

**Mr. Speaker:** We will see when it comes.

**Shri Hari Vishnu Kamath:** Is not the Home Ministry competent to deal with this matter? It should be transferred from the External Affairs Ministry to the Home Ministry.

**श्री प्रह्लादवीर शास्त्री (विजनीर) :** अध्यक्ष महोदय, आचार्य कृपालानी जी ने अपने ऊपर लगाये गये आरोपों के सम्बन्ध में एक सभिति नियुक्त करने के सम्बन्ध में आप से निवेदन किया था। आप ने अभी यह कहा कि यदि विधिवत कोई प्रस्ताव आवेगा तो मैं उस पर विचार कर सकता हूँ। मैं प्रस्ताव करता हूँ कि आचार्य कृपालानी

**अध्यक्ष महोदय :** इस तरह नहीं, आप लिख कर दें तो मैं उस पर गौर करूँगा।

**श्री प्रह्लादवीर शास्त्री :** मैं ने लिखित रूप में दे दिया है।

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to declare the Judicial Commissioner's Court for Goa, Daman and Diu to be a High Court for certain purposes of the Constitution."

*The motion was adopted.*

**Shri Satya Narayan Sinha:** I introduce the Bill.

12.38 hrs.

**PREVENTIVE DETENTION (CONTINUANCE) BILL—contd.**

**Mr. Speaker:** Further consideration of the following motion moved by Shri Nanda on the 17th December, 1963, namely:

"That the Bill to continue the Preventive Detention Act, 1950, for a further period, be taken into consideration".

Shri Koujalgi may continue his speech.

**Shri M. R. Masani (Rajkot):** May I know when you propose to call on the hon. Minister to reply?

**Mr. Speaker:** 4 o'clock?

**Shri U. M. Trivedi (Mandsaur):** We had agreed to have 10 hours. We will not be able to finish it within that time.

**Mr. Speaker:** Would the Minister like to reply tomorrow?

**The Minister of Home Affairs (Shri Nanda):** Yes.

**Mr. Speaker:** We will conclude the debate today and tomorrow the Minister will reply.

**Shri H. V. Koujalgi (Belgaum):** Yesterday I was speaking about anti-social activities in rural areas. At least it is my experience that in some villages or in a rural area, *goondas* practically rule. They commit atrocities, extortion and harbour criminals and dacoits. They see that no evidence comes before the court if they are dragged to the court. The whole peace of the village is disturbed only by these one or two persons.

There are cases where a person who gives evidence against another person in a court is murdered or grievously hurt. So, it is difficult even for the police to keep watch against them; nobody comes forward to give evidence in an open court.

Then, what about the communal riots? They go on here and there, not because of trouble between two communities because there are one or two persons who instigated such troubles taking advantage of the ignorant and poor people. If we study the root cause of the communal riots, we can see that it is these anti-social persons who misuse the constitutional rights and try to commit a breach of the law, rather than observe them.

[Shri H. V. Koujalgi]

12.41 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

In foreign democratic countries, the laws are obeyed. If they do not like it, they take to constitutional methods to see that the laws are changed. Here the laws are observed more in breach than in obedience, with the only object of getting some personal benefit. They do not look to the interest of the country.

This Act has some safeguards also. An advisory body has been formed. The aggrieved party has a right to be heard; if there are any legal mistakes, he can go even to the High Court. It is the primary duty of the Government to maintain the security of the country. Since we see that there are pro-Pakistani activities and pro-Chinese activities, there are smugglers and blackmarketeers, it is the Government that knows whether this measure is necessary or not. In my humble opinion there are justifiable reasons for the continuance of this Bill on the statute book at least for some more time.

12.46 hrs.

#### POINT OF PROCEDURE

**Shri Hari Vishnu Kamath** (Hoshangabad): Mr. Deputy-Speaker, may I seek your ruling on one point? On the 11th of this month, last Wednesday, the Home Minister made a statement in the afternoon correcting a reply which he has given to a question in the morning. I objected to it at that time on the ground that proper notice had not been given to the Members who had raised that question. You overruled the objection and said that you would go into the matter later. I invite your attention to direction 115 of the Directions by the Speaker where the procedure in regard to this matter is clearly laid down.

“(1) A member wishing to point out any mistake or inaccuracy

in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

- (2) The member may place before the Speaker such evidence as he may have in support of his allegation.
- (3) The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made.”

Then comes the crucial part, the relevant part of the direction.

- (4) The Speaker may then, if he thinks it necessary, permit the members who made the allegation to raise the matter in the House and the member so permitted shall, before making the statement, inform the Minister or the Member concerned.”

Here, neither my colleague Mr. Dwivedy nor my hon. friend Mr. Ranga was informed. It was, therefore, not in order. But now it is a *fait accompli*; nothing can be done about it. It cannot be undone. But I hope that this will not be a precedent for the future.

**Mr. Deputy-Speaker:** I fully agree with the hon. Member. I am sorry for the omission in this matter. I will take care that such omissions will not occur again. **Mr. Frank Anthony.**

12.47 hrs.

#### PREVENTIVE DETENTION (CONTINUANCE) BILL—contd.

**Shri Frank Anthony** (Nominated—Anglo-Indians): Mr. Deputy-Speaker,