble for us for the future.

I would like to say a few words about the provisions of the Bill. The appointment of the Director of Civil Defence in the States should not be left to the discretion of the States. It should be taken over by the Centre, or at least the States should make appointments with the approval of the Centre. Already, the Home Minister must be feeling some difficulty about the selection of some Directors in some States. I think they should take sufficient precaution now itself so that wrong persons may not be placed in that very crucial position. There are some other matters.

Mr. Speaker: He may leave the other points to his colleagues.

Shri A. C. Guha: I am finishing. I think there is some confusion in the numbering of clause 3. Now all the numbers are in Arabic numerals. I think it would be better if some are numbered in Arabic and some in Roman numerals, so that there may be some distinction between sub-clauses and clauses.

Shri Osman Ali Khan (Anantapur): The Defence of India Bill which is now before this House seeks to provide the Government with the necessary powers and authority for the sole purpose of leading the country towards the goal of final victory and for recovering every inch of territory which now lies in the hands of the Chinese hordes who are occupying large areas of our country, both in the NEFA and the Ladakh regions. These emergency powers, vast powers as they are, are being given to the Government so that Government can take swift measures and drastic action in mobilising the defence effort unhampered by the ordinary limitations of a democratic constitution.

While this House is arming the Government with the emergency

powers and vast authority, it is absolutely necessary that the Government should make the right use of the powers that they are getting and that they should make full use of them for mobilising promptly all the available resources in the country for meeting this emergency in this hour of national peril.

It has been mentioned many times in this House, and rightly so, that the battle for victory has to be fought, not only by our jawans who are risking their lives in the battle field, but it has also to be fought in the economic front by increasing our output in agriculture and by increased production in industries to meet the increased demand in this hour of national crisis.

Certain as we are about our victory, our cause being just and our people being earnest, there is no gainsaying the fact that the task before us is a stupendous one. We are faced with a treacherous enemy; he talks of peace and prepares for war; he wages war and talks of peace. God alone knows what his intentions are when he has made the recent proposal for ceasefire. Whatever that be, there is no ground for complacency. We are faced with an uphill task. The enemy has planned and prepared over a number of years for this aggression on our country. He has also the advantage of the numerical strength. So, we have to plan for a superior strategy and mobilise adequate resources in money, material and equipment for our defence effort.

While we very much appreciate the help, sympathy and support we have received from the friendly countries in this grave hour of national crisis and the country will not forget this help, I have to say that, however friendly a country may be to us, essentially we will have to depend on ourselves. While help may come from outside, self-help should be the basis on which we should proceed. God helps those who help themselves. Even a friendly country has to be convinced that we

are making the maximum use of our resources in our determination to mobilise our defence effort.

In this connection, I have a few suggestions to offer, for making the maximum use of our own resources. There is a lot of waste due to under-utilisation of our productive resources. Today waste is a sin. A rupee saved from waste is a rupee added to our defence effort. Recently, the Central Statistical Organisation has conducted a survey on the subject of utilisation of productive resources. The study reveals that of the 215 selected industries only 110 have utilized 75 per cent of the available productive capacity. The study also reveals that one-fifth of the total productive capacity in the country is still idle. This means that the country incurs a loss of Rs. 500 crores annually. Shortage of some raw materials, intermediates, power and transport facilities are responsible for this under-utilisation of our present productive capacity. While we can of course, increase our production by adding more industries, it would be illogical not to utilise the present available resources due to some minor difficulties. The Government should ensure that there is no under-utilisation of the productive resources that we already have in this country.

In the agricultural front we have spent Rs. 750 crores during the First and Second Plans. It is estimated that out of the facilities that are now available, we have still to utilise 20 per cent of our irrigation facilities. The Third Plan has expressed great concern on this point. It is absolutely essential that there should be synchronisation of the construction of head works, canals, distributaries and field channels. Now when the head works and probably the canals also are ready, the distribution channels and the minor canals are not ready. Government should immediately correct this position.

Now, in some places, the landlord in the vicinity of the canal does not co-operate in building field channels and the land further down suffers for want of water, even though water is still available in the canal. Chapter VI of the Bill provides adequate powers for acquisition of land. It is necessary that Government should acquire such lands and proceed with the construction of channels so that agricultural production does not suffer.

In a national emergency like this the transport problem is of great importance. So, the railways should see that there is better utilisation of the wagon capacity. Now there is considerable delay in the outturn of wagons. If there is quicker outturn, it will increase our transport capacity to some extent. At present, a wagon is run only for $3\frac{1}{2}$ hours in a day of 24 hours. Now it takes 5 hours to load a wagon, another 5 hours to unload a wagon and the wagon runs for $3\frac{1}{2}$ hours. So, in all, the wagon is utilized for $13\frac{1}{2}$ hours and for the remaining $10\frac{1}{2}$ hours the wagon is remaining idle at some railway yard or the other. In a national emergency like this, we cannot afford to have such waste of our wagon capacity at the railway yards. The railways should seriously take up this matter and improve the utilisation of our wagons. If that is done, it should be possible to increase our railway capacity by 30 per cent.

13 hrs.

Above all, there is the problem of idle man power in the country. It is estimated that 20 million able-bodied persons in the country are unemployed. An equal number, that is, another 20 million are still under-employed. The Government should seriously think as to how this waste of idle manpower can be utilised. The establishment of a National Labour Service might be a joint venture of civilian and military responsibility. This was done in the United States in the year 1933 when the Civilian Conservation

[Shri Osman Ali Khan]

Corps was launched to recruit the idle youth for nation-building activities for the various purposes.

There are still many other fields where there is under-utilisation of the available resources in the country. The Government should thoroughly investigate the under-utilisation in various spheres and find out the reasons for this under-utilisation so that this can be remedied during this time of national emergency and there is no scope for any waste whatsoever.

While we make the best use of our available resources we should avail of all the help that our friendly countries are offering to us in our fight to defend our freedom and to defend the democratic way of life in this country—nay, this is a fight in the defence of democracy itself. Our cause being just, heart within and God overhead, we will succeed.

Mr. Speaker: Shri Muhammad Ismail ... He is not there. Shri Bis-hanchander Seth ... He too is not there. Shri Heda.

Shri Heda (Nizamabad): Mr. Speaker, Sir, it was a surprise to many of us when yesterday an hon. Member of the Congress Party rose and started criticising the action of Government in arresting some of the members of the Communist Party.

An Hon. Member: It was a lady.

Shri Heda: She described these arrests as indiscriminate. She showed a great inside knowledge of persons, who were arrested, and their views. I should think that she would have done some service to the Party which is responsible for her election more than once had she given some of her inside knowledge to the Home Ministry, had she passed on that information to them and told them who those Communists were who were still to be arrested or who should have been arrested much earlier than that. Instead of doing that job she came out as a champion and only exhibited that the Government has not only to scrutinise per-

sons in the Communist ranks but even in the ranks belonging to their own Party.

Now, I come to the crucial thing.

Mr. Speaker: The hon. Member can take it up with his own Party.

Shri Heda: I might do that. But she has only indicated that the problem is very serious and that one has not only to look at one particular corner but has to look all over the country and all over the house. That was the point that I was making.

Anyway, I now come to the real issue, that is, to the ruthless and un-called for aggression of China on our soil and on our entire country. I found that in this country as well as abroad there was not full realisation of the plausible causes, reasons and objectives of this aggression by the Chinese. In fact, I found that many of us sometimes described this aggression as a foolish action. In fact, it is not a foolish action. It is a planned action and if we go by the various reports that we were getting from our Envoys in Bhutan, Sikkim and other places, it is very clear that for the past few years the Chinese were amassing their Army in Tibet.

In this connection, I might say that there is a general feeling that this winter would come to our help and that the Chinese will have to stop. The Chinese soldier can bear this winter far better than even the Tibetans and even in cotton clothes. It was a surprise even for the Tibetans to find that the Chinese could bear this winter with that much ease.

Now I come to the plausible objectives of the Chinese action. The first thing that I would like to make clear is that war or conditions of war are just the way of life for the Chinese regime today. If we just look at their problems—a vast population, lack of

food, backwardness and poverty—it will be very easy for us to come to the conclusion that any leadership, if it wants to maintain its hold on the population, has to create some unnatural conditions by which it can extract labour for any number of hours and can put restrictions on living and other things to any extent. That is why if one looks at the past record of a decade of the Chinese Communist regime, one will come to know—it will be very easy to find out—that every time China was finding some reason or the other to wage a war in some place or the other whether it was Korea, Indo-China, Thailand, Burma, India or any other place. They were always after something or the other.

Not only that, their role in international politics too was to maintain warlike conditions. They were always in favour of, what you call, the cold war and of turning the cold war into a hot war. If one compares the international policy of Russia and China, one would find that there is a specific difference between the outlook of the two. While Khrushchev was talking about co-existence and saying that one can remain a Communist country and the other can remain a capitalist country and that good will prevail in the end, Mao and China never believed in that philosophy. That was within a short time of Chou's signing the Panchsheel declaration and his attending the Bandung Conference. It was only to lull us for the time being and it was a good deception that they undertook.

So, the first thing that we have to appreciate is that with the present regime of China continuation of war is just a way of life. Without this they will not be able to maintain their hold on their people and will not be able to solve their problems. The reports that have reached us are very good indicatives. Generally, a man who is starving and is not able to get his food is recruited and is given the training and then he is sent, many a time

without inadequate rations. The general feeling that they are very well equipped with modern equipments and all that is not quite correct. What equipment there is is that the soldier knows that he has no future if he goes back and that he has all the future if he goes ahead because he can get some more food, better clothing and some rest if he seizes the Indian post. There he might find some food to eat, something to drink, somewhere to live and even some clothing. This hunger of the Chinese people born out of poverty has goaded the Chinese young men into their present hysterical war actions.

Similarly, it would be very easy to find out that the present Chinese regime was always hungry for more and more land. They had the expansionist designs, or rather they had the grouse that they could come up so very late in the Second World War and therefore they could not expand their sphere of influence in the South East. That is why they are trying to make good whatever is possible.

The third thing is that they knew that there has come a challenge to their leadership of Asia. They thought that because of their size, their old culture and tradition and all that, they would easily be able to assume the leadership of entire Asia. But in the mean time the progress that we made in our economic sphere and in stabilising democracy by conducting three elections, the largest democratic elections in the world, showed clearly that the Asian countries would slowly be looking upto India for leadership and not to China as they thought. This was a challenge by India for the leadership of Asia. They knew here is a time that they should not waste and therefore, they had to snub India and humiliate India. I think, in this respect they have been successful. Whatever the future, I am quite confident that victory will be ours. In the past one month or more particularly in the past 10 days they have shown

[Shri Hada]

that so far as military strength is concerned, our strength is nowhere near as compared with them.

Then, they had another problem to face. They were forcing Russia to help them. Their strategy was to force Russia to give them greater and greater aid. That country Russia was industrially and in many other ways quite an advanced country. They found that that country was becoming friendly towards India. That country was not only giving us economic aid, but also giving us aid in terms of military aeroplanes and others. Therefore, China found out that by one stroke, by this aggression on India, it could put a great brake between the friendship of India and Russia. I think in this also it has been successful.

So far as the future is concerned, it is very clear that everything depends upon the attitude of two great countries. One is Russia. Another is the U.S.A. Whether Russia maintains the flow of its help in arms or equipment, food and other things, particularly oil to China and maintains a neutral attitude on the surface or whether Russia adopts a real neutral attitude or whether Russia tells China that China should take off her hands from India and it has proceeded wrongly far in a wrong direction: it all depends on the attitude that Russia would take. The indications that one can study are very clear that Russia might take a reasonable attitude. So far as the U.S.A. is concerned, in spite of the past things that an average American was feeling that India was always snubbing or humiliating them for something or other, it was very magnanimous on their part that they forgot that and they are coming to our help and they are giving us massive help. Therefore, it is quite certain that this war would end in victory to us and we may regain all our territories much earlier than we would have thought of. But, we have to be prepared for a long war. From that angle, this Bill is very necessary. I support this Bill.

श्री भू० ना० मंडल (सहरसा) :

अध्यक्ष महोदय, चीन ने भारत पर आक्रमण करके जो विशेष स्थिति पैदा कर दी है, उस स्थिति में हिन्दुस्तान के राष्ट्रपति ने यहां पर स्टेट आफ एमरजेंसी घोषित कर दी है और स्टेट आफ एमरजेंसी घोषित करने के साथ साथ उन्होंने एक डिफेंस आफ इंडिया आर्डिनंस भी लागू कर दिया है। आज इस हाउस में जो डिफेंस आफ इंडिया बिल उपस्थित किया गया है, वह उसी आर्डिनंस, डिफेंस आफ इंडिया आर्डिनंस, का स्थान लेने के लिए किया गया है।

यह जो बिल पेश किया गया है इसे हम लोगों को अपनी मंजूरी देनी है, इस में तो कोई सन्देह ही नहीं है। लेकिन मंजूरी देते हुए भी कुछ बातों की ओर मैं इस सदन का ध्यान खींचना चाहता हूं।

मैं समझता हूं कि आज की जो सरकार है इसी सरकार की कार्रवाई के चलते आज हम को देश में स्टेट आफ एमरजेंसी घोषित करने की जरूरत पड़ी है। अगर १९५० में जिस समय चीन ने तिब्बत पर हमला किया था, उस समय तिब्बत पर चीनी मुजर्रेनटी को अगर कबूल नहीं किया जाता तो शायद आज कोई दूसरी ही स्थिति होती। फिर १९५४ में जो समझौता चीन की सरकार ने भारत की सरकार के साथ किया, उस के अनुसार हिन्दुस्तान के जो भी हक, जो भी अधिकार तिब्बत में थे, सेना रखने का था, या वहां पर लोटफोन या टैलीग्राफ रखने का था या दूसरे जो अधिकार थे, अगर उनको सुरक्षित रखा जाता तो शायद आज स्थिति वैसी भयावह न होती जैसी हो गई है। इसके अलावा हिन्दुस्तान की सेना भी वहां पर थी, हिन्दुस्तानी लोग जो तजारत करते थे, वे भी वहां थे, लेकिन हम ने अपनी सेना को हटा लिया और इन तजारत करने वालों को सुरक्षा का कोई प्रबन्ध नहीं किया। उसके बाद भी फिर जब चीन ने तिब्बत पर हमला किया और तिब्बत को अपने कब्जे में कर लिया

उस समय भी हिन्दुस्तान को जो अपनी आवाज़ उठानी चाहिये थी, उस आवाज़ को नहीं उठाया। इन सब कारणों से तथा हमारी विदेश नीति की भूलों की वजह से तिब्बत की सीमा हिन्दुस्तान की सीमा के साथ सट गई और सटने के साथ साथ जो कुछ लुक छुआ कर आक्रमण हिन्दुस्तान की भूमि पर चीन की तरफ से होते रहे, उस सम्बन्ध में भी जो नीति हिन्दुस्तान की सरकार ने आनाई, उसी कमजोर नीति की वजह से आज हिन्दुस्तान के ऊपर चीन ने खुल्लमखुल्ला आक्रमण कर दिया है। इस आक्रमण में यह भी देखने में आया है कि जो इतने दिनों का अनुभव हिन्दुस्तान की सरकार के पास था और जिस को ले कर हिन्दुस्तान की सरकार को चीन के साथ लड़ाई के लिए तैयारी करनी चाहिये थी वह तैयारी इस ने नहीं की और इसका यह परिणाम हुआ कि इस खुल्लमखुल्ला लड़ाई में हिन्दुस्तान को एक हार के बाद दूसरी हार खानी पड़ी और हिन्दुस्तान को संसार के सामने अपना मुंह दिखाने का भी हक नहीं रह गया है।

लेकिन हिन्दुस्तान की जनता ने इस बीच में जिस ढंग से अपनी प्रतिक्रिया देश की रक्षा के लिए जाहिर की है, वह भी एक अभूतपूर्व बात इस देश में हुई है। इसको देखते हुए हम लोगों को इस बात में कोई शक नहीं है कि जो लड़ाई हो रही है, इस में अन्तिम विजय हमारी होगी। लेकिन इस बात से हम को सावधान रहना है कि आज जो सरकार है वह वही सरकार है जिस के चलते यह सब कुछ हुआ है और उसी सरकार के हाल में हम अब एक नया अस्त्र, डिफेंस आफ इंडिया एक्ट देने जा रहे हैं। संसद् को हमेशा इस बात के लिए सतर्क रहना है, इस बात के लिए एलर्ट रहना है कि इस डिफेंस आफ इंडिया एक्ट को पाम करने के बाद भी और इस सरकार को इस एक्ट को इम्प्लेमेंट करने का अधिकार देने के बाद भी वह काम हो सकेगा

या नहीं जिस के लिए यह एक्ट बनाया गया है। इसलिए संसद् को विशेष तौर से इसकी निगरानी रखनी होगी, विशेष सावधानी बरतनी होगी कि आज जो इस सरकार को चलाने वाले हैं और जिस ढंग की कमजोरी दिखा कर उन्होंने देश के सिर को नीचे झुकाया है, वे शायद से ऐसा न कर पायें। आगे जो युद्ध की तैयारी होनी है, उस में इनकी बिलाई न हो और सिर्फ युद्ध की तैयारी ही नहीं बल्कि युद्ध के सिलसिले में जो समझौता या जो कुछ बातें भी अपने दुश्मन से करने की होंगी, उन में झुक कर कोई काम न कर दें, इसके लिए भी इस हाउस को निगरानी करने की जरूरत है और सतर्क रहने की जरूरत है।

अभी तक सरकार की जितनी भी कार्रवाई हुई, उस सब को देखने से पूरा विश्वास नहीं होता है कि आज जिस स्थिति में हम लोग पड़े हुए हैं, उस में हमारे देश के जो प्रधान मंत्री हैं, और इस सदन के जो नेता हैं, उनकी जो पाबुलैरिटी है उस में ऐसा भी नहीं किया जा सकता है कि उनका नेतृत्व इस युद्ध के जमाने में न रहे। हां, इस युद्ध के जमाने में इनकी अगर और कमजोरी देखने में आयेगी तो शायद उनको भी मेहनत की तरह से निकलना पड़े, तो यह एक दूसरी बात होगी। लेकिन अभी की स्थिति में वैसी कोई बात नहीं है। हम चाहते हैं कि उन में साहस हो, उनमें बुद्धि हो, उन में समझ हो ताकि वह हिन्दुस्तान की डिफेंस के काम को चला सकें और देश को विजयी बना सकें। ऐसी कोई व्यवस्था अगर वह कर पायेंगे ऐसी कोई तरकीब अगर वह निकाल पायेंगे, तो हम लोगों को बहुत खुशी होगी।

कल श्री हिरेन मुकर्जी ने कहा था कि कम्यूनिस्ट पार्टी के लोग गिरफ्तार हो रहे हैं।

[भू० ना० मंडल]

यहां की एक लेडी सदस्या श्रीमती समुद्र जोशी (कांग्रेस) ने भी कहा कि जिस तरह से कम्यूनिस्टों की गिरफ्तारी हो रही है उस तरह से नहीं होनी चाहिये। ऐसी स्थिति में मैं एक बात कहना चाहता हूं। जो कम्यूनिस्ट पार्टी के लोग हैं उन को एक बात समझ लेनी चाहिये कि जब कि कोमिनफार्म से उनका सम्बन्ध है, जब कि जिस पार्टी के वे लोग हैं उसी पार्टी की सरकार ने हमारे देश पर आक्रमण किया है, ऐसी हालत में अगर उन के ऊपर देश के लोगों का या देश की सरकार का सन्देह होता है, तो इस से उन को घबराना नहीं चाहिये। उन का एक ही काम होना चाहिये कि वे अपनी देशभक्ति का परिचय दें, उन को इस का सबूत देना चाहिये कि वास्तव में उन में देशभक्ति है, वे देश के प्रति लायल हैं। इस लड़ाई के पहले कम्यूनिस्ट पार्टी के जितने नेता चीन गये हैं, उन्होंने वहां जाकर कौन सी बात चीत की है, इस को कौन कह सकता है? हो सकता है कि अगर लड़ाई की स्थिति संगीन हो तो उस समय उन का रुख बदल जाय। इस चीज के लिये आज कौन जिम्मेदारी ले सकता है? इसलिये अगर आज देश की सरकार इस बात को देखते हुए कम्यूनिस्ट पार्टी के कुछ लोगों के ऊपर शक करती है और उन को गिरफ्तार करती है तो इस के लिये सरकार को कोई दोष नहीं दिया जा सकता है। इस से जो हमारे कम्यूनिस्ट पार्टी के लोग हैं उन को घबराने की जरूरत नहीं है। बल्कि देशभक्ति के नाम पर अगर वे जेल में जा कर रहें तो अच्छा है ताकि देश में कोई कंप्यूजन न फैलने पाये।

इस लड़ाई की जो तैयारी हो रही है उस सिलसिले में जो डिफेंस कौंसिल बनी है उस डिफेंस कौंसिल को देखने से ऐसा नहीं मालूम पड़ता है कि यह डिफेंस कौंसिल कोई असली डिफेंस कौंसिल नहीं बनाई है क्योंकि देश में अलग अलग पार्टियों के जो चोटी के नेता हैं उन को इस में नहीं लिया गया है। इस में श्री राजगोपालाचारी को नहीं लिया गया है,

इस में जयप्रकाश नारायण को नहीं लिया गया है, इस में डा० राम मनोहर लोहिया को नहीं लिया गया है। जो देश के सर्वमान्य नेता हैं उन को इस डिफेंस कौंसिल में नहीं लिया गया है। दूसरे लोगों को लिया जाय, इस से मेरा कोई झगड़ा नहीं है, लेकिन आज देश के ऊपर जो इतनी बड़ी आपत्ति आई हुई है, वैसी हालत में जो देश के सर्वमान्य नेता हैं उन को डिफेंस कौंसिल में न लेना, मैं समझता हूं, बहुत बड़ी गलती हुई है। मैं समझता हूं कि यह गलती मुधारी जायेगी।

म एक बात और कह देना चाहता हूं। इस लड़ाई के सिलसिले में आज देश में सोने की जरूरत है। सोने के लिये आज सरकार कोशिश कर रही है कि वह प्राये। लेकिन हमारे देश में जो राजे महाराजे और नवाब हैं उन के पास पुश्तों से सोना जमा है। उन के पास कितना सोना जमा है इस का कोई फिगर सरकार के पास है या नहीं, यह मैं नहीं जानता हूं। अगर इस बात का पता उन को नहीं है तो उन्हें पता लगाना चाहिये और जब इस लड़ाई के जमाने में देश को सोने की जरूरत है तो सब से पहले उन लोगों से सोने की मांग करनी चाहिये। अगर वह अपनी खुशी से दें तो अच्छा, लेकिन अगर खुशी में न दें तो उस को कैसे लिया जा सकता है, इस का इन्तजाम भी सरकार को सोचना चाहिये।

आज देश के ऊपर जो संकट आया हुआ है, उस के सम्बन्ध में मैं देश की सरकार से एक बात कहना चाहता हूं। जो भी संसार भर के स्वतंत्र देश हैं, उन स्वतंत्र देशों में एक बात होती है कि लड़ाई के जमाने में वहां जन सेना कायम की जाती है। जन सेना का मतलब यह होता है कि अमुख आयु के, चाहे वह २५ वर्ष या २६ वर्ष हो, सब व्यक्तियों को रिक्रूटिंग स्टेशन आने के लिये कहा जाता है, और वहां पर जो चुनने वाले लोग रहते हैं वे एक तरफ से सभी को देखते हैं और जितने लोगों की जरूरत होती है, उन को वे अलग कर लेते हैं और सेना में भरती कर लेते हैं। जिस

तरह से दूसरी जगहों पर जन सेना होती है उस तरह की जन सेना इस देश में अभी कायम नहीं हुई है। इसलिये मैं चाहता हूँ कि इस लड़ाई को आगे चलाने के लिये, इस लड़ाई को युद्ध का रूप देने के लिये यहां पर जन सेना कायम की जाय। अभी यहां पर जो सेना का संगठन है वह वही पुराना संगठन अंग्रेजों के जमाने का मौजूद है। जो इस तरह की सेना होती है वह सेना नौकरी करने वालों की सेना होती है। देशभक्ति की उमंग में आ कर देशभक्ति की भावना में आ कर जान देने वाली जो सेना होती है, उस सेना को जैसा होना चाहिये उस तरह पर देश की सेना को ढालना चाहिये। इस लिये मैं इस सम्बन्ध में ऐसा

श्री लहरी सिंह (रोहतक) : अध्यक्ष महोदय, मेरा निवेदन है कि यह अल्फाज कहना कि हमारे यहां नौकरी करने वाली सेना होती है, यह ठीक नहीं है। हमारे सिपाही बड़े बहादुर हैं।

अध्यक्ष महोदय : मैं माननीय सदस्य से इत्तफाक करता हूँ कि यह कहना हमारे लिये शोभा नहीं देता। यह बात बहुत गलत है। मेरा खयाल इस तरफ नहीं था। यह बात गलत है और मैं समझता हूँ कि माननीय सदस्य भी यह नहीं कहना चाहते थे कि यह सिर्फ नौकरी करने वाले हैं। वह मुल्क की खातिर हैं वरना यह क्या नौकरी है जो उन को मिल रही है? यह नौकरी कुछ नहीं है जो उन्हें मिल रही है। वे लोग मुल्क की मोहब्बत में अपनी कुर्बानी और खून दे रहे हैं, यह सारा हाउस जानता है। कभी हमें यह बात नहीं कहनी चाहिये। या तो माननीय सदस्य उसे खुद दुरुस्त कर लें या वापस ले लें।

श्री भू० ना० मंडल : आज अपनी सेना की देशभक्ति में हमें कोई सन्देह नहीं है। आज जिस ढंग की सेना है उस के सम्बन्ध में मेरा सिर्फ इतना ही कहना है कि जिस तरह से

अंग्रेजों के जमाने में रिक्रूटमेंट चलता था वैसे ही आज भी चल रहा है। वह नहीं होना चाहिये, दूसरे ढंग से होना चाहिये।

अध्यक्ष महोदय : लेकिन आज जो लोग आ रहे हैं वे मुल्क की सेवा के लिये आ रहे हैं।

Dr. L. M. Singhvi (Jodhpur): The particular expression may be expunged.

अध्यक्ष महोदय : अब तो काफी क्लिअर हो गया।

श्री भू० ना० मंडल : एक बात मैं और कहना चाहता हूँ और वह दाम

अध्यक्ष महोदय : लेकिन इस तरह से नहीं कहेंगे।

श्री भू० ना० मंडल : इस के सम्बन्ध में मैं इतना ही कहना चाहता हूँ कि हिन्दुस्तान की जनता ने जिस तरह से इस लड़ाई के जमाने ने अपनी प्रक्रिया जाहिर की है, उस से हिन्दुस्तान में कम से कम एक बात तो जरूर होनी चाहिये कि आज दाम के सम्बन्ध में ऐसा न हो कि ब्लैक मार्केटिंग और होर्डिंग ज्यादा हो जाय। ऐसे लोगों को दबाने के लिये आज जो डिफेंस आफ इंडिया ऐक्ट पास हो रहा है उस को अच्छी तरह से अमल में लाया जाय और हिन्दुस्तान में होर्डिंग और ब्लैक मार्केटिंग जैसी बात नहीं होनी चाहिये और जो प्राइस लाइन है उस को मैनटेन किया जाय ताकि लोगों को अपने जीवन में साधारण जीवन की चीजों को खरीदने में कोई दिक्कत न हो। हाल में मैं अपनी कांस्टिट्यूएन्सी में गया था। वहां जा कर मैं ने देखा कि किरोसिन आयल का अभाव हो गया है, और कई जगहों पर किरोसिन आयल की कमी के कारण लोगों को मोम बत्ती जलानी पड़ रही है। इसलिये मैं चाहता हूँ कि सरकार इन सब बातों को देखे और ऐसी परिस्थिति देश में कायम रखे कि युद्ध के कारण, लोगों को तकलीफ देने वाली परिस्थिति यांहु

[श्री मू० ना० मंडल]

न पैदा हो, बल्कि ऐसी परिस्थिति हो जिस में रह कर जो लड़ाई चल रही है उस को हम अच्छी तरह से लड़ सकें ।

श्रीमती लक्ष्मी बाई (विकाराबाद) :
अध्यक्ष महोदय, मैं पहले रेजोल्यूशन पर भी नहीं बोली, मझ को समय मिलना चाहिये ।

Shri S. M. Banerjee: May I know for how long the general discussion will continue?

Mr. Speaker: I cannot say yet. It will continue at least up to 2.30 p.m.

Shri Narasimha Reddy (Rajampet):
During times of war, and especially during the time of such sudden and serious crisis as this certain extraordinary powers are vested with Government so that the nation's safety may not be jeopardised by any internal sabotage appearing in various guises. Since there are a large number of Chinese who have infiltrated into our land and into the fabric of our society, and since there are many ideological friends of theirs, dispersed throughout the length and breadth of our land, friends who but yesterday offered flowers at the foot-stool of Chinese communism, it is but right that Government should come before Parliament for additional powers being entrusted to it.

Sabotage may not always come out in a pronounced form, ready for public gaze; it may be hidden under smooth smiles and asseverations of friendship; it may lie hidden beneath loud protestations of patriotic fervour or intensification of war effort, or it may come in sudden spurts of rage and indignation against the Chinese, or it may also show itself in glowing adulation of our Prime Minister, but Government have got a duty to probe behind all these manifestations of friendship.

As I was going cursorily through the Bill, some provisions struck me as rat-

her extraordinary even in this emergency. Clause 4 gives the power to a State Government to transfer any cases under any other Act from the ordinary courts lower than the High Court to special tribunals. I do not know why this extraordinary provision has been made.

13.31 hrs

[MR. DEPUTY SPEAKER in the Chair]

If some cases have to be transferred from court to court, there are sufficient powers with the High Court to do that. Then why invest the State Government the power to transfer these cases from the ordinary courts to special tribunals? It conveys a very sinister meaning to us who know that workings of the mind of State Governments. If a person is charged with murder in a sessions court, the State Government can transfer that case from the sessions court to a special tribunal which is its creation. It is, therefore, unwise and thoroughly immoral to introduce such a provision as this.

I can understand it if powers had been given to ordinary courts to try cases coming up under this Act and you consider those for transfer to some other tribunal. So I say that the Government should reconsider this provision. The State Government shall have power to transfer only cases arising under the Defence of India Act from one special tribunal to another special tribunal.

Then there is this provision also, that a special tribunal may take cognisance of offences without the accused being committed to it for trial. That is unnecessary.

"Save in cases of trails of offences punishable with death or imprisonment for life, it shall not be necessary in any trial for a Special Tribunal to take down the evidence at length in writing...."

This is certainly an inhuman provision. Under the Cr.P.C. courts are not bound

to take the whole evidence in writing only in petty summons cases. The procedure in summons cases, cases punishable with imprisonment upto six months, is sought to be inserted for cases which will be punishable with imprisonment upto 8 or 9 years. This is certainly horrid. It takes away the rights of individual citizens. If an individual citizen is arraigned before a court and if the court thinks it necessary, it can sentence that man to 9 years imprisonment in which case his evidence will not be there in writing; only a memorandum of the substance of the evidence is sought to be kept under this provision.

The next provision is in regard to cases except those of death or transportation for life. At first it was to be ten years' imprisonment. Now Shri Datar has tabled an amendment to the effect that it should be limited to five years. So only in cases where a person is sentenced to death or transportation for life or to imprisonment for a term extending upto five years, there is an appeal to the High Court. Suppose a person is convicted and sentenced to less than five years, say, four years. Does it mean that he should not have the right of appeal to the High Court? Does it mean that his evidence should not be available to him in detail? It is certainly very horrible to think of this contingency. I would request Government to think over these provisions and see that they are amended properly. If these provisions are not amended, it is tantamount to placing a dynamite in the very bedrock of human rights.

The next provision which strikes me as rather odd is where Government has taken powers to control agriculture including cultivation. For some time past, the Government was inhibited with this idea of co-operative farming. This provision means nothing else by this control over agriculture including cultivation and control over prices. What is the meaning of cultivation?

What is the meaning of Government having control over cultivation? It means nothing else but compulsory introduction of co-operative farming. The Prime Minister has often said that co-operative farming will not be compulsory. But this clause gives power to Government to impose co-operative farming compulsory. If the Minister gives me an assurance that this provision does not mean the compulsory introduction of co-operative farming, I shall have nothing else to say about it—The Minister seems to be quiet. That means that he approves of the construction that I put on this provision.

Co-operative farming has been found to be impractical in countries like Russia and China. Recently after they conquered Tibet, the Chinese introduced co-operative farming there, afterwards, they scrapped it. Megalomania is a very difficult disease to cure in a single individual even by the most expert doctor. But when this megalomania of co-operative farming takes possession of the mental structure of the Government, it becomes all the more difficult to cure. We can only hope that the Government will discard this idea in one of its lucid intervals. But here in this House I have to protest on behalf of the ryots of India against this co-operative farming and the substitution of individual initiative and incentive of the ryots by any sun-baked bureaucratic machinery which will take away the life-blood of the rural population and introduce an element of chaos which will come seriously in the way of the productive capacity of our country.

Ancillary to this, I will have to mention one other thing. The Government should, in the present crisis, put in abeyance all controversial measures. The Government thought the Language Bill to be a controversial measure and postponed the consideration of that Bill. Much more controversial than the Language Bill is the land

[Shri Narasimha Reddy]

levy legislation contemplated in various States. The land levy legislation has been held in abeyance in Bihar and U.P., but it is being proceeded within other States. The levy would be between 100 and 500 per cent. That is why I request Government in this moment of crisis to see to it that the agricultural population is kept in absolute contentment and satisfaction. To tax the agriculturist is to put the last straw on the camel's back.

The agriculturist has been the mainstay of our country from time immemorial. With the plough and the sword as his motto, he has been ploughing the land and producing and feeding the people in time of peace; and in times of war, he has taken the sword to fight the enemy and drive him out. The agriculturist has been through the ages the exemplar of simplicity, of rugged honesty and stern independence, which have been the marked characteristics of our race. I therefore say that this crisis should not be taken advantage of by the Government to put more burdens on the agricultural population. The attention of these sturdy ryots should be diverted more to the war effort. They are giving spontaneously whatever they are having for the sake of the war effort.

If the Government wants additional money, let it cut down its expenditure. I wish the Government had taken more powers to curtail the number of Ministers in a State to a decent seven, of course, setting an example itself at the Centre by pruning all unnecessary appendages such as State Ministers, Deputy Ministers etc.

Mr. Deputy-Speaker: He must close now. I have rung the bell twice.

Shri Narasimha Reddy: I did not hear the bell, I am sorry.

Regarding the State Ministers, *the Statesman* in its editorial on the 16th.....

Mr. Deputy-Speaker: There is a resolution today. He can speak on that. He may wind up now.

Shri Narasimha Reddy: I am just referring to it. It is therefore necessary that the Government should think of reducing the expenditure. Only one thing more, but if you want me to sit down, I shall do so.

Mr. Deputy-Speaker: His leader has taken 36 minutes.

Shri Narasimha Reddy: I will sit down.

Mr. Deputy-Speaker: Shri V. K. Ramaswamy. Shri T. Subramanyam.

Shri T. Subramanyam (Bellary): Free India is facing the gravest crisis at this moment with the emergency created by the Chinese invasion. The freedom, integrity and sovereignty of our country and the values that we hold as very precious are at stake today. The People's Republic of China, which has made a mockery of people's freedom in China, the leadership of which is built in a climate of regimentation, terrorism and fear, the Government of that republic has made a massive invasion on two fronts. One is on the military front, and the other is on the propaganda front. On the military front, they have occupied some 40 outposts in Ladakh, and then they have made inroads of nearly 200 miles on the western sector of NEFA and about 100 miles in the eastern sector of NEFA. And then they describe this as merely a frontier action by frontier guards.

To the outside world they make it appear as if the Chinese leaders are the apostles of peace, and that we are the aggressors. This is a massive propaganda of the most mischievous kind. I was about to describe it as character assassination on a global scale. They have described Pandit Nehru as the greatest aggressor, as an imperialist, and as having invaded parts of China. This is a travesty of

truth, and I should say that this even improves on the standards set up by Goebbels under Hitler.

This conflict between India and China has several issues behind it. One is, of course, the way of our government. We have adopted the democratic government, and they have taken to the totalitarian government. We have held three general elections, we have shown that democracy can be successfully worked to achieve the social welfare, happiness and prosperity of 44 crores of people. This communist China could not tolerate. Therefore, they have taken to this massive invasion, just to see that India which stands in her way of expansion is removed.

Then, there is another issue behind it, and that is the different approaches, our Gandhian approach and the approach of Mao Tse Tung. We believe in certain values, humanizing values, in the values shown to us by Mahatma Gandhi such as truth, non-violence, gentleness and compassion, which the Prime Minister described the other day. In China, they do not hold human life as sacred at all. There is absolute callousness. Ends justify the means. Any terrorism, any scenes of horror can be enacted.

Just now, some horrors are being revealed in Soviet Russia. We are told how the Stalinist regime enacted some atrocities, how the people had to go through a period of the worst horrors, terrors, suffering and tortures. All these things are now being revealed slowly and gradually. Similar things must have been enacted in China also. Now, the real issue today is between the Gandhian approach and the approach of Mao Tse Tung. Asia and the wide world have to decide which approach is to succeed in the ultimate analysis.

It is said that good comes out of evil. The evil we have seen today is of the ugliest kind. Foreign rule,

which is an evil, that is British rule, historically has had a value for us. It unified the whole country, brought it under one administration, one flag. It appears almost as if it was a historical necessity. Now also, it appears as if the Chinese invasion is again a historical necessity. There were so many fissiparous tendencies, regionalism, communalism, all these 'isms' which tore ass under the unity of our country and put us in great jeopardy. This emergency has brought about a wonderful and remarkable emotional integration. Secondly, the response that has come from the various corners of India, from the Himalayas to Cape Comorin, from Punjab to Assam, is most revealing, remarkable, most inspiring and heartening. Men, women and children have risen and have promised to support the Government in every possible way. Our jawans are fighting at the battle field with wonderful bravery. They have set up remarkable standards of courage and sacrifice. This is an inspiring legacy from which future generations can draw inspiration.

In view of this grave emergency, the Government have thought it fit to bring forward this Defence of India Bill. Naturally, an emergency has to be met with an emergency Bill. Otherwise, we go to pieces. As a humble soldier of freedom, I have taken the utmost interest in seeing that the dignity of the individual, that the fundamental freedoms, all these are enjoyed normally, but now when there are abnormal times, when our security is threatened, when our country is threatened by external aggression, naturally any Government—Russia did it, other governments did it, the United Kingdom did it; there have been precedents, it has been done in almost all countries—in our country has to take recourse to this emergency measure. In view of the grave emergency whereby the security of India is threatened by external aggression, to ensure the

[Shri T. Subramanyam]

public safety and interest, the defence of India and civil defence, this Bill is being enacted. The operation of this Bill is for the period of the duration of the proclamation of the emergency and for a period of six months thereafter.

A valuable thing is naturally appreciated when its very existence is threatened. Our way of life, democracy, freedom, integrity, all these are threatened. Therefore, we realise how precious these things are. A new generation is coming and we had hoped that it will be peacefully allowed to look to the development of 44 crores of people in the normal way. But that was not to be. This new generation which had not much to do with the freedom fight is now called upon to take an active part in the struggle for protecting the freedom and integrity of our country. It is a heartening sight to see young men and women coming to do this work.

Clause 3 is a comprehensive clause and it purports to help the Government to mobilise all the resources, human and material, of our country to ensure our country's defence. It also ensures the safety and welfare of the Armed Forces and effective operations of the forces, keeping up the morale of our country at home. Control of the Press is also envisaged. It prevents the publication of any matter prejudicial to the defence of the country or to the civil defence. There is also a provision for apprehension, detention and custody of persons suspected to act in a manner prejudicial to the defence of the country. There is also provision for the externment and internment of such persons. There are extreme measures. But they are necessitated by the present emergency. Control of industry and agriculture are envisaged. Sub-clause 23 speaks of the control of grade or industry for the purpose of regulating or increasing the supply of, and the obtaining of information with regard to articles or things of any description whatsoever which may be used in connection with the conduct of military

operations or civil defence or for maintaining supplies and services essential to the life of the community. This has far reaching effect. I am glad that the Federation of Indian Chambers of Commerce and Industry have also responded and are trying to see that prices do not rise and that there is equitable distribution of all consumer goods. Various quarters have urged that there should be no rise in prices of consumer goods. The wholesalers of cloth and foodgrains should declare their stocks periodically, the intake and the offtake so that Government can take note of that and arrange for equitable distribution. More fair price shops should be opened particularly in the rural areas. There is control of agriculture for increasing food production and supplying food grains and other essential agricultural products.

The tribunals provided for are extraordinary tribunals. Yesterday, Shri Frank Anthony was saying that the prestige and reputation and the standards of our judiciary should be maintained. I agree with him. The powers of these tribunals are fairly wide. We have to evolve a system under which there is a harmonious equilibrium reached between the various organs of Government i.e. legislature, executive and judiciary. At present we are dealing with anti-social and anti-national elements. Some of the rigorous provisions about these tribunals are sought to be liberalised and modified to some extent by Shri Datar's amendments and then they will be less rigorous.

I am glad that the emergency has brought about a wonderful and remarkable response. Emotional integration has come. We have good leadership. Some people were saying something about the cult of personality. I submit with all the emphasis at my command that it is absolutely irrelevant and out of place because our leadership has been evolved in a climate of friendliness and freedom, affection and service and sacrifice and not in a sort of a regimentation. So, it

is completely out of place here. Lastly, I hope all the people will respond as one man and see that this menace of Chinese invasion, that has come about to our country will be removed and we shall leave to the future generations a free, happy, prosperous and successful India.

श्री यदुना प्रसाद मंडल (जयनगर) :

उपाध्यक्ष महोदय, अभी कुछ दिन पहले इस महान् सदन ने जो एक महान् प्रस्ताव पास किया, आज जो बिल हमारे सामने है, वह उस प्रस्ताव का एक आपेरेटिव पार्ट कहा जा सकता है। जिस तरह उस प्रस्ताव को हम लोगों ने एक स्वर से पास किया है, उसी तरह मातृ-भूमि की रक्षा के लिये प्रस्तुत किये गये इस कानून को भी हम एक स्वर से पास करेंगे और इस पर अपनी पूरी सहमति देंगे। मैं समझता हूँ कि इस से बढ़ कर और कोई भी खतरा देश के सामने नहीं आ सकता, जब कि इस देश पर एक दशावाज दोस्त ने आक्रमण किया है। मेरे विचार में विश्व के इतिहास में ऐसे बहुत कम मौके आये होंगे, जब कि किसी देश ने एक शान्तिप्रिय मित्र-देश के साथ इस तरह का विश्वासघात किया हो। हम लोग जानते थे कि उस विचारधारा को मानने वालों के लिए यह कोई नई बात नहीं कही जा सकती है, लेकिन फिर भी हम ने चीन पर बराबर विश्वास किया। लेकिन हमारे बीच में मित्रता और सह-अस्तित्व के आधार पर जो समझौता हुआ था, उस को चीन ने एकाएक ठुकरा दिया।

जब देश की सुरक्षा और स्वतंत्रता के लिए खतरे का सब से बड़ा अहम सवाल हमारे सामने हो, तो इस स्थिति में इस कानून का लाना बहुत लाजिमी है। इसलिए मैं आशा करता हूँ कि इस महान् सदन का प्रत्येक सदस्य इस पर अपनी सहमति देगा और यह सदन इस को अपनी यूनिमस सपोर्ट देगा।

कल माननीय सदस्य, श्री हीरेन मुकर्जी,, ने अपने भाषण में ऐसी छोटी छोटी बातें उठाई

जिन को सुन कर मुझे आश्चर्य हुआ। उन्होंने कहा कि "लाज और नेवर साइलेंट इन टाइम्स आफ वार"। मैं निवेदन करना चाहता हूँ कि जब इस बिल को एक ला का रूप देने के लिए इस महान् सदन के सामने रखा गया है, तो फिर लाज के साइलेंट होने की बात प्रोफ़ेसर मुकर्जी को कैसे सूझी, यह हमें पता नहीं चलता।

14 hrs.

एक छोटी सी बात वह उठा रहे थे कि इंग का जो टाइटल है, उस में नैशनल शब्द नहीं दिया गया है। मैं समझता हूँ कि जो सच्चे दिल से देश भक्त हैं जिस में पैट्रियोटिज्म की सच्ची भावना है, जो अटूट देश भक्त हैं, वह यह कह सकता है, भारत का बच्चा बच्चा कह सकता है कि "इंडिया" का मतलब होता है, मदरलैंड। यह हमारी मातृभूमि है और इस मातृभूमि की रक्षा के लिये यह टाइटल रखा गया है। इस में और एक शब्द जोड़ने की कोई आवश्यकता नहीं थी।

इन सब बातों को देख कर सचमुच हमें कुछ ऐसे दोस्तों की तरफ से अभी भी विश्वास नहीं हो रहा है। यद्यपि उन लोगों ने अपनी पार्टी की ओर से रेजोल्यूशन पास कर दिया है, लेकिन फिर भी विश्वास नहीं होता है। हो सकता है कि इक्के दुक्के लोग, दो चार देश-भक्त लोग उन में से उस पार्टी रेजोल्यूशन को रेजोल्यूट बिल से काम में लायें। मगर जिस ढंग से प्रो० मुकर्जी बोल रहे थे, उस को सुन कर मुझे शक होता है कि वे लोग उस पार्टी रेजोल्यूशन के मुताबिक काम करेंगे, उस पार्टी के बहुत लोग इसके मुताबिक काम नहीं कर रहे हैं। मैं समझता हूँ कि सरकार ने देश की सुरक्षा का जहां तक सम्बन्ध है, ऐसे गुटों के लोगों को एक बढ़िया जगह (जेल) पर रख दिया है। दो तीन दिनों से उनको एक बढ़िया जगह (जेल) पर रखने की कोशिश भी की गई है। यह कोशिश सचमुच में स्तुत्य है, प्रशंसनीय है।

मैं अधिक वक्त लेना नहीं चाहता हूँ। इस से बढ़ कर और अच्छा मौका मैं नहीं समझता, भारत के इतिहास में आ सकता है।

[श्री यमुना प्रसाद मंडल]

इस बिल में खास तौर पर टैक्नीकल परसनल के बारे में और उनकी सर्विस लेने के बारे में भी व्यवस्था की गई है। इसका जिक्र पूर्व वक्ताओं ने भी किया है। अगर ऐसी जरूरत होगी कलकत्ता पोर्ट में या बायलजं के सम्बन्ध में या किसी और मशीनरी को चलाने के सम्बन्ध में तो टैक्नीकल आदमियों की सेवा इस कानून के द्वारा अर्जित की जा सकती है। हमारे पास जो उपयुक्त व्यक्ति हैं, उनकी जरूरत हम को मोर्चों में होगी। इस कानून के मुताबिक हम (चाहें तो) देश की रक्षा के लिए उनको वहां भेज सकते हैं, बड़े बड़े इंजीनियरों को, बड़े बड़े लोगों को रख सकते हैं।

एक छोटी सी बात है जिसकी तरफ मैं आपका ध्यान दिलाना चाहता हूं और वह नम्बरिंग के बारे में है। यह खटकने वाली बात है। सैंक्शज और सब-सैंक्शज का नम्बरिंग इस हिसाब से होना चाहिये था कि लोग इस को ठीक तरह से देख सकते।

जहां तक इस बिल का सम्बन्ध है, इसके एक एक शब्द का मैं तहे दिल से स्वागत और समर्थन करता हूं।

Dr. M. S. Aney (Nagpur): Mr. Deputy-Speaker, Sir, the Bill before the House is brought under circumstances which can leave no doubt whatsoever in our minds that there is the paramount necessity for the Government to take extraordinary powers to defend India. We are in the midst of the war. War is not now a matter to be imagined; it is a grim reality now. Under these circumstances, which are abnormal, the powers which the Government also require to conduct the war efficiently must be of such a nature that they would be adequate to meet the crisis. It had been done in the last two world wars. The then Government also brought certain measures with a view to enable them to mobilise all the forces and make the necessary preparations to carry on the war, under those Acts with vigour.

War, in my opinion, can be fought by the Government with extreme vigour when the Government and the people, which the Government represents, are of one mind. In the present war, it is a matter of gratification that all the parties have unanimously expressed their determination to stand by the Government to fight the war. Therefore, I have always thought that it is a matter of importance that the debate in this House should also be of such a nature as to show, here and outside, that all the parties in the country who have made the declaration, are of one mind and are making a joint and united effort to fight it. Therefore, any point which is raised by any Member to find fault with, not an individual here or there, but with this party or that party or group as a whole is painful to my mind. It is unfortunate that yesterday, a very responsible Member of one party attacked another Member of another party. It is undesirable. I will not name those friends.

The thing is, we have to fight out the opponent or the enemy who has been described properly as unscrupulous. He has his own method of trying to spread his undesirable ideas in this country. But when we find responsible parties and their leaders coming forward and saying "we stand by the Government", it is not necessary that there should be any hard words spoken against each other we must bear in mind that we are comrades in war. If certain actions are taken against any particular man, the party should not complain. It is not against the cult as such that any action has been taken but it is against the individuals concerned. We have been hearing the Prime Minister saying more than once that he is not opposed to Communism. I have no quarrel with him though sometimes he in my opinion commits mistakes as every one of us does. Whether we agree with him or not is a different matter. But he, as Prime Minister, has always been saying that communism is a kind of opinion, a kind of socialism; he has no objection against communism as such. He does

not want to say anything against it. But when some persons are dealt with, when the activities of some persons, for one reason or another, are of a suspicious character, and therefore, when they are arrested, the arrest of such persons should not be made a ground or a grouse even by that party itself in this House.

The third thing is, these are extraordinary powers no doubt which have been taken by the Government. Those powers are so drastic that some people apprehended that they are likely to be abused. So, it is the duty of the Government to see that they do not use the powers in such a way as to disturb the unity that has been created in the country to drive away the enemy. All the parties have come together to make a united effort to drive the enemy beyond the Indian border. That is possible only when there is a united effort. Therefore, in using the powers which are there, the Government should also take care to see that no unnecessary suspicion is created in the minds of Members of any party that the provisions are being used indiscriminately. There will be certain powers given but they should be so used as not to cause any suspicion in the mind of this party or that party. The law should be administered in a non-party spirit as, it is the paramount necessity for the Government to fight this war successfully. I am sure the Government will have the support of all the parties on this matter.

There is another thing also. In a way, I am glad that this session is prolonged and that the Question Hour is dispensed with. The suggestion that the Question Hour should be dispensed with is a useful one. I find that we are not very careful in putting questions at a time like this. Many questions are put with a view to elicit information which is sometimes dangerous for the Government to give; it is also

equally dangerous that the Members should put such questions. It is the irresistible tendency on the part of people, who are yet not used to war conditions, create unknowingly an awkward situation at the time of the Question Hour. Therefore, I am glad that necessary restraint will have to be exercised by the Members now as regards putting questions.

It is as suggested that only two short-notice questions will be allowed every day from Monday onwards till the session is over. I think that is a very wise decision in my opinion. The questions that are sent will have to be properly shifted and the Government will have to see what is appropriate for them to say in regard to such questions, in a situation like this. Those who are putting the questions and those who have to answer them will have to realise fully the situation that we are facing today.

As regards the various restraints which had been put upon us, I find that there is a restraint upon the cultivation of agriculture. My hon. friend who made a speech over there, suspects that this restraint has been put with a view to impose upon the people what they call cooperative farming. It has been already stated by the Government that they do not want to impose cooperative farming on the people and it will have to come voluntarily. The hon. Member is afraid of that. I hope it will be so administered that it will show that the Government is sticking to its original stand that cooperative farming will be introduced only on a voluntary basis and not imposed upon the people by the Government.

We are fighting a war. Our enemy is not only unscrupulous but extremely cunning also. He has his own ways. He has just now created a position that he has unilaterally declared cease-fire and he tries to create an impression among the people here and outside that he

[Dr. M. S. Aney]

stands for cease-fire, he has no other ambitions except a keen desire to get a settlement of the issues by negotiation and nothing more, and that he has given an opportunity to India to come forward and extend its hand of friendship by declaring a cease-fire.

But I want to say in all humility that this is the time when our rulers, those who are in charge of the country's affairs, should show the greatest possible sense of caution and circumspection. The enemy is trying to create a wrong impression and we must not allow our efforts to fight this war to be in any way lessened or decreased. One of the reasons why the enemy is doing like this is, he finds that India is getting help from outside and so many friendly countries are prepared to stand by India. Therefore, he wants to create a new atmosphere outside India that he stands for peace and he has no other desire.

Our Government have once given out that before any negotiations could take place, the Chinese forces must withdraw to the position which existed on September 8th on the border. The Government must stand by that position firmly and no other consideration of getting some peaceful time for us even to make preparations should be allowed to come in the way. We should not be tempted to accept some other solution, because it will enable them to consolidate their hold on our territory which they have forcibly occupied. If the Government stand by what they have given out, I am sure the morale of the whole country will be high. The response which the Government has received up to this time can be retained only if the Government strictly stand by their original offer that there could be negotiations only after the Chinese have withdrawn to the position which existed on September 8th. Some people here are not satisfied with that offer, but

we should not mind that. We have chosen our Government and our Prime Minister. He has made an offer. We accept that position and we also want that the Prime Minister should stand firmly by that position. Then, he can get all the help he requires from people to fight the war to the finish. Our only aim is victory for India and to regain every inch of the ground which has been forcibly taken away from us by China. With this end in view, all of us give our promise to the Prime Minister that if the Government will stand by its original offer, we are prepared to subscribe to every one of the provisions contained in this Bill, however harsh and drastic it may be, and support the Bill as it is, in its present form.

Shri Man Sinh P. Patel (Mehsana): Mr. Deputy-Speaker, Sir, I rise to support wholeheartedly the Defence of India Bill under the present emergency that has come to our country. I have been hearing many hon. friends since yesterday. Practically each Member of each party is trying to support the full spirit of this Bill, but at the same time tries to show some impertinence regarding the individual liberty likely to be hampered or curtailed by the misuse of the powers either by the Central Government or by the State Government.

Not only that, Sir. Some Members also tried to show a very distinguishing feature that individual liberty sometimes will be curtailed to the barest minimum, even though we have shown a completely unanimous spirit and a graceful gesture in the last two resolutions being adopted by a wonderful spirit of the House. It is possible that when you administer under an emergency, there may be some lapses here and there. But if it is said that the ruling party is necessarily likely to abuse the powers in such a way that it will impair the individual liberty then it will create a suspicion among the people and it will hamper our war efforts.

At the moment, the Defence of India Bill rules are not to be compared in any way with what happened during World War II. At that time, it was an alien Government. We were fighting our own movement for independence. Practically we were under that Government for the last 150 years, which had also fought the first World War. So, we cannot compare in any way that the present Government is also likely to commit the same type of lapses which might have been committed by the alien Government.

Not only this, Sir. Some hon. Members of the Swatantra Party are afraid regarding the control of agriculture. They feel that the Government is likely to implement collective or joint farming through the backdoor. This is very sensational and incorrect thinking at the moment.

Shri Narasimha Reddy: I never said that the Government intends to bring cooperative farming through the backdoor. I said, through this front door they want to bring cooperative farming, and we should be careful.

Shri Man Sinh P. Patel: I am very glad that my hon. friend has not very much misunderstood the Government's policy. Let me be frank with him. If the Government intends to introduce joint farming, a time will come when it will carry out its real principles when the emergency is over. But in an emergency at least, in regard to certain types of commodities which required to be controlled, where there are imminent dangers, if the supply of a particular commodity is not likely to reach a particular area by a particular stage, it is possible that the agricultural system of cultivation may be indirectly controlled. I come from the rural folk and I am not much afraid of it. After becoming a Member of Parliament, my main profession is now agriculture. Agriculturists have no fear if they have to let

go the cash crops and meet the needs of the country in regard to food-grains in such an emergency. On the contrary, in normal times also, Government used to contemplate certain legislation. When we have to import millions of tons of food-grains under PL. 480 and other agreements, a stage in an emergency can be expected where agriculture has to be controlled. But, a responsible government will naturally be responsive. One hon. friend felt that normally every time a responsible government may not be responsive also in all aspects. I will only quote one simple example, and that is about the sittings of the House. Some hon. friends suggested that the House should adjourn as early as possible because of the state of emergency in the country. It was accepted accordingly, now they have changed. There is an embarrassing position for that hon. Prime Minister of the country to run the present House. Even then, he always said that he was at the disposal of the hon. Speaker and the Members of the House. The House was called earlier than it was scheduled to meet. Whatever action was needed in that respect was taken. Therefore, we are having the experience of a democratic government in a country like India during an emergency for the first time. We must have patience.

If there is vigilance among the people, if the people are true enough in their spirit to fight an emergency against the unscrupulous invaders, it is impossible for the officers to create such an atmosphere in the country where any officer or the ruling party on the other side can ever misuse the power that is given. There is no possibility for that. We will create such an atmosphere in the country that in no corner of the State will there be a possibility for misusing the power. However, if there are lapses, the same Government will improve it.

[Shri Man Sinh P. Patel]

Now, as my hon. and reverend friend Dr. Aney said regarding the individuals of one party or the other party, if certain individuals are arrested on individual reasons or on the basis of intelligence reports on individual grounds and one party takes up their cause there is a possibility of apprehension by the other side also. Therefore, we should first of all agree that any action by a Government should never be suspected that it is an action simply because of a philosophy or a principle on a party line. There may be some fellow travellers of the ruling party who, in future, by their misbehaviour or anti-behaviour may also be arrested. I will not be surprised if some fellow travellers on this side are also some day kept in cells for the safety of the nation. Therefore, any action by the Government, simply because it is an action taken by the ruling party, should not be suspected to be against a particular party or any other party. We can hope from the same Government that their actions would be very scrupulously and judiciously judged when the question of arrest or taking away the liberty of a particular person is concerned.

Now, what is most important? Is individual liberty more important or the liberty of the country as a whole? There may be marginal cases where we have to forget individual liberty at times and to curtail it to the barest minimum. When particular sections of the Constitution are also suspended and we have to live in state of emergency. We need not worry much about it or make a row about it, whereby the people outside the House may have a suspicion which may hamper our war efforts.

One hon. Member, our learned friend Shri Frank Anthony, while suggesting so many things, again talked much about the rule of law. I have got full sympathy for the judiciary because my main profession was practising as a lawyer. But by saying every time that the judiciary

has always been inter-dependent or has never been independent of the executive, does it not amount of saying that the judiciary is always under the clutches of the executive? Does it not, instead of helping the judiciary, harm the judiciary? He even went to the length of saying that high court judges have to pay respects individually to the executive and certain ministers which comes in the way of their independence. After all, every one is a human being. He has got his own social status, his own social affairs. There may be so many persons in the judiciary who are related directly with members of the executive, the Parliament or members of the State legislatures. Are we to understand that those members who have got such family relations are never independent and the independence of the judiciary is being hampered by paying courtesy visits? I do not appreciate his point that normally members of the judiciary, simply for the sake of appointment, would go and visit members of the executive. But talking about this at every moment indirectly reflects on the working of the judiciary, it creates a suspicion in the minds of the people and it creates a feeling that there is no possibility of clear justice being administered at any level. When special tribunals are appointed and summary procedure is provided for speedy disposal of cases, there too my friends take objection. They may be right. At times summary procedure is possible to be misused by certain judicial officers, that is there in common parlance also.

My only urge to all the hon. Members of all the opposition parties is that when they agree to the Defence of India Bill, whatever amendments they have tabled—they have tabled a large number of amendments as if simply by the acceptance of those amendments the power is not likely to be misused—should not be pressed. Let us make an initial start with co-operation. Let the present Bill be passed into an Act. Let us see that

an atmosphere is created in the country where no officer of an individual State or of the Central Government can ever abuse the power especially because the person belongs to a particular political group or political party. Also, the action of that group or party or the individual behaviour of those members of the party should be on such lines that they can never be suspected on misunderstood by anyone. If such an atmosphere is created, a person is never misunderstood by anyone. If that spirit of support to the Government during this emergency is there, I would request that the present Defence of India Bill be accepted unanimously.

Shri Harish Chandra Mathur (Jalore): Mr. Deputy-Speaker, Sir, I am no student of philosophy and I would not go into it but as to whether Gandhiji's humanism and anything to do with our present state of affairs or it is Mao's brutalism which is responsible for this state of affairs is not understandable. So far as I know, Gandhiji's humanism had nothing but chivalry and courage behind it and it would be only a defamation of Gandhiji's humanism to say that it has anything to do with our present reverses or such a farne of mind.

Sir, it is evident that though our military personnel were not fighting their own nation's cause, even when they were sent abroad, they had brought honour for their chivalry. I, particularly, coming from Rajasthan as I do, have before me such heroic deeds of Rajputana infantry, of Rajasthan's militia, which have earned a name in the world's militarism, and they were always acclaimed like that. So, let us not have any such frame of mind or mentality, that it is because of our national character or it is because of our attitudes in life that we are in the present state of affairs.

Mr. Deputy-Speaker: We have to take up the next item. The hon. Member can continue on the next day.

14.30 hrs.

BUSINESS OF THE HOUSE

Dr. L. M. Singhvi (Jodhpur): May we know, Sir, if the allocation of time for this Bill, the Defence of India Bill, has been increased and, if so, to how much?

Mr. Deputy-Speaker: It has been increased from seven to ten hours.

Now, we shall take up Private Members' Resolutions. We have to fix time for these resolutions. For the first resolution, by Shri Surendranath Dwivedy, shall we have one hour?

Shri S. M. Banerjee (Kanpur): That is too short. The first resolution is a very important one.

Mr. Deputy-Speaker: An hour and a half?

Shri S. M. Banerjee: Two hours, Sir.

Some Hon. Members: Two hours.

Mr. Deputy-Speaker: All right, two hours.

Then, for the next resolution, by Shri Yashpal Singh, the time will be one hour.

Some Hon. Members: Yes.

Mr. Deputy-Speaker: I do not think we will take more resolutions than that. Now, Shri Surendranath Dwivedy.

14.31 hrs.

RESOLUTION RE: ECONOMY DURING EMERGENCY

Shri Surendranath Dwivedy (Kendrapara): Sir, I beg to move:

"This House is of opinion that with a view to effect economy and also for efficient function of