

14.29 hrs.

MOTION FOR ADJOURNMENT

ESCAPE OF MR. WALCOTT

Shri Nath Pai (Rajapur): Mr. Deputy-Speaker, I move:

"That the House do now adjourn"

First of all, I should like to express my deep sense of gratitude to this House for giving me leave to move my motion, yesterday. I was the recipient of a rather unique honour because it was for the first time that an adjournment motion was moved in this House without a single dissenting voice being raised.

Shri Tyagi (Dehra Dun): Because of negligence.

Shri Nath Pai: I beg to differ from Shri Tyagi, who is accusing his ministerial colleagues by saying that this has happened because of their negligence. It is possible that, so far as the Ministers were concerned, what transpired in the House yesterday was only a reflection of what is generally happening in the country. They are not generally aware of their duties.

Shri Banga (Chittoor): They are caught napping.

Shri Nath Pai: It was rather surprising to see Shri Nanda throwing out his arms in all his true innocence saying "I do not know anything" and then pointing out his finger to the Minister of Transport. This is precisely what happens in this Government; nobody knows exactly what his duty is and, therefore, every duty gets neglected and ignored. But, if, so far as the Ministers were concerned, it is true that they were taken unawares and by surprise in spite of the fact that I had given my notice on the 7th of November and it was addressed to the Minister of Home Affairs, so far as the general body of M.Ps. sitting behind the serried ranks of the Ministers are concerned, their

reaction, I think, should not be interpreted as displaying lack of knowledge as to the true significance of my motion, nor it should be uncharitably interpreted as showing that they were not alert to their duties. I think the overwhelming number of Congress M.Ps. realised what I was doing. But nonetheless they refrained from opposing for the very simple reason that once in a while they lapse into their old habit of thinking patriotically and not from the party point of view. Yesterday it was patriotism that restrained their otherwise vociferous tongue, and I am going to plead with them, let not party discipline today be allowed to undo what patriotism guided them as their supreme duty. I hope today they will sustain me in my effort to focus attention on this very vital issue.

I have stated in my motion, Mr. Deputy-Speaker, that the main issue is not this adventure of a seeker of fortune from the United States, Mr. Daniel Walcott. I want to focus the attention of this House on the security of this country, because what happened on the 26th of September has brought into contempt, into ridicule the whole security apparatus of this country and raised in the minds of the public grave, serious doubts, alarm and concern regarding security as a whole.

Shri Tyagi: That is true.

Shri Nath Pai: I want the House, Sir, to view this whole matter in its proper perspective and keep a sense of proportion while discussing this. Walcott is an insignificant individual, but he helps in uncovering something very dangerous that is happening in the country. And here, before I am accused of exaggerating and making a mountain of a mole-hill, I should like to draw the attention of the Home Minister in particular, Mr. Deputy-Speaker, to what happened in England's history. We know, and I think he will recall, that England went to a war which is known in history as

"the war of Jenkins' ear". The ear of a single English citizen, who was not of English descent but of Greek origin, was chopped off by a Turk. And Palmerston's reaction was that it is not the ear of an Englishman which is at stake but it is the rights of the British citizen which are at stake and therefore he justified Britain going to war.

And in this Walcott affair we should all, at least thinking Indians should, give due attention to this question of the security of our country. This has helped us to focus attention on this issue.

But before I try to go deeper into this I should like briefly to give the facts of this case. One Mr. Walcott came to this country, landed in a DC plane and removed from this plane five cases of cartridges, transhipped them to another plane belonging to his company. They were then removed from Palam airport to Safdarjung airport where they were loaded again into a Piper plane. It is an amazing thing how this incident itself could have happened, unless it be that there is total indifference on the part of the customs officials, or—and God forbid if I am right on this issue—that there are some elements in the customs who are not above board and act in collusion when their palms can be greased. I know the full significance of what I am saying. But when I take the House into confidence and tell the other facts relating to this they will know that I am telling nothing but the truth.

There were five cases which carried labels in white, written in red ink "Explosives". These explosives were removed from a plane, put on to a jeep, first removed to another plane and then from that plane in a jeep brought to Safdarjung airport. It never aroused the suspicions of customs officials. How does it come to happen?

Later on what happens is this. This man, in search of customers, makes enquiries in quarters where he should not have made. He wants to tranship some of these cartridges to Kumbigram in Mizo Hills. And you know for whom it was meant? There was a lucrative bargain offer where these cartridges were to be sold to the Nagas. They were among the many possible customers; but they were not the only customers. What happens? It was this search for customers which gives a tip to the police, and it is at that stage that the police is alerted and then they act. Then the man is arrested.

It is very significant that it is not the Intelligence Department, it is not the customs authorities, it is not the police who act: it is this man's own folly or his greed for money which exposes him. No credit to the apparatus of security. They did not detect him, they did not catch him, they did not discover him. It was his own folly, I repeat, and his greed for money—he was impatient to get the most lucrative offer—which uncovered his plot.

Then this is what happened subsequently. He is arrested. The trial begins before a Delhi magistrate. He is released on bail. He tries to jump his bail. He comes back. He is convicted and given a sentence of six months. It is very interesting, what happened when the magistrate convicted this man. I shall quote briefly the words of the magistrate. "I cannot refrain from saying", Mr. Kakkar said, "that the accused has been taking the law into his hands and has been abusing the administration of justice". This is the verdict of the magistrate who tried Mr. Walcott, regarding his activities in this country.

But nothing alerted, nothing awakened Government to its duties vis-a-vis this man. He went into appeal, and the court in its wisdom

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thought that the sentence he had undergone was enough and therefore he was let free.

And then the incredible happened which can happen only in this country. We are told there is an emergency. And when there is an emergency, in the capital of India in broad day-light, a man convicted by a court in India, a man wanted by the police in France and the United Kingdom, and a man known in the aviation world as an undesirable character, under the very noses of our authorities quietly takes a plane, takes off, then circles and hovers over the jail in which he was kept, calls the prisoners with whom he had spent some days, "hello boys", drops them some chocolates and cigarettes, says "Ta ta" and takes off to Pakistan. Normally, hundred years from today, Members of Parliament sitting in this House will not believe such a story had it not been for the fact that it would be recorded in the annals of Parliament. I think many people will be thinking in many a country that this is something from the Arabian Nights, that a convicted man takes off in a plane in broad day-light from the capital of India and there is nothing to stop him, nothing to check him, nothing to restrain him, nothing to intercept him; he can safely go. This particular plane was not a 104 F. Its maximum speed varied from 90 to 110 miles. It is among the slowest-moving planes. But in such a plane he can make mockery of the security of the defence, of the air defence of this country and safely take off from Safdarjang airport.

I would like to say here a few things regarding how it happened. We are in particular told in a written reply placed before this House that there was an order restraining him from taking the plane, and because he has taken the plane he has committed eight different offences. And

what does this Government propose to do? "Action has been taken through diplomatic channels with United States authorities for the return of Mr. Walcott and his Piper aircraft."

Can there be a more blatant example of total abdication of its elementary duties by a government, than asking a foreign government to help get back a criminal who ever ought to have been allowed to escape from this country? I fully know that at the time that he took off there was no sentence which he had not undergone. So, let not the hon. Home Minister make play with the word I just now used. I say 'criminal' in a broad sense a man whose activities had been detrimental to the interests of this country and it is in that sense that I am using it. Let not any pun be made on the word 'criminal' and let them not try to seek refuge under the fact that he was no longer under any sentence nor was he charged under the Criminal Procedure Code or the Penal Code of India.

He goes, but how did it happen that he could go? Let us ask a few other questions. What were the antecedents of this company which was allowed to operate in India? Very little is known about this company, that is, this Trans Atlantic Company, of which Mr. Walcott was the President. He had allegedly an office in the United Kingdom but letters sent to that office come back marked "Addressee unknown; office no longer here". God alone knows where that fictitious office, if it ever existed, was.

This company was given by the AII and the IAC the contract to operate between New Delhi and Kabul because of our troubles with Pakistan and because Pakistan would not allow direct transhipment across her territory. One can understand the difficulty. But had anybody bothered to find out the antecedents, the reputation and the qualifications of this

institution or firm or of this man? Nothing whatever was done. They would have immediately found out that the man was wanted by the authorities in the UK and France had they bothered to find out his antecedents. But it is obviously nobody's business.

What happened is this. Subsequently this man on finding out that everything is okay for him began to take all the freedom of this country into his hands, became very bold and knew that there was no authority to take cognisance of anything that he would be doing in this country. Mr. Walcott knew that he could act in this country with impunity. This company's record was never investigated and this knowledge was given to him.

Before taking up how he got in collusion I want to end this chapter here and ask the authorities this. Were not enough warnings given to them that Mr. Walcott will one day, if given a chance and an opportunity, take off and make a mockery or fun of and put to ridicule our security apparatus? They will say that they did not have any warning and I will now show how many warnings he had been able to give to this country.

Firstly, I know that in December 1962 Mr. Walcott with the help of the Ground Engineer of his company tried to take off between the 24th December and the 31st December on a day on which the hon. Minister should know or the security authorities, if any exist at all at Safdarjung, should know that he tried to take off. In the morning he made three efforts. The authorities were informed that he is about to take off; either put a motor cycle or a scooter before the plane so that he will not take off. What happened was that when he started the engine, a certain official who had put the scooter before it was afraid that if the plane took off the scooter would be damaged and he removed the scooter. Later on, of

course, when Mr. Walcott was about to take off—I know all my facts very well—he saw a Dakota on the runway and he was therefore foiled. Fate foiled him, not the authorities in India.

The second time he made an attempt he was foiled by the arrival of a jeep nearabout. The third time when he started the engine a ground mechanic gave alarm and he was pulled from the plane. This happened three times in a single day. The same night he again made an attempt. He could not get away because he knew that his movements around the aerodrome were observed. It was that that stopped him. This was in December.

What happened further? In March 1963 a complaint in writing was lodged with the Superintendent of Police, Teen Murti Marg, South Delhi. No note was taken. No action was taken. Nothing was done. The complaint was lodged in writing and a copy was delivered to the Superintendent of Police. Nothing can awaken this Government to its duty. This is not the last of it. Here was a man who unless prevented would disappear in his plane breaking all the obligations he owed to citizens and to the Government of this country.

Furthermore in May again he made an effort to take away the plane as he did in the end, on the 26th September successfully. In May he tried to beat the warden or the chowkidar who was on duty. The chowkidar was a Jat. He knows that his duty is to return a blow for a blow. When he got a blow, he was not very much conscious that under the law he will have to be very very polite to an aggressor. He did not have such wrong ideas about dealing with an aggressor. So, the Jat turned round and gave a blow. Therefore Mr. Walcott could not take off in May.

Again, between May and July officials belonging to this company

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served many warnings to the Assistant Customs Collector that unless precaution was taken, unless preventive measures were adopted Mr. Walcott would take off. This is where the three specific measures which were suggested come in and which commonsense would have dictated, namely, firstly, remove the spark plugs or the batteries from the plane; secondly, hand over the plane to the IAC or to the Delhi Flying Club; and, thirdly, if you could not do any of these two, what you could have done was to remove the Piper plane from the Safdarjung Airport to an unknown destination so that he could not reach it. Nothing happened.

Finally, on the 23rd September a warning was given that Mr. Walcott was about to go and "Please do take precaution". Nothing happened. On the contrary, unless I am wrong, he was allowed to charge his battery and to refuel the plane. How did it happen unless somebody was conniving, unless somebody was acting in direct collusion and unless somebody was interested in seeing that Mr. Walcott could defy the authorities of this country and escape from this country?

This is how Mr. Walcott escaped and now comes the question—here I would like your patience a little longer—as to what happened when Mr. Walcott took off and the chowkidars raised an alarm. We were told that at this late stage the Air Force was alerted. Then, of course, the Air Force got in touch with the Foreign Ministry and the Foreign Secretary, it is said, ordered that Mr. Walcott's plane must not be shot at. One is surprised as to how the Foreign Ministry comes into this except for the fact that the culprit or the wanted person happens to be a foreigner. But this is absolutely on a par with what Shri Nanda said yesterday, namely, that the man has got away in a plane, so the Home Ministry has nothing to do; it

is the Transport Ministry. Here a foreigner is involved. Their reactions are very simple; they are not complicated. Because a foreigner is involved, so it must be the Foreign Ministry. The security of India is nobody's concern. I would like to ask, because it was a foreigner so it was the Foreign Ministry and because it was an aeroplane in which he got away so it was the Transport Ministry, whether suppose he had got away in a train perhaps it would be the Railway Ministry which would be responsible. What is the coordination of duties in this Government?

Now I want to ask this question and I hope I will get a reply to it. How did this mixing up of authorities come about? When the alert was given, was it not the duty of the Air Force to see that he was forced to come back? What a mockery of the so-called defence preparedness of India that impudently, arrogantly, impertinently a man comes from your capital and when the Air Force is alerted nothing can be done to stop him. And the country is assured, right now some Shiksha is going on and every day it is being droned into unsuspecting ears that the nation is being prepared! What a demonstration of preparedness in this country they give!

Now we are told that Mr. Walcott could fly at a height of between 2,000 and 3,000 feet and at a speed of 90 to 110 miles per hour at which rate it takes a minimum of 90 minutes to reach Pakistan border. But there we were seeing him going and we could not act. We were petrified; we were stupefied; we were paralysed. We were just to observe like observing a comet or a Sputnik orbiting in admiration and say, "What can we do about him; nothing can be done to stop him."

Two planes were sent by the Air Force. Now we want to ask as to

what authorised the Foreign Secretary to say that it was not to be intercepted by shooting. It is the right of India to bring back a wanted person even if necessary by shooting. But it was the same old story perhaps. We had, of course, issued orders to the soldiers at the border that they shall not shoot at the Chinese unless shot upon. I do not know if Mr. Walcott was supposed to shoot upon our planes before the planes could be ordered to shoot back. I do not know the meaning of it. What is the meaning of the word 'warning'? That is again what I want to know. What warnings will be sufficient in this country? What is the meaning of the word 'warning'? What will alert this Government to do its duty? Given umpteen number of warnings, still they will never see the danger; they will never see the path of duty. Here I gave five examples of warnings, attempts made. If this was not enough in regard to this case, there was the flouting of the authority of this country. No warning was heeded. But this again is a pattern. We are familiar with this plea of the Government. "We are taken by surprise; the country and the Government were taken unawares. When the Chinese came, we were taken unawares. What could we do? The enemy took us by surprise. About Walcott case, what could we do? We were taken by surprise." Now, all potential enemies and evil-doers of India must know that if they want to do harm to this country, the hon. Ministers of this country must be given due warning. We know, they still continue to live in the world of satyagraha. The satyagrahi is supposed to give warning. They have not been able to come out to the world of realism, the world of today that there is no warning that an aggressor gives, that an invader gives or even the evil-doer gives. They expect that that warning will be given. But nobody will be given the warning. And once again, we will be put to this kind of ridicule.

Is this something new? That is the aspect that I want to take before ending my remarks. This is not

something new. This Government basically has never awakened to the problems of security. This is a security-blind regime. They do not know what security is. They have never applied their mind to the problem of security in a modern State. I would like to say how lamentable is the record of this Government. We remember the case of Laik Ali and the case of Walcott is on par with that. Laik Ali was detained in Hyderabad. But one day this country was shocked to know that Laik Ali was having breakfast in Karachi. Then, of course, this House tried to bring in an adjournment motion, but at that time it was not successful. No lesson was learnt; no lesson was drawn; no precautions were taken. But now let us take....

Shri Tyagi: This time we were not so vigilant on this adjournment motion.

Shri Hari Vishnu Kamath (Hoshangabad): That means there is deterioration.

Shri Nath Pal: That was the Laik Ali case.

I will try to take the House again back to another incident. We know the tragic way in which a Canberra of IAF was shot down. How did it come about? The plane was airborne only 8 minutes. By the simple fact that there is no security in this country, the Pakistani Air Force was alerted that a Canberra will be up in the air, that they could go up, meet it and bring it down. We at that time showed the dangerous implication of that. Not only our sorrow and agony that an innocent pilot was killed, that the value of the aircraft was lost, but we showed a more dangerous significance to this episode that there is Pakistani espionage. Without the help of this long arm of Pakistani espionage, the Canberra could not have been destroyed. But it was pooh-poohed. We were laughed at. We were called alarmists and the nation was assured that everything was all right.

Then, came again the case of Nagas. The Nagas crossed 150 strong into

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Pakistan. The warning was given to the security police. Once again, they failed to stop the Nagas from crossing and no less an authority than the Prime Minister gave a reply to my question, I had asked, "Mr. Prime Minister, do you realise the significance of the Nagas crossing, even when you had the warning, from our country into Pakistan? It means that an enemy who will never give a warning can cross into this country." The reply given was, "Mr. Nath Pai is completely wrong. The Nagas crossed into Pakistan because things were becoming very hot for the Nagas." That was the reply. Things were becoming uncomfortable for the Nagas. Therefore, they were running away. The total impotency of our defence arms, of our security measures was covered behind this rhetoric that we were making things difficult for the Nagas and, therefore, they had to run away.

Then, came the question of Goa. What happened to the security again? How badly Parliament, Government and the defence forces were informed? To the last day, till they went and took Panjim, they did not know the true strength of the Portuguese. They had an insignificant force of 2400. Had they consulted any of the youngmen who were bravely operating in Goa, they would have got more reliable information than what the so-called Intelligence Service of India provided. Exaggerated figures of Portuguese strength were given. And we were put to ridicule before the eyes of the world. We went with a hammer where a needle would have sufficed. We paraded tremendous strength there. But we sealed our lips because we did not want foreign adversaries and critics of our policy to benefit. This truth must be told to Parliament. There was a total, complete, colossal failure on the part of Intelligence Service during the Goa liberation.

The same thing happened in regard to China. Even the Defence Minister

had to grudgingly admit before this House that the Intelligence Service completely failed. But have the lessons been drawn regarding the security? The only time, it seems, we can get a foreign saboteur is if we see him actually exchanging the documents, as the other day when Mr. Bhattacharyya was caught. But this is not how modern sabotage is carried on. It is far more subtle, far more complicated, far more intricate, far more scientific. What protection have we against this? The alarming question is: What must be the conclusion drawn in the Capital of China and of Pakistan? It will be "Look at these Indians. They simply do not know the A.B.C., the elementary rules of defence and security. Anybody can take away a plane." It means anybody can land and take possession of Palam and Safdarjung Airports. If a wanted man can run away, the obvious conclusion that an aggressor can draw is, what is the security of this country, what is the Air Force of this country, what is the Intelligence Service of this country? If a wanted and known criminal who is obviously under surveillance can get away like this, an unsuspecting Capital can be taken by surprise. I hate to say this. You will forgive me for that. But these are the doubts which haunt every Indian. The people hung down their heads in shame when the Walcott affair was flashed by the papers. Is it how we are being looked after? Is it how we are being defended? What happens to all the assurances? It is not an exaggeration. If this is the fate of the country during the Emergency when everything is geared up to the one thing, the security of the country, what must be happening in normal times?

Before I conclude, Mr. Deputy-Speaker, I would like to make one or two points. Just as the House magnificently regarded the question of security and the prestige of this

country, what is involved in the Walcott affair is the prestige of this country and the prestige of this country is not the prestige of 'A' Member or 'A' Minister or 'A' Party. It is the prestige of India that is involved and I hope all will agree in supporting that. What is involved is the security of this country and that again, like prestige, is not the monopoly or the concern of one individual or one group or one Minister or one Party. We equally share the responsibility and obligations towards our country regarding its security. I am afraid, the record of this Government has been far from satisfactory.

I may state one or two things more. I have a few things which I am keeping in reserve before I conclude. Please save us this shame. In your written reply, you say—I will read it—through diplomatic channels America has been asked to give back the culprit. How far is this country dependent on America? America must feed India; America must clothe India; America must defend India and now America must defend India not against foreign aggressor but America must help us to get back criminals whom we want. What a wonderful record! What a brilliant performance! I think it is high time that we discard our self-complacency: call a spade a spade.

I would beg two things of the Home Minister. Firstly, let a high Commission be appointed particularly consisting of Members of Parliament to go thoroughly into this question of security. What is the Intelligence apparatus in this country? Don't make it known that this is a sacrosanct thing that nobody can go near it. We must look into it. It is our concern; it is our duty; it is our right to look into that. Our doubts, our fears, are raised all the more because of what has been happening during the last few days. There is the Pakistani espionage; the Chinese espionage. No day passes without

hearing the way it is being carried out with impunity. If you arrest one, one hears more alarming reports, as my friends this morning tried to raise in this House, regarding Mohd. Shamsheer operating from a Vihar; the Deputy Chief of Pakistan Intelligence Service coming here in the garb of a Lama and trying to collect the information. It is going on every day. We want to be assured and we will not be assured unless a high Commission of Members of Parliament goes into the question of security.

I want to make another plea before him and that too again should be treated in the interest of the country and not as the prestige of a Party, that is—I hope he is capable of such generosity and objectivity—that just as in England they created a permanent body to look into that, there must be somebody responsible for security, not accusing or pointing fingers at one another. "You are responsible; I am responsible."

In the end, no body is responsible. There should be a National Security Council.

I hope that the Home Minister will take to heart all my suggestions and reply in the spirit in which I have submitted my concern and anxiety, which I trust is the concern and anxiety of the whole House.

15 hrs.

Mr. Deputy-Speaker: Motion moved:

"That the House do now adjourn".

The debate has to conclude at 5 p.m. How much time will the hon. Minister require for reply?

The Minister of Shipping in the Ministry of Transport (Shri Raj Bahadur): I shall take about half an hour, and I shall start speaking at about 4.30 p. m.

Shri Hari Vishnu Kamath: The Home Minister should reply.

Shri Surendranath Dwivedy (Kendrapara): It is for the Home Minister to reply.

The Minister of Home Affairs (Shri Nanda): I am going to say something. I shall intervene in the debate.

Shri Surendranath Dwivedy: The Home Minister should reply because the attack is on the security arrangements.

Shri Ranga: In regard to this adjournment motion, I would submit that freedom is not given to the hon. Minister to say how much time he requires. It is only fifteen minutes that he can take. No Member is allowed more than fifteen minutes. Excepting the Mover, all other Members are allowed to take only fifteen minutes.

Shri Surendranath Dwivedy: Primarily, it concerns the security arrangements, and, therefore, the Home Minister should reply to the debate and not the other Minister.

Shri Nath Pai: As the Mover, may I crave your indulgence for one minute only? My motion was addressed to the Home Minister. The subject-matter which I have raised is that of security, and the apparatus of security and the resultant alarm in the public mind. Let not an effort be made to play down the general concern by shifting it from the Home Minister whose concern and responsibility it is, to the Transport Ministry. We do not want this technical jugglery.

Shri Hari Vishnu Kamath: We do not want this kind of buck-passing.

Mr. Deputy-Speaker: The Home Minister will also reply.

Shri U. M. Trivedi (Mandsaur): The question is not whether he should also reply. It is the Home Minister who shall reply.

Mr. Deputy-Speaker: It is for Government to decide.

Shri Nanda: I am going to deal with all the things that concern the Home

Ministry, but then there are other things which my colleague can deal with, and I think that he should not be prevented from replying

Mr. Deputy-Speaker: The time for discussion is very limited. So, hon. Members would kindly take only ten minutes each.

Shri Ranga: At the same time, I would like to remind you, if you would permit me, that time cannot be limited. I submit that you should stick to the conventions and rules in regard to the discussion of the adjournment motion. No Member including the Minister concerned can be allowed to take more than fifteen minutes. Only the Mover of the adjournment motion is allowed to speak for about twenty to thirty minutes.

Mr. Deputy-Speaker: Now, Shri Indrajit Gupta. Hon. Members may confine themselves to ten minutes each.

Shri Ranga: I would submit that no Member including the Minister is entitled for more than fifteen minutes. I would like you to consult the rules.

Mr. Deputy-Speaker: Government are entitled to have any time that they want.

Shri Ranga: Government are not entitled. Why do you give them this right? I take very strong objection to this procedure. I would like you to consult the Rules of Procedure.

Mr. Deputy-Speaker: Yes. I have consulted; a Member of the Government is entitled for half an hour.

Shri Ranga: No. Please consult the rules.

Mr. Deputy-Speaker: Order. order. Shri Indrajit Gupta.

Shri Indrajit Gupta (Calcutta South West): We are not interested in helping any Minister to pass the

back on to some other Minister, but we are very much interested.....

Shri U. M. Trivedi: On a point of order. The rule does not say that the Minister will be allowed half an hour. Rule 61 says:

"The motion shall be taken up at 16-00 hours, or, if the Speaker so directs, at any earlier hour at which the business of the day may conclude."

Then, rule 62 provides that:

"The Speaker may, if he is satisfied that there has been adequate debate, put the question at 16-30 hours or at such other hour not being less than two hours and thirty minutes from the time of commencement of the debate."

Then, rule 63 says that:

"The Speaker shall prescribe a time-limit for speeches."

That is, the Speaker shall prescribe a time-limit for our speeches. There is no question of half an hour being allowed, which is provided for in the rules.

Mr. Deputy-Speaker: If the Chair considers it necessary, it can extend the time also for Government for their reply.

Shri Banga: The Chair decides about these things all in advance and we do not know about it. This is not the way in which we can be treated.

Shri Indrajit Gupta: I was saying that we were not interested very much in helping any Minister to pass the responsibility on to any other Minister, but we are very much concerned here with the collective responsibility of the Government as a whole for this scandalous incident which has taken place and which, I believe, has made our country a laughing-stock abroad also.

I shudder to think what will happen if this gentleman Mr. Walcott,

quite a colourful character by all accounts takes it into his head, now that he is back home, as is the custom very often with his countrymen, to write a book on his experiences and his escapades:

Shri Tyagi: It will have a good sale.

Shri Indrajit Gupta: That book will probably be a best-seller, no doubt, a sensational best-seller in the United States or in most countries of the Western world. And this parliamentary discussion today on the floor of this House may also figure as a chapter in that book. So, I hope that when the Ministers reply or when they speak, they will bear in this mind; of course, if some action is to be taken which will be effective, that is good, and we would like to hear about what can be done now. But when they speak, let them please remember that Mr. Walcott's best-seller is in the offing.

15.05 hrs.

[SHRI KHADILKAR in the Chair]

Shri Tyagi: My hon. friend may also read it.

Shri Indrajit Gupta: It will probably be a paper-back thriller, and we may get a little pre-view of it also. Little pre-view is available, because Mr. Walcott gave an exclusive interview, when he reached Karachi, to the Morning News. With your permission, let me quote one or two of his juicier tit-bits which are probably a pre-view of what he will write in his bigger book. He says:

"What I did was to drive down to Safdarjang.."

I do not say that we should believe him, because the man is as big a liar as a scoundrel. But let us see what he says. He says:

"What I did was to drive down to Safdarjang, walk across to my

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Piper plane, jump in, open the throttles and fly over to Karachi".

Then, the report goes on to say:

"He added that he had been free to leave India any time he liked. There was no restriction on him or his plane till he took off. The restriction must have been imposed after he had become air-borne, he added.

Mr. Walcott had nothing but contempt for the Indian Air Force which reportedly sent two Hunter Hawker jets to capture him. The IAF's pursuit must have begun, he said, after he had crossed into Pakistani territory. Overflying Indian territory for two hours, he had not even flown the aircraft on full throttle. 'I came at my leisure,' he said.

"The Indian press was most irresponsible, Indian administration most corrupt and Indian democracy shadowy," said Mr. Walcott."

When his book appears and is published on the news-stands in the Western world, neither Shri Nanda nor Shri Raj Bahadur nor anybody else will be there to put in a correction slip. So, please do not treat this lightly. It is a very serious matter. It would have been had enough in normal times. But its taking place in the midst of a national emergency, when the Government are putting so much of emphasis every day for the common citizen on the question of emergency and are flaunting their emergency powers, have invested themselves with all these terrific powers under the Defence of India Rules and what not, an incident taking place at a strategic installation like an air-port situated in the heart of the capital of the country is not a joking matter, it is not a laughing matter.

I have not much time, but I would just like to say one thing, first of all.

As far as the background of this gentleman is concerned, my hon. friend Shri Nath Pai has stated many things. I only wish to add one or two more because they were not unknown to Government. This is not the first occasion on which this gentleman is known to have carried ammunition or cartridges; or it may be that he even did gun-running earlier on—I do not know—into this country. He had done it on previous occasions too. And he said in that interview at Karachi, from which I quoted:

"The cartridges I was carrying were at best worth £200. The most I could have made by selling them in India was about £400. Can you imagine any smuggler flying all the way from America to India and running that enormous risk for a ridiculously paltry sum of £400?" He added, "I was out on a bird-shooting excursion. I had gone on such trips in the past with an Indian Maharaja."

Well, as far as my knowledge goes, I also do not believe that he would bother to come here to sell £200 worth of cartridges. The point is that he had been doing this regularly. It is mentioned in sections of the press, and I have not seen any contradiction—that the noble royal house of Jaipur was often entertaining Mr. Walcott for shikar expeditions, and that this gentleman was also being used by them to smuggle in cartridges and ammunition the import of which by private citizens, as you know, is banned in this country, and he was supplying these cartridges to certain princes, rajahs, maharajahs and maharajis and enjoying their hospitality and going perhaps on shikar expeditions with them and so on. This gentleman, I believe, was recommended originally to the House of Tatas for business purposes by Mr. Eugene Black, former President of the World Bank. A very curious thing is this.

that though the Tatas had employed him and his company in 1961 to fly freight on their behalf to the Middle East Countries—and he swindled them also; Tatas also instituted legal proceedings against him—when he was arrested here for violation of the Arms Act, it was the Tatas who bailed him out. I do not know why there was very great concern for bailing him out.

An Hon. Member: He was their employee.

Shri Indrajit Gupta: Anyway. This gentleman had this kind of background. There are many other things. He was a swindler, as Shri Nath Pal has said, in many countries with a record. The police of many countries are looking for him. This gentleman was here for quite a considerable time.

Pertinent to this matter before us are a few points I would like to arise. The Delhi Magistrate had issued an injunction order restraining Mr. Walcott from taking possession of this piper cub aircraft. This order was sent to the authorities of Safdarjung Aerodrome at 7.45 P.M. on the 25th September. Mr. Walcott took off from Safdarjung on the next day, on the 26th September, at approximately 12.15 P.M. We would like to know what transpired in the way of precautions between the receipt of this order at Safdarjung, the court order, at 7.45 P.M. on the 25th and Mr. Walcott's departure at 12.15 P.M. the next day, 26th September. What action was taken? Whether the Home Ministry was responsible or the Civil Aviation authorities were responsible, I do not know. But they have got to state it here because the court had passed an order prohibiting him from taking possession of this plane.

Now, this gentleman had been seen hobnobbing with the Safdarjung authorities for quite a few days before this. He had been seen in the canteen, sitting there, talking to people and

taking refreshments. It is reported—I do not know whether the inquiry, such inquiry as there was instituted has been completed or not; I am sure we will be told....

Shrimati Renu Chakravartty (Barackpore): Departmental inquiry.

Shri Indrajit Gupta: In the statement laid on the Table this morning, there is an interesting point. The statement says that the order of clearance was not given for a flight by the aerodrome authorities when Mr. Walcott approached them on the 26th September. That is the day on which he left, departed. The statement of the Ministry says that he did approach the authorities for a flight and the permission, clearance, was not given to him. I may humbly suggest that this statement is not revealing the truth—it is covering up the truth. May be he did make a formal approach once and was refused. I do not deny that. But what happened also was that in the early morning, at about 5 or 6 o'clock on the 26th, Mr. Walcott was officially or unofficially allowed or permitted at least to enter the hangar where the aircraft was positioned and to carry out certain minor adjustments, overhauling, refuelling and all that himself, which went on for quite a time—several hours. I want to know whether this is a fact or not that the duty officer at Safdarjung—my information is that he is a gentleman by name Mr. Norton who was on duty in the Control Tower—knew about this. He was warned at that time, in the morning, by a class IV employee—I do not know what he is called in official parlance a chowkidar or something. A Civil Aviation department class IV employee who was posted in or near that hangar, immediately he saw Mr. Walcott come there and start fiddling about with the plane—he was changing the batteries or something—ran to the Control Tower and told Mr. Norton that this fellow—Sahab—has come here; he is doing something;

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what shall I do?' He was told not to do anything but allow him to proceed.

Then after sometime the report is that Mr. Walcott left the hangar, went out of the aerodrome and returned after some time in either a taxi or auto-rikshaw in which he was carrying several cans and big glass jars of fuel. He had entered and left by the IAC Gate, at which I presume some sort of guard or man is stationed; I presume Safdarjung aerodrome is a protected place—or is it not?

Shri U. M. Trivedi: It is.

Shri Indrajit Gupta: He entered and started fueling the plane. Again this man, the class IV employee—who should be given some sort of decoration; I am only afraid that he may lose his job—sent a warning to Mr. Norton. Again his warning was overruled. A third time, he telephoned from the hangar to Mr. Norton and again he was told—the message was brought by somebody in a jeep to the hangar—that it was no business of his and the man should be allowed to do what he liked.

What is happening? We would like to know. Has any action been taken? Have these facts been investigated and has responsibility been fixed on anybody? If the officer in charge of the aerodrome is guilty of some sort of connection or some complicity in this matter, then the Minister concerned will also have to take the responsibility, apart from the question of general security. He is running the administration of the aerodrome. So we must know the facts. These must not be hidden; they must not be concealed; they must be brought to the light of day. If an incident like this took place in England, whose parliamentary practice we are so fond of following and copying, I can tell you the concerned Minister would not have lasted for one day; he would have had the decency to resign himself.

Then there is this question of the pursuit by the IAF planes. I would like to know what was the time lag between the information received by the Defence authorities or External Affairs authorities, the time lag between his escape and the time when they were informed and could take action in sending planes in pursuit of it. There are reports that there was a very serious timelag. Who was responsible? What was the time lag? Because if a piper plane can fly from here to the Pakistan border at the speed of 100 or 110 miles per hour, I do not know why jet aircraft stationed at Palam, which are capable of flying at 500, 600 or 700 miles an hour, could not have taken off promptly, if they had timely warning, and could not have had a fair chance of intercepting it—I do not say it was certain that they could intercept the plane because, by all accounts, he was flying at a very low altitude. It is possible the jets were flying very high and could not spot him.

Nevertheless, the point is, if there was any great timelag between his escape and intimation and pursuit, then there was no chance from the very beginning whatsoever of interception. This is another point which must be clarified.

In the statement given to us today in the morning, a whole lot of rules have been quoted, provisions of the Indian Aircraft Rules which Mr. Walcott is supposed to have violated. I hope it will not be pleaded here that what is required to prevent a recurrence of this kind of thing is a further tightening of the rules. The rules are there; they were violated. It is not lack of rules which prevented this happening; it is the total inability of the Civil Aviation department and its administration and of the security authorities to get these rules enforced.

So we should like to know who is going to be held ultimately respon-

sible for this. Here is a man whose connections have been with Rajas, Maharajas and Maharanis and tycoons like the Tatas, carrying, smuggling ammunition, gun-running and all sorts of things, an international swindler and a crook. This man is permitted the free run of our country, of our airports and strategic installations and permitted to get away. If this is so, does Government expect the common people of this country to take the emergency seriously?

Finally, I would say, since my time is out, one thing. Shri Nath Pai has said it is foolish or stupid or humiliating or some such thing to ask the US Government to return him. Of course, once the horse has bolted from the stable, you do look a bit sorry doing his kind of thing, but there is nothing wrong in this action. I would like to know what response we have received so far, because if we get no response, or if the American authorities refuse to return him at least till he had time to write his book and put it on the news stand, we will, unfortunately, have to come to the conclusion that the American authorities are also in complicity with this gentleman, that they knew of his movements and activities and were encouraging and helping him. Otherwise, there is no reason why people who have defended us, fed us and clothed us, should not return to a friendly Government at its request a convicted and well-known criminal. Therefore, I do hope that the United States Government will respond to our request. If they do not, the people of this country will be free to draw their own conclusions.

Shri U. M. Trivedi: It is a most ludicrous episode that has taken place within the living memory of any nation which can call itself an independent nation.

Mr. Chairman: There is too much of whispering noise in the House.

Shri Hari Vishva Kamath: It shows the unrest caused by insecurity.

Shri U. M. Trivedi: We have been noticing for a long time the lack of efficiency of our security forces. We had the example of Bhupat, a small man in himself, a rebel, a robber, a dacoit, a murderer, running from one place to another, and we were not able to catch him. He showed his thumb to us and walked over to Pakistan, and we were not able to get back even that murderer from Pakistan.

We had the instance of Lalk Ali. We were talking of arresting him, and he walked away and went over to Pakistan. We have this example of a tehsildar of Rajasthan committing criminal breach of trust to the extent of lakhs of rupees. We trust him, and he disappears, and when the FIR is lodged, he is found in Pakistan.

Here is Mr. Walcott, a notorious man whom we wanted to remain here, who goes away, where?—to Pakistan. We must therefore come to this conclusion that here we have got a neighbouring country which is an enemy of ours, which gives protection to all criminals who go over there. Yet, we keep our eyes shut on this question.

Who are the persons who have offered this shelter to this man, who are the persons who have connived at his going, and how are these persons to be retained in service? This is a problem for us to study.

When this incident took place, I wrote a letter to our Prime Minister that it had ridiculed us in the eyes of the world. The reply that I got from the Prime Minister was more than I could swallow. He admitted that our officers were suffering from inferiority complex towards white skin and superiority complex towards our own people.

Some Hon. Members: Shame.

Shri U. M. Trivedi: When it is a question of my children, your children or anybody's children here going

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to the airport to have even a look at the aircraft, they are kept back, they are told visitors are not allowed beyond a particular line. And this white man walks all over the airport, goes into the aerodrome, fills his piper plane and flies off, and there is nobody to tell him that he cannot do such a thing. How long will this attitude of our officers continue?

It is quite true that in this democracy, where responsibility always rests with Parliament and with the Ministry, we find fault with the Minister because he is not able to stand up to this position, he has not pulled the officers by the ears and told them that discrimination between black and white should cease in our country.

Our method of recruitment has been so bad, that even today we recruit men not with brains, but with fashion. What is this fashion? All of them indulge in drinking. Although we have prohibition, Walcott can offer them drinks, Indians will not be able to offer. The officers I have come across working in the aerodromes are all sort of drunkards. They indulge in debauchery. Is it through these officers that we can expect the security of our country to be maintained? No, I would say that security cannot be maintained with these officers working at the airport.

Shri Bhagwat Jha Azad (Bhagalpur): Kindly say some, do not say all.

Shri U. M. Trivedi: I am sorry if I said all, I said officers whom I had met. Some may be very good, I should say.

But the position still remains for us to consider that, after all, if the security of our country is to be maintained, it must be maintained through the integrity and the intelligence of the officers whom we employ. If we do not employ honest officers with integrity, it will not be possible for

us to have the security of our country.

Intelligence officers are there. They give wrong information always to the Government. They take money. I remember that a Deputy Intelligence Officer working in Kashmir in 1953 sent out false reports about the activities of Abdulla in this country, and we were all kept in darkness. What type of intelligence officers are these who can be bought or purchased for a paltry sum?

Our orders are not obeyed. The orders issued by the Central Government are not obeyed. I have so many instances which I can cite. Even today, in our Defence Ministry, orders are being issued which are not obeyed. Orders are issued by the Home Ministry. They are always flouted, and we are sitting tight over it. When we report that such and such corruption is going on at a particular place, the officers join hands and tell us, after correcting the errors for a short time, that our complaints or allegations are without foundation. I can challenge them, I can show them they are not without foundation. They can see with their own eyes, but the Ministers cannot take it up. It is true that it is a colossal task for them, but at the same time, we have to rise to the occasion.

Here, in this particular instance, what a shameful conduct has been shown. This man goes about and ridicules us. Why talk about the jet planes flying from here. You could send a message in one minute to Jodhpur, which is at the border of Pakistan, and hundreds of planes could have flown from there and shot him down in no time, but we took no action. We did not use our imagination, our intelligence. We did not know the geography of our country and where Pakistan lay. And he flew to Pakistan at a speed of 110 miles. This is the most horrible thing that could have happened to our country.

Walcott might be a swindler or might not have committed any crime for which he was to be kept, but he has committed the crime of taking out a plane and breaking the rules of our airport and our Civil Aviation Act. He should have been seized by us. But are we on terms of reciprocity to get back such criminals, have we entered into terms necessary, under the Fugitive Offenders Act to bring back criminals from other countries? If so, we will have the right to approach America and get him back. I do not know whether we have entered into such agreement or not.

One thing more. These days we have seen that every time any subversive activity is reported from any part by any person—I am not talking of the Communist Party or any particular party—the Defence of India Rules are there and they can be easily used. There is a provision in the Defence of India Rules themselves that if a foreigner is acting in such a manner, even, in a suspicious manner, the use of the Defence of India Rules would be justified. So, the use of the DI Rules in this case would have been justified. Still, in this instance, they slept over it. They slept over it even when there were instances which have been narrated by Shri Nath Pai. I was not aware of those instances. He said that for five months this man had been trying to get out of this country. He made so many attempts and yet we did nothing, with the powers that are vested in us. It is very shameful. Where our own countrymen are concerned, where a man has got no extra-territorial loyalty and where even the ordinary charge cannot be made to him for peace and order yet on the basis of a particular enmity towards one Minister or other he is put behind the bars. But where a man has done an act in a ridiculous manner, in such a manner that he wants us and our whole country to be laughed at by the whole world, we have not been able to use the very powerful weapon under the DIR under which we should

have put this man behind the bars. It is a great shame. I should say that the least that the hon. Minister can do in this case, to preserve his honour and respect, is that he must get out of office.

Shri Joachim Alva (Kanara): Sir, I beg to oppose this motion because the Opposition has stolen something our actual consent. But, all the same, I feel that out of evil cometh good. Good has come out of this evil in the sense that this is not a party issue. The security and freedom of our land is everybody's concern. It is in this that our neck is right in. We inherited from the British a tight, complete machinery where half a dozen men looked from the frontier of Burma and guarded it when the Japs. came into India. Gen. Wingate was trained in the jungles of Madhya Pradesh and he went and lived a very hard life in the jungles of Burma and guarded the frontiers of Bruma. It is not fair for our men to die or stand in guard on our strategic roads and allow ordinary worthless individuals to take care of our security along the Palam airport and sell the pass. This is something very serious. This is the time of emergency when we are expecting our soldiers, who have not been with their wives for years together, to stand guard on our frontiers.

Two of our parliamentary delegations went recently into NEFA and we admired the Punjabi soldiers and also those from the South who did a gallant job, who can be hurled down the road to die 2,000 ft. or more below, and who were doing a wonderful and magnificent job. We do not expect ordinary individuals, civilians, to take charge of our security at the Palam airport and sell away the pass. These civilians are ordinary individuals. It does not concern them at all. They go off from their office and have a club life or any kind of life over which one has no control. But the conduct of these private individuals or Government servants is the

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responsibility of the State and when they have sold the pass in this manner, it is but meet and proper that we should go into the entire security arrangements, because the intelligence force, be it military or civil, has to be first-rate. We claim to be a first rate country, but everything also must be first-rate. We have got some first-rate individuals. Our country is the wealthiest portion of mankind, but where is our talent in organisation? Mahatma Gandhi was murdered because of the lack of security. I knew the ADC who guarded Lord Mountbatten. He was the only son of the last Private Secretary to late King George. He was Lt. Lascelles and by the time he reached England he died of cancer. When the late King's Secretary's successor came here with Queen Elizabeth he was surprised that somebody like me enquired of that fine young man who is no more! It was that single youth, Lt. Lascelles who guarded Lord Mountbatten. We are not lacking in talents. We have had this Walcott incident which is a disgrace to any country and also of the United States, though fair-minded people live therein.

Now, in this connection, I am reminded of a case which I handled during the last war as an advocate before a Bombay British court-martial. A boy, coming from a high family, pocketed or puffed away just a packet of cigarettes. A plea of guilty was made straightway but he got a punishment, rigorous imprisonment for six months! When I told the British court martial that it was rather harsh, he said: they wanted to haul me up. I had to rush for aid to the British Chief Justice of the Bombay High Court, Sir John Beaumont, who was one of the ablest judges, and he said, "I will take care of it; court-martials are like that."

I mention this single incident to show how harsh the British were in regard to a small types of offence, namely, the theft of even a packet of cigarettes. I wish the Home Minister

had laid a whole statement before the House, as to what was the conduct of Walcott before the Indian criminal courts. By 31st January, 1963, after this House had adjourned, we were all shocked to learn that Walcott came and went into Ashoka Hotel and to another Hotel with his lady who is also one of the defendants in the court and they went on a racketeering with explosives and what not. What is your security and my security on the seats of this Parliament; if, when Parliament is within 10 miles of the air-port? Should a man have gone away like this?

In August, 1948, I was in the Karachi air-port on my way to the First Indian Editors' Delegation after India attained independence. My dear friend, late Shri Deshbandhu Gupta who was my colleague and who is no more—he died in an air-crash—had also been invited. There at the Karachi airport, an official, who had a patriotic look in him, told us, "these four planes belong to Mr. Cotton, and these planes leave here at 2:00 A.M. for Hyderabad and come back before 6 A.M." Mr. Cotton flew over India in those planes from Karachi to Hyderabad and went back, in such a short time. But this Walcott incident is worse than that. This incident is something dreadful. In this matter, the soul of the nation, the character of the nation and of the officials and also the integrity of the meanest havaldar are involved. It seems that all good traits are lacking and something is wrong with us all. (*Interruption*).

Please do not interrupt me. Now, we have this responsibility. We must be guarded; we must be on our guard. It is not a party issue. This is an issue which concerns every individual. Sometimes, a policeman drives away even M.Ps. when we cross the barrier at Palam as was said here. We will have to be more vigilant about the crooks and the scoundrels. I hope that the United States of America, which enshrines liberty and justice in theory and practice, will not stand on

technicalities but in large-hearted and generous manner will say, "Here is Walcott; let him stand trial in your court." Perhaps the United States may not be able to help themselves, because Walcott has taken refuge next door in Pakistan. What was Walcott feeling when he got there? He said like this: "The entire Indian security system is worthless. I ran away. They do not know how to run business." These are his words, which he uttered. I have read them, I have not actually quoted them; but this was the sum and substance of what he said to "Dawn" in Karachi.

Our administrative machinery has to be geared up. I wish the Home Minister had put a statement today as to what has happened to Walcott before 31st January, 1963. Though we have got the entire account from the Civil Aviation Department,—that is, on the 26th September, 1963 he escaped—how was he allowed, dumping explosives, to go scot-free from the courts, the courts which are harsh? For instance, the other day, a Delhi Civil court pasted a notice on my door saying "Come and give evidence in the civil case." I said I had no time. The Parliament was sitting. But the judge said "I will haul you down, arrest you drag you off to court." I asked what was the matter. He is a retired judge, a Commissioner in case in which I happened to know something. He said: "I will have you arrested." I asked, "You want to arrest an MP in the course of his business?". The notice was fixed on my door yesterday. I mention this fact to show how courts want to be harsh, where harshness need not be displayed, and where also leniency is shown when justice is essential and this strangulate our safety and independence.

Mr. Chairman: The hon. Member's time is up.

Shri Joachim Alva: I will finish soon. The Civil Aviation Department has laid down the following objectives of the air traffic services:

"to expedite and maintain an orderly flow of air traffic;

to provide advice and information useful for the safe and efficient conduct of flights;

"to notify appropriate organisations regarding aircraft in need of search...." etc.

Do they not possess any staff for maintaining law and order? What is the policeman in mufti doing there? What is the invisible policeman who is not in uniform doing there? What was he doing there at the Palam airport? Palam air-port and all the airports are our lifeline.

An Hon. Member: Safdarjung airport.

Shri Joachim Alva: Palam air-port, Safdarjung air-port and all our airports are our lifeline. They can be destroyed or their safety be lessened only at our cost, because a plane can fly overhead, upstairs, and we shall vanish in no time if this state of affairs is permitted or tolerated.

As I said, this is not a party issue. I have opposed the motion technically. As I said, out of evil cometh good. But this is something where the Home Ministry, the Defence Ministry and the Civil Aviation Department have to have with one pair of eyes and one pair of ears in perfect unison so that they may act in co-operation and complete unity for the safety of our motherland.

Shri Nanda: Sir, I shall intervene briefly in order to set at rest some of the doubts raised by the hon. mover of the motion and to put this matter in its proper perspective. I shall first deal with the personal matter. I agree with the hon. Member that the Government acts as a whole and it has to deliver the goods as a whole. One Member of the Government cannot say that the responsibility is somebody else's. But Government does function in different departments and

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therefore it may be quite proper that when a motion like this comes up, two or three of us explain different aspects of it. That cannot be considered as divided responsibility. There has to be, of course, a unified answer as to the responsibility of the Government as a whole, and I accept that responsibility.

When the motion came to our Ministry, the view was taken that this was a fit matter to be dealt with by my hon. colleague. The reason was, looking at the motion it read, "To discuss escape of Mr. Walcott—a man wanted by Police in connection with the commission by him of several offences". We had a look at it and we found that it was totally wrong. He was not wanted anywhere and the whole basis of this fails to the ground when it is known that he was not wanted anywhere.

Shri Nath Pal: I anticipated this and that is why I said, let him not take shelter under this.

Mr. Chairman: Order, order. He will have an opportunity to reply.

Shri Nanda: He anticipated the proper answer and knowing that the proper answer was against him, is it an argument that I should not give that answer?

Shri Hari Vishnu Kamath: Where has your security gone? Do not sidetrack the issue.

Shri Nanda: I shall deal with security. I have not spoken for two minutes. First I want to dispose of the personal aspect. It was decided that my colleague shall deal with it. If for some reasons somehow there was lack of coordination and my colleague, Shri Raj Bahadur, did not know about it, the responsibility is mine; the mistake is mine and I own it.

I will now go on to the merits of the case. Since the matter refers to

violation of rules and regulations, naturally my colleague will deal with them. I will confine myself to the security aspect. I am glad that the hon. Member brought it up for this reason that just as he has this misapprehension in his mind, the nation also may have it. Therefore, it was proper that the matter be brought up. So, at the last moment when the question was being pressed, I did not think of resisting it. I said, let it be discussed. Maybe I have to learn a little more about procedures like this, but the substance is this.

Shri Tyagi: He succeeded with his adjournment motion like Walcott.

Shri Nanda: I hope the hon. Member does not compare him with Mr. Walcott in other respects also.

Shri Hari Vishnu Kamath: You were caught napping not only then, but yesterday also.

Shri U. M. Trivedi: It is not Walcott, but well caught!

Shri Nanda: It is right that the matter has come up. Naturally he is expected to have concern for this. Naturally every Member of Parliament must have active concern for this question, especially security. But what I wanted to emphasise was, in this case it is not the security aspect involved. Regarding our common responsibility, I may tell the hon. Member that I do own the responsibility for the internal security of the country. Therefore, if anything happens and if it is found that I have not done what I am supposed to have done, he would not find me hesitating, he would not find me trying to evade my responsibility and he would not have to press anything at all.

I hope, Sir, our friends take this matter seriously. I do take it seriously. Let us see what the facts are. How is it that I make a claim that it is not a matter of security at all? Of course, the hon. Member covered a

very wide ground—Goa, Chinese aggression and somebody brought in Bhupat and all that—but I am not going to give an explanation for everything in the past. It may be that some error had been committed somewhere. It may be that even now there are loopholes to be plugged. It will be our very earnest endeavour to plug all loopholes and to improve the working of our security system. The suggestion of the hon. Member as to whether there should be a commission or not is a different matter. But I would welcome any hon. Member to come and tell me anything, to give me any suggestion. Of course, without his suggestion we must try to do our best. But if he has to say anything we will welcome his suggestion because it is a thing of common concern, it is the concern of the whole country and the opposition parties are there and they are not outside the whole nation of which this responsibility is and whose concern it has to be.

Now, Sir, the very simple fact is this. Somehow, these gentlemen about whom mention was made, Messrs. Tata and Sons, gave some money on loan to this man Walcott. If they had not lent this man, Walcott, some money for some purpose—I am not going into the question as to why it was given and for what purpose they gave it—and if they had not gone to the court and obtained some kind of an order the previous day, this man was free to go away. Would there have been any question of security then? Not at all. This man could have gone away simply informing the authorities concerned taking clearance. He could have then taken away his plane. There was no security involved then. This is the central fact of the matter. He was free to go away.

But what happened? Let us understand it. Prior to that there were cases against him, Government funds were involved and there were certain criminal offences for which he was prosecuted before a magistrate in

Delhi. Certain fines were imposed on him and he duly paid those fines. He was not wanted by the police in any further criminal proceedings. I stress that fact.

Then there is one other fact which must have a very important bearing on it and which my friend will possibly bring out in connection with the administration of the aerodrome. The magistrate passed an order. That order enabled Walcott to enter the place for purposes of maintenance. He was free to do that. The customs authorities who have the control over the plane would allow the mechanics etc. to go and work on the plane. Now, this was going on. It was under an order of the magistrate. It would have been a contempt of court not to allow him to do that. He was doing it because there was an order that he should be permitted to do it. (*Interruption*). I am explaining the facts as they are.

Shri Mahtab (Angul): If he was a free man, why was this order from a magistrate necessary?

Shri Nanda: I am talking about the earlier history even when he was not free. Even then this was not the position.

Shri Tyagi: At the time of leaving he was quite free. (*Interruption*).

Shri Nanda: Yes. There was no order of restraint on Walcott. There was an order on Walcott that because he owed some money to Tatas therefore, in the interest of Tatas, he should not take it away.

Shri U. M. Trivedi: That was an order of the court.

Shri Nanda: It was only an ordinary civil case. There was no order to detain him.

Now, I can quite understand the eloquence of Shri Nath Pai. This is a spectacular case, he dramatised it and he wanted to exploit it. He says that we shall be ridiculed because of

[Shri Nanda]

this horrible thing. I think by trying to exploit these things in this manner by making a charge in which there is no substance, by trying to make as if the security of the nation has been violated and we have been doing things which no nation can afford to do, he has done exactly what he has been accusing others of doing. It is exactly by playing to the gallery like this that he is trying to exploit the situation. Since this is the real position, let him wait for some better occasion for using his well-known and admirable power of eloquence.

Shri Hari Vishnu Kamath: Then, why was he chased?

Shri Nanda: I think he was not chased at all. There was no obligation on anybody to chase him. Nobody was asked to keep a watch over him, no police was involved because it was a civil case.

Dr. M. S. Aney (Nagpur): May I know why he was chased by our planes?

Shri Hari Vishnu Kamath: Two Hunter planes of I.A.F. went after him.

Shri Nanda: It was something superfluous.

Shri Hari Vishnu Kamath: Superfluous?

Shri Nanda: Anyhow, I am not explaining it. The court gave an order not to move the aircraft. Therefore, so far as his movement is concerned, the police does not come into the picture at all. He need not get the permission of the police to go anywhere he likes. If he owes Rs. 50,000 to somebody and he goes away, why should the police come into the picture. Therefore, please do not advertise it as if we are so much lacking in taking precautions for the security of this country.

Shri Hari Vishnu Kamath: That is besides the main issue.

Shri Sinhasan Singh (Gorakhpur): Who ordered that the plane shall not be moved out of the aerodrome?

Shri Nanda: The service of the police is called for when there is some order to the police that they have got to do this, they have to be stationed at a particular place or they have to stand guard on something. Since there was no such order, there was no question of police, no question of any warrant action, no question of surveillance, no question of...

Shri Hari Vishnu Kamath: It is complacency worst confounded.

Shri Nanda: My hon. colleague will deal with the rest of the points.

Shri Hari Vishnu Kamath: In that case, why has the Government asked the United States Government to extradite Mr. Walcott?

Shri Tyagi: He was permitted by the court to go and just look after his plane. All right. But, was his plane attached under some decree?

Shri Surendranath Dwivedy: That is none of the concern of the Home Ministry.

Shri Hari Vishnu Kamath: It is most unworthy of a responsible government. Sack them.

15.54 hrs.

[MR. SPEAKER *in the Chair*]

Mr. Speaker: Shri Swell.

Shri Tyagi: Sir, before you occupied the Chair I had asked a question. The hon. Minister has stated that Mr. Walcott was not wanted by any court by any warrant and there was no charge against him except that he was indebted to some party and that for that purpose, his plane was detained. I want to know the position of the plane.

Shri Nanda: His plane was not attached.

Shri Tyagi: So the plane was free?

Mr. Speaker: Order, order. It was only an intervention by the Home Minister. The main answer will come afterwards. Now, let the debate go on.

Shri Tyagi: Anyhow, that matter is clarified now.

Mr. Speaker: Does the hon. Home Minister want to say anything on the questions that have been asked?

Shri Nanda: I have answered all those questions. I do not think there is anything more to be said about it. The man was free to go away and to remove his plane without any let or hindrance before Tatas brought in their claim. In pursuance of that claim some kind of a temporary injunction was issued that he may not remove it till he has paid the money. If he had paid that money, he could have gone away.

Shri Hari Vishnu Kamath: Could have.

Shri Nanda: There was nothing at all to restrain him.

Shri Radhelal Vyas (Ujjain): Sir may I request the hon. Minister, through you, to place on the Table of the House the orders of the court preventing him from taking away the plane and also allowing him..... (Interruption).

Shri Nanda: No.

Mr. Speaker: Let us proceed with the debate. Then we will have the main answer also and after listening to other hon. Members we will see what is left behind and if something more could be clarified..... (Interruption).

Shri Lahri Singh (Rohtak): He has explained the position that the plane was attached.

Shri H. N. Mukerjee (Calcutta Central): A statement has been made

during the proceedings..... (Interruption).

Mr. Speaker: Order, order. One hon. Member springs up and just begins to speak when another is already making a speech. I would request the hon. Members kindly to observe the Rules of Procedure at least. There can only be one hon. Member on his legs at one time.

Shri H. N. Mukerjee: I am going to intervene only because the hon. Home Minister replied at this stage and claimed that in regard to security matters he is the Minister concerned who has given the definitive reply. That is why the question arises—and it has been stated during the proceedings that a court order had been served which required that the plane was not going to be removed unless the court gave the line clear—if the court order had been served—if it had not been served, it is a different matter—yet it was not obeyed because of somebody's default, then the hon. Home Minister must give an answer and satisfy the House.

An Hon. Member: Tell us as to who was responsible.

Shri Bade (Khargone): Let the hon. Minister reply.

Mr. Speaker: Everyone says, let us hear; but how can we hear?

Shri Bade: Let the hon. Home Minister reply.

Shri Raj Bahadur: I would like to know when I should reply.

Mr. Speaker: All right. The hon. Minister says that he will reply to all those questions. Shri Swell.

Shri Swell (Assam—Autonomous Districts): Mr. Speaker, when I read about this incident of the disappearance of Mr. Walcott from Delhi in his own plane, my reaction was the reaction of the common man of India, that is, that the security measures of this country are worthless....

Shri Nath Pai: Non-existent.

Shri Swell: . . . non-existent will be a better word—that the defence is weak and that anybody can get away through the security measures of this country in this manner. I had expected that the hon. Home Minister who has owned that the security of this country is his responsibility should have said something to assure us, to remove our doubts and to create some faith in the people of this country in the security of this country. I am sorry to say that he has failed in doing that. The confusion and the heat which he has generated by his reply just now indicates that he has not been able to set at rest the misgivings and the doubts of the people of this country.

I would like to put just a few questions to the hon. Home Minister which arise from his reply. He has said just now that Mr. Walcott was not wanted by the court. He was not wanted personally, but then the Minister also admitted that the court had passed an order impounding his planes both at Palam and at Safdarjung. That order of the court had been served on the 25th of September. It came out in the papers too on the following day, the 26th of September. Now was it not to be expected that as an ordinary precautionary measure the authorities concerned should have taken steps to see that Mr. Walcott did not have the chance of running away with his plane?

16 hrs.

An Hon. Member: Why?

Shri Swell: Because the plane was impounded. He was not expected to handle his plane or to take it away.

Mr. Speaker: Order, order. There are so many discussions taking place separately in the House.

Shri Swell: I would like to ask: whose duty it was to enforce the order of that court? If it is not the airport authorities, then who is the authority concerned to see that Mr. Walcott does not handle his plane and does not have the chance of running

away with his plane, especially in view of many reports which Government must have had of Mr. Walcott's attempts in the past, previous to this, of running away? It was an ordinary precautionary security measure which ought to have been taken.

I am a lay-man. I am not an expert in aviation. I am not a security expert. But I know this much that before any plane takes off from an airport, the permission of the duty officer has got to be taken—the permission of the person who is in-charge of the control tower. Now, obviously, Mr. Walcott did not have that authority, that permission, from the duty officer to take off his plane. If the duty officer had not given that permission to him to take off his plane, then he definitely ought to have taken that Mr. Walcott was taking off the plane without any permission. I would like to ask the Government as to whose duty it is to try to intercept that plane. Or is it that if anybody wants to take off from the airport, we are helpless to do anything?

The security of the country is upper-most in our minds since the last one year or more after the Chinese aggression. Everybody is talking about security. I expect that our airports are the vital security installations of this country. I do not know what security measures are there in our airports. If a person can take off his plane and go off, what is there to prevent an enemy plane landing in our airports by force, as Mr. Nath Pai has said, taking airport authorities by surprise and then running away? It seems we do not have any arrangement whatsoever to intercept planes. I was told that the the Safdarjung airport does not have the Indian Air Force there. I am told the Indian Air Force planes are stationed at Palam. Granted that is so, even then the duty officer in-charge of the control tower of Safdarjung airport should have immediately contacted the security people at Palam airport and asked them to intercept this plane. Now, when the Home

Minister said that security was not involved at all, what I want to ask is: what then is involved, if not security? If the Government felt that security was not involved, what necessity was there for them to send belatedly two planes after Mr. Walcott to try to intercept his plane? What was it that made them send these planes if it was not the consideration of security? Shri Indrajit Gupta has just now said that he is afraid of another thing. It is a shameful story. It is a story of which we are all ashamed. I do not think that any good purpose will be served just by our picking faults with the Government or finding fault with the Government. I think that we Indians as a whole, we as a nation should feel ashamed and take the responsibility for these kinds of things happening again and again in the country.

Shri U. M. Trivedi referred to the letter which he wrote to the Prime Minister by which he drew his attention to this dismal and sorry story, and he said that he was sorry to get the reply in which the Prime Minister had said that we Indians as a whole suffered from an inferiority complex in relation to the White people and from a superiority complex in relation to our own people. I do not see what is there to be sorry about it. I think that the Prime Minister has only made a statement of truth, and we should take a lesson out of that.

Instead of trying to defend what this Government has done or has failed to do, I think that it would have been more becoming on the part of the Home Minister to have owned his mistake and to say and assure this House 'We have made a mistake; we shall learn from that mistake, and we shall not commit the same mistake in the future'. I think that that would have been more becoming on the part of the Home Minister. But by trying to defend, he has not been able to convince me, and I am sure he has not been able to convince the people of this country also that the thing is as simple as that. There is a whole story of corruption behind that.

We do not believe, for instance, that Mr. Walcott could get away from this country without the active connivance of the officials of this country at different levels. I would like to remind you that this is not the first time that this sort of thing has happened. I do not remember the year, but sometimes in the forties or about 1950 or so, Mr. Laik Ali escaped from Hyderabad almost under similar circumstances. I would like to draw your attention to another thing. On the 12th of October, a horde of Pakistanis, a large number of them, walked into the Indian territory in the Khasi Hills area in Assam, beat up the customs officials in that area, robbed the Customs House in that area, and we say that we could not do anything to resist them because our customs officials and our people were unarmed in that Customs House. I am drawing your attention to all this, because it was all linked up with the security of this country.

I expect the Home Minister to try to find out who are the people really guilty in this sorry story, and to place the report of that inquiry before this House and to mete out exemplary punishment to those people. It is only then that the country will be assured that Government means business when it talks of the security of this country.

Shri Himmatsinhji (Kutch): Mr. Speaker, Sir. It is no pleasure to speak on this unpleasant affair, but as hon. Members before me have already said, this is a very serious matter which affects the security of our country also.

Government can be indicted on two grounds. One is that they allowed the person to go away or fly away and escape, and the other is that when this motion was moved also, it went unnoticed. The Defence of India Rules are applied to our countrymen sometimes vigorously, but it is surprising that in a case like this, Government could do nothing about it. We just had the 'Operation Shiksha' in which our pilots and our Air Force were supposed to be trained in radar. From whatever

[Shri Himmatsinghji]

information has been given to the House today, it is clear that they were given a long time to consider the warnings that were given. In spite of that, nothing has been done to prevent the flight.

I might also mention here that the remarks made by my hon. friend from the Communist Party were quite irrelevant, as usual, to this matter, and apart from that, the mention of the House of Jaipur that he made was quite baseless, I am informed. They did not know Mr. Daniel Walcott and, therefore, I am surprised that a responsible person like the hon. Member should have made such a statement.

He also mentioned the princes in general. I would request the hon. Member to place any facts he has regarding this matter where the princes are involved before Government, the authorities concerned and before this House. Let them take whatever action is called for. However, I do not want to say anything in this matter regarding the princes except that this reference was wholly irrelevant. But since mention has been made here, I am compelled to refer to it. Just now, Shri Nath Pai mentioned that Daniel Walcott was a criminal. To link the names of responsible citizens of this country with a criminal like that is, I am sure, not in good taste.

I was speaking about the radar installations that we have just received from friendly countries. What would happen if there was an air raid or any incursion from the enemies of our country? I hope the information would come quicker than the warning that was received by Government in this case. It is no use fighting shy of this defect in our defence preparedness. We must face up to the facts and remedy whatever is lacking. I am pained to state that this is one of the incidents, a very small one, in comparison to others that have taken place on our borders, which has made us look down before the other countries of the world.

The basic defect or the basic reason for all that has happened in this case is, to my mind, our way of thinking, our approach to these problems. Just now the hon. Member gave all the details of how the various authorities concerned were warned by the chowkidar or whoever was present on the scene at the time, about the activities of Daniel Walcott. In spite of that, nothing was done, and when our air force planes took off in pursuit, they were asked not to shoot it by the External Affairs Ministry. If this is true, it has a direct relation to our way of thinking in these matters. We need not start a war. I think on such small incidents a war may not or would not start.

May I give another example in this connection? Our neighbours have been making threatening moves recently. The Pakistani constabulary or border police, whatever it is called, came into our post and took away valuable papers; yet we could not do anything about it. This is the background from which we have to get out. We have to face facts. This is all I have to say. Thank you.

Shri Hari Vishnu Kamath: May I, by your leave, request you to extend the time in view of the vital national importance of the subject matter of the motion, under rule 62? If I may draw your attention, rule 62 says:

"The Speaker may, if he is satisfied that there has been adequate debate . . .".

Only if he is satisfied, not otherwise.

Mr. Speaker: Let me see if I am satisfied.

श्री राम सेवक यादव (बाराबंकी):
जब से देश स्वतंत्र हुआ है तब से यकेबाद दीगरे ऐसी घटनायें घटती रही हैं जिन्होंने इस सरकार के नंगे स्वरूप को देश के सामने और दुनिया के सामने रख दिया है। हमारे नायपाई जी ने उसका

बहुत ही अच्छा चित्रण अपने भाषण में किया है। लायक अली ला-पता हो गए, वालकाट उड़ गए। ऐसा नहीं कि जानकारी न हो। आराम से अलविदा लेते हुए, विदाई लेते हुए जेल के अपने दोस्तों को मिल कर गए। लेकिन भारत सरकार की सुदृढ़ सुरक्षा नीति, उस के अफसरों की कार्यकुशलता, क्षमता और तत्परता का परिणाम यह निकला कि वह ६० मील की रफ्तार से भी गया फिर भी हम उसको पकड़ न सके। यह सिद्ध हो चुका है और अगर कोई मंत्री या कोई सदस्य इसके बारे में कोई सफाई पेश करता है तो हम समझते हैं कि इससे बढ़ कर और कोई बेशर्मी की बात नहीं हो सकती है।

असल में उस घटना पर न जाते हुए हमें देखना चाहिये कि आखिर कारण क्या हैं, कहां पर बीमारी है? ऐसा लगता है कि कहीं कोई मामला बुरी तरह से सड़ गया है। अगर हम उस तरफ नजर डालते हैं तो हमें दो तीन चीजों पर ध्यान देना होगा। दो तीन चीजों पर हमें अपनी नजर दौड़ानी होगी। अगर उनका कुछ इलाज हो सका तो अच्छा होगा नहीं तो इसके बड़े भयंकर परिणाम आगे चल कर निकल सकते हैं। इसमें बदलाव होना बड़ा जरूरी है।

पहली बात तो यह है कि हम इस मामले की जड़ में जायें। अगर हम जड़ में जायेंगे तो पता चलेगा कि इसकी जड़ में भ्रष्टाचार है। प्रधान मंत्री महोदय ने इस सदन में एक बार कहा था कि भ्रष्टाचार हो सकता है, कहीं कोई छोटे स्तर पर, निम्न स्तर पर हो सकता है लेकिन जहां तक ऊपर का सम्बन्ध है कोई भ्रष्टाचार नहीं है। लेकिन इन घटनाओं ने, लायक अली के सम्बन्ध में घटी घटना ने यह साबित कर दिया है कि बड़े से बड़े स्तर पर, बड़े से बड़े अफसरों में, आई० जी० पुलिस तक में भ्रष्टाचार है और इस वालकाट की घटना ने भी यह सिद्ध कर दिया है कि

इस काण्ड में किसी मामूली अधिकारी का नहीं बल्कि किसी बड़े से बड़े उच्च अधिकारी का हाथ था। यह चीज सर्वसिद्ध हो गई है। अगर भ्रष्टाचार फैला हुआ है तो यह बड़े स्तर पर है और इस बात को सारा देश समझता है। भ्रष्टाचार उससे भी आगे हो सकता है, ऐसा हम समझते हैं। अगर ठीक से जांच कराई जाये और अगर जड़ में जाया जाए तो शायद कोई अच्छे परिणाम निकलने की आशा की जा सकती है।

दूसरी चीज यह है कि हमारे देश की पुलिस, हमारे देश की सी० आई० डी०, खुफिया पुलिस जो है उसकी एक तरह की शिक्षा रही है, उसको एक ही तरह की ट्रेनिंग दी गई है और वह यह है कि अपने ही देशवासियों के खिलाफ खुफियागिरी हो, जहां तक विदेशियों का सम्बन्ध है, उसके बारे में बिल्कुल चिन्ता मुक्त रहो। यह अंग्रेजों के जमाने की बात है और वही चली आ रही है और यह हमें विरासत में मिली है। माननीय प्रधान मंत्री जी खुशकिस्मती से इस समय यहां मौजूद हैं। मैं उनको बतलाना चाहता हूँ कि इसी को हम निभाते चले जा रहे हैं कि देसवासियों के खिलाफ तो खुफियागिरी तो खूब चले लेकिन विदेशियों के खिलाफ न चले। संकटकालीन कानून है। उसी कानून के अन्तर्गत न जाने कहां से इनको खुफियागिरी करने का मौका मिला है, कहां से ऐसे दल के लोगों को, समाजवादी लोगों को, उसके अन्तर्गत जेल में भरने का और गलत चीजें आंकने का मौका मिला है जैसे जार्ज फर्नांडिस को जेल में भरना। लेकिन विदेशी तत्व क्या कर रहे हैं, हालात किस हद तक पहुंचते जा रहे हैं, उसके बारे में हमारे यहां की खुफिया पुलिस को, सरकार को कोई चिन्ता नहीं है। जब तक इस नीति में बदल नहीं किया जाता है जब तक दृष्टिकोण में बदलाव नहीं होता जब तक देशवासियों के खिलाफ खुफिया गिरी और उनके ही खिलाफ रक्षा कानून के इस्तेमाल को छोड़ा नहीं जाता है तब

[श्री रामसेवक यादव]

तक अच्छा परिणाम निकलने की आशा नहीं की जा सकती है। जब तक आपके दृष्टिकोण में बदलाव नहीं आया तब तक ये जो घटनाएँ घट रही हैं, ये ऐसे ही घटती चली जायेंगी। यह एक जंजीर है, एक लकीर बनती जाती है और उसका कभी कोई अन्त नहीं होगा।

हमारे त्रिवेदी जी ने किसी पत्र का हवाला दिया है प्रधान मंत्री के जिसमें उन्होंने कहा कि शायद जहाँ तक सफेद लोगों का सम्बन्ध है, उनके बारे में हम कुछ थोड़ा सा डरते रहते हैं, भय खाते रहते हैं, लेकिन जहाँ तक अपने लोगों का सवाल है हम तेज हो जाते हैं। शायद यह बात सही हो किसी हद तक। लेकिन यह ज्यादा सही है प्रधान मंत्री के बारे में। हम समझते हैं कि प्रधान मंत्री ने यह जवाब देकर अपना ही चित्रण किया है। उनकी विदेश नीति में यही दोष रहा है और इस हद तक विदेश नीति जिम्मेदार है। जहाँ तक विदेशियों का, और उन विदेशियों में भी जहाँ तक सफेद लोगों का सम्बन्ध है, विदेश मंत्री, प्रधान मंत्री, बड़ी ही सद्भावना का परिचय दे रहे हैं, और इस हद तक कि चीन जैसा हमला हो जाए और फिर भी कूटनीतियों की तरह उनका भी स्वागत करते रहे हैं।

तो ये तीन चीजें हैं। जब तक इन बुनियादी चीजों की जड़ को नहीं पकड़ा जाता तब तक ये घटनाएँ घटती रहेंगी।

मैं आपके जरिये निवेदन करूंगा कि अच्छा हो कि रक्षा कानून का प्रयोग देशवासियों के खिलाफ न कर ऐसे व्यक्तियों के खिलाफ किया जाए जो हिन्दुस्तान की सुरक्षा और हिन्दुस्तान की आजादी छीनने में सक्रिय हैं। तब उसका कुछ अच्छा नतीजा निकल सकता है।

अन्त में मैं आप के जरिए प्रधान मंत्री महोदय से चाहूंगा कि इस सम्बन्ध में एक जांच कमेटी नियुक्त की जाए और जो सम्बन्धित लोग हैं उनके खिलाफ जांच की जाए कि क्या यह रिश्त का मामला है या लापरवाही का मामला है। मेरी नजर में यह लापरवाही का मामला नहीं, लेकिन उसकी भी जांच हो। और अगर ये चीजें पायी जाती हैं, तो चाहे वे कितने भी उच्च अधिकारी क्यों न हों उनके खिलाफ सख्त से सख्त कार्रवाई जो मौजूदा कानून के मातहत हो सकती है की जाए। तब देशवासियों पर और इस सदन के सदस्यों पर भी असर पड़ेगा और यह समझा जाएगा कि सरकार सचेत हुई है और कुछ अच्छा नतीजा निकल सकता है।

Mr. Speaker: Shri Raj Bahadur.

Shri Hem Barua (Gauhati): Sir, on a point of order. This is a matter that involves the security of the country and the Government, by shifting the responsibility to the Ministry of Transport and Communications does not devote proper care—(Interruption).

Mr. Speaker: Order, order. I have called upon the hon. Minister.

Shri Nath Pai: I would like to exercise my right, and would like to speak.

Mr. Speaker: I will give him seven minutes.

Shri Nath Pai: A little longer, Sir, because you were not there when I spoke.

Mr. Speaker: Ten minutes have been fixed for the speeches of hon. Members and it cannot be longer than that.

Shri Nath Pai: The right of speech is a right which exists.

Mr. Speaker: It exists, but a time-limit has also to be fixed.

Shri Hari Vishnu Kamath: 15 minutes may be given.

Mr. Speaker: No. The hon. Minister.

Shri Raj Bahadur: Mr. Speaker, Sir, I must start with a word of apology because of my absence yesterday at the time when this motion was admitted. I would not like to go into the details and take the time of the House, but I would only apologise to the House, first, for my absence yesterday but it was for reasons beyond my control.

A case has been made out that there has been a great lapse on our part in regard to security arrangements, that we have deliberately connived at the violations of our rules, etc. A number of epithets have been used, but it is not for me to reply to epithets by epithets. I think the best that I can do is to state the facts in their proper sequence so that we can get a correct perspective of the whole matter.

So far as Mr. Walcott is concerned the first time that his plane came over the first time that we had any dealings with him, was when the Air India stood in need of certain aircraft for certain non-scheduled flights to certain foreign countries to lift important cargo. That was about a couple of years back. The first time when the Piper aircraft, which has been flown away, came here was as far back as May, 1962. To be exact, the date was 25th May, 1962. It was going to and fro between the various parts of the country, Bombay, Lahore sometimes, and Jaipur, and then it came and was grounded for some reason at the Safdarjung airport roundabout July, 1962. For the first time that certain offences were traced to Mr. Walcott, and he was arrested, was roundabout 25th September. He was arrested for violation of certain customs regulations and also later on for the violation of the Arms Act. He was challaned by the police. He was sentenced to six months rigorous imprisonment and a fine of Rs. 2,000 each on three counts and the sentences were to run concurrently. He went in appeal and

on appeal, although the sentence was maintained, it was reduced to the term already served by him. But when the cases were going on, he was released on bail. In this case, although a good deal has been said about his antecedents and Mr. JRD Tata's name has also been brought in specifically, it was only on the recommendation of a very high and respectable official of the World Bank, that the Tatas are reported to have advanced a sum of Rs. 60,000, which was deposited with his solicitors, who ultimately made use of that amount for the bail. So, when we speak about antecedents, so far as we know about him, he is the President of what is known as the Trans-Atlantic Airlines. We know that he has been supplying planes to us when we wanted them for scheduled flights. We know that apart from the Piper, even today there is a Skymaster, of course without engines. But even without engines, it is easily valued today and perhaps the IAC will be happy to buy it for Rs. 20 lakhs to Rs. 25 lakhs. So, one thing is clear, that he was a man of property, that he was flying aircraft and that our own nationalised airline also used his aircraft. We have it on the authority of no less a person than Mr. Indrajit Gupta that he had been mixing with Rajas and Maharajas. So, far as this case is concerned, unless Mr. Nath Pai has got some special source of information about certain heinous offences committed by him in this country or elsewhere, we know nothing excepting that he was charged under the Arms Act on three counts. He was punished and he served the terms of imprisonment. He was also charged for violation of customs regulations and paid the penalty for it.

While he was hauled up for violation of customs regulations, an order was issued by the Assistant Collector of Customs, which I shall read out. It is dated 8th March, 1963. It reads:

"By virtue of the power conferred upon me under section 142(i) (b) of the Customs Act, I Assistant Collector of Customs, Delhi, order that the Piper Plane No. so

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and so grounded at Safdarjung Airport shall be detained till such time as the amount of the penalty is paid."

A copy was forwarded to the Deputy Superintendent of Police, Safdarjung Airport who was asked to "ensure that the aircraft is detained". A copy of this order was passed on to the airport authorities for information. What is the function of an airport? It is to regulate air traffic, to prevent collisions in air and also to provide such navigational and other aids required under the ICAO regulations by flying aircraft, ours or foreign aircraft. Any citizen of a country, which is a member of ICAO, can land in any other country. They can land and ask for necessary facilities. They can-

not take any traffic, unless there is some agreement to that effect. But they can come and obtain all types of assistance and help and also for looking after their planes, etc. So, any citizen of a country which is a party to the ICAO convention can land at Safdarjung. He landed in our country with the Skymaster which is at the Palam airport and in this case with the Piper plane.

What happened in this particular case? Because he had not paid the customs penalty, an order was issued by the Customs Collector. A copy of it was sent to the Deputy Superintendent of Police saying that "that plane should be detained and proper arrangements should be made." A copy was sent to the airport authorities merely for information. As soon as he was sentenced, he was sent to jail and he served the term of imprisonment. Mr. friend, Mr. Indrajit Gupta said this man has been hobnobbing with our aircraft officers; perhaps certain motives have been attributed. All sorts of things—drinking, corruption, debauchery—have been raised here. I am surprised to know that this man was released only on 23rd September, 1963 and charges of hobnobbing are made against him, even

though he flew away only a couple of days after.

Shrimati Renu Chakravartty: He was seen in the canteen the previous day.

Shri Raj Bahadur: I do not know whether the canteen serves drinks. But if you think that all our employees of air services, and air corporation employees are so vicious that they do nothing but drinking in canteens, this is a tribute you are paying them. I am not concerned with that, but I will say that he came out of the jail on 23rd September. He paid all his fines which were imposed on him under the criminal cases or the Arms Act cases. He also paid away all the penalty he had to pay to the customs and the Customs Authorities then issued an order on 25th September which runs as follows:

"Consequent upon payment of penalty amounting to Rs. 15,000 by Mr. Daniel Walcott, the Piper plane lying grounded at Safdarjung Airport is allowed to be removed."

This order is actually dated 24th September. He could have flown away the aircraft because he had paid all the penalties and fines, and had also served the terms of imprisonment. Therefore, in this particular case, so far as the man was concerned, the Home Minister was absolutely right in saying that there was no restriction on him on the 24th and the 25th. I would say that there was no restriction against the person any time even thereafter because he was not wanted in any case.

Shri Nath Pai, unfortunately, has been making what may be called, suppositions, if I may say so. I have already explained some background about his antecedents which Shri Nath Pai had attached. He said that warnings were issued that he should not be allowed to fly. I will come to that subsequently. But I would like to say here that no warnings were ever issued. Shri Indrajit Gupta mentioned about hobnobbing

That also is not a fact. Then he said that there was the authority to shoot down his plane. I will come to that. That also, I think, is absolutely unwarranted. What for is an air force? The air force is to intercept hostile aircraft violating our space. I will come to that point, but I would answer here only one point that he made. He said that while he flew over the jail, Walcott dropped chocolates and biscuits and said "ta ta". How could Mr. Nath Pai or his informants hear "ta ta" in the drone of an aircraft I do not know? I think Shri Nath Pai or his informers alone could hear his "ta ta" from that altitude. So far as his dropping of biscuits etc. is concerned, we have made the necessary verification from the concerned authorities and we have been informed that no biscuits were dropped in the jail premises. I do not know from where he got this cock and bull story to palm it off here. Probably he wanted to make out a cogent case in an eloquent manner. But eloquence must not be confused with mere vague charges, mere hearsay and mere vituperative language or epithets. So far as this is concerned, I will say that the whole case has been made up on suppositions. The first supposition is that he was wanted by police on so many cases, that he was a culprit, that he was a wanted man, that a scooter had been placed which was removed by the airport authorities and all that. We have made enquiries and we have found that all these allegations are absolutely incorrect.

Now, what happened? After this order was given he came and said that he wanted to go. This was on the morning of the 26th. But before that a private suit also had been brought. That was from no other party than Messrs. Tata Sons Private Limited, for the recovery of the amount that he should have borrowed. It was a civil suit. In that civil suit all that happened was, that the concerned learned judge only passed an interim order which, I think was in the nature of an injunction. It was never an

attachment order. We shall have to draw a distinction between an attachment order and an interim order. The court does not merely pass an order of attachment and leaves it at that. In a case of an attachment the court entrusts somebody authorised by it to take charge of the property or the court itself takes it up and puts somebody in charge of the property and makes him responsible for it.

An Hon. Member: Read the order.

Shri Raj Bahadur: It is like this:

"Whereas an application has been made by the plaintiff" the plaintiff here is Tata Sons "against Mr. Daniel Walcott under section. . . . it is ordered that aircraft type Piper PA23 Registered No. 31463 be not removed from Safdarjung Airport. . . ."
(*Interruption*).

Let me state the whole case. Let the hon. Member opposite have the patience to hear the order in full.

"You are also ordered not to withdraw an amount to the extent of Rs. 20,000 from the court of N. L. Kakkar, Sub-Divisional Magistrate, New Delhi till 28-9-63. You are further given notice of an application and objection to the same, if any, may be filed on 28-9-63, the date fixed for the hearing of the case, given under my hand."

A copy of this order was forwarded to the Aerodrome Officers, Safdarjung.

I have had some experience of law and I say in all humility that this is not an order for attachment. It is an interim order, restraining a particular party from doing a particular thing. That is all; nothing more than that. An attachment order implies many things and many steps have to be taken. None of those steps is contemplated here in this case. I have

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read out the previous order of the customs authorities. The customs authorities were good enough, careful enough, to address a copy of the communication or order to the Superintendent of Police, telling them that the aeroplane of Mr. Walcott shall be detained and a guard posted over it, which was done. In this case, no such endorsement was there. Now what happens? What can the police do? The police cannot act on its own violation in such cases. Judiciary is completely independent of the executive, we want it and we stand for the separation of judiciary from the executive. So, the executive cannot interfere in a domain or a province which is not its own. When the order does not go to the required limit, how can we interpret it that way?

Shri H. N. Mukerjee: When an interim order is made, for the interim period it has to be obeyed.

Shri Raj Bahadur: Can any citizen of this country go against the order of the judiciary or try to interpret it his own way?

Mr. Speaker: What the Minister is trying to argue is that this order by the court was directed to the person himself and not to any other authority, whether police, magistrate or administration.

Shri H. N. Mukerjee: But the court has sent a copy of it to the aerodrome authorities.

Mr. Speaker: That information is given. But the order says that Mr. Walcott has been asked by the court not to remove the aircraft. That is all.

Shri Raj Bahadur: Exactly. The order was addressed only to Mr. Walcott; none else. We were only informed.

An hon. Member: What are you for?

Shri Raj Bahadur: I accept that question "what are you for?". Here I repeat again that the airport is not a security organisation. It has no

police organisation. Secondly, even the police and the security could not come in in a field where the court is seized of the matter. The police could not have transgressed its authority; it can only act under the authority of the court when it is a civil case. In this particular case, if the police had done any other thing, that is, acting without any directions from the court, they would have been very well accused of corruption by the very same Members (*Interruptions*).

Shri H. N. Mukerjee: I want to know.....

Shri Raj Bahadur: Sir, I am not yielding.

Shri H. N. Mukerjee: Is this democracy or not?

Mr. Speaker: Order, order. Let him continue.

Shri Raj Bahadur: In such a contingency, my hon. friend, Shri Mukerjee, would accuse the police of being in collusion with Messrs. Tatas and Sons and ask why the police have behaved in that manner (*Interruptions*).

Shri H. N. Mukerjee: You sit down.

Mr. Speaker: Order, order.

Shri H. N. Mukerjee: Sir, you have been a judge. The court has given an order, interim or otherwise, and a representative of the Government says that it is not the duty of any agency of Government to enforce that order. Let the Prime Minister say there is anarchy in this country. (*Interruptions*).

Mr. Speaker: Order, order.

Shri Raj Bahadur: This order was merely an information.

Shri H. N. Mukerjee: This order is an information? What is this?

Mr. Speaker: Order, order. Let us have some order here also.

Shri H. N. Mukerjee: This is sheer nonsense. Sir, would you please give an answer. The court gives an order.

Shri Raj Bahadur: The hon. Member might feel that what I am saying is nonsense. But I would appeal to his good sense, as a citizen of free India, a country which has got a Constitution under which we have all to function.....

Shri H. N. Mukerjee:in which the court gives an order and you keep chup.

Mr. Speaker: Order, order.

Shri Raj Bahadur: Now, can the airport authorities or the chowkidar take over the duties of the police? Or can the police itself take over that function when it is not asked to do so? It cannot. (*Interruptions*).

Mr. Speaker: Order, order. That is the beauty of democracy that even if we do not like the ideas that are being expressed, we have to listen to them. Therefore hon. Members have to listen to it whether it is palatable to them or not, whether they like it or not and whether they agree with it or not.....(*Interruption*). Opinions might differ. That might be a different thing; but they have to listen to the reply.

Shri Raj Bahadur: After this order—I do not want to repeat; I only want to refer to what my senior colleague, the hon. Home Minister, has said. He has already referred to a particular order which was passed even by the customs authorities and even in a previous case by the same magistrate, namely, that he could attend to his aircraft. Under the ordinary rules and conventions if I park an aircraft in the hangar, as a free citizen of this country or of another country, I have got every right of access to the hangar or to the airport where it is parked.

1400 (A) LSD—9.

Shrimati Renu Chakravartty: No.

Shri Raj Bahadur: Yes; it is so.

Shrimati Renu Chakravartty: Not anybody.

Shri Raj Bahadur: Not anybody; but if I am flying an aircraft, I can go to the airport because I have come in the aircraft and it is my aircraft. We are allowing it to any and every aircraft that is coming. If my hon. friend means to say that we should stop this, this would create confusion in the aviation world. Of course, he could go to the airport and to the hangar. He was authorised to do so by no other authority than the Customs Collector himself and the magistrate himself. They authorised him to go and attend to it. That is necessary; otherwise, the aircraft will be a total waste. It will become useless if it is not attended to. He came out of jail after a number of months on the 23rd September. In the interregnum, that is, when he was in the jail, his aircraft was not being attended to. So, naturally when he came out of jail, he wanted permission to charge his batteries and to put some petrol in it. He already had petrol in it. He had not used all the petrol that was there in the tanks. He went with cans. He could clean the whole aircraft, charge the batteries and put some petrol in it. Then he ran the engines.

Shrimati Renu Chakravartty: Is it allowed to private individuals to fuel? Is it not against the rules? They are not permitted to do it by our aircraft rules. No individual can do it. Only agencies can do it. Why was it permitted?

Shri Raj Bahadur: I would say that so far as the running of the engine is concerned, it requires small quantity of petrol. It can be brought in a container. But our inquiry held that so far as this act of his is concerned, it is a violation of the rules. We have not said that it is not a violation of the rules. But after the

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rule has been violated, what is the penalty? It is a non-cognisable offence, first of all; and then in a non-cognisable offence the concerned authority—in this case the DGCA—had to make a regular complaint in a proper court. That court could have issued a warrant against him and that also for the violation of the rule and for nothing else.....(Interruption). If I am asked to reply to all these questions, I will only be taking the time of the House; I can reply to all these questions.

Now, it has been said that if the rules violated, why he was intercepted. I would ask as to what are the rules that he has violated. I will give briefly what is relevant to this point. The first violation was about the fuelling of the aircraft in a hangar. He put in the petrol there and that was not permitted. It is a non-cognisable offence punishable with imprisonment for two months or fine not exceeding Rs. 500. It is "or fine" and not "and fine".

Shrimati Renu Chakravartty: What was done?

Shri Raj Bahadur: Being an American registered aircraft, it was required by US regulations, rule 15, that the aircraft should possess a current certificate of airworthiness. It did not have that, but let it also be realised—I repeat what I said in the other House—that it was extremely foolish on his part to have flown in that aircraft because it was not equipped with a certificate of airworthiness and also because it was not tested. There are three or four other offences. All of them are minor, but all these offences were committed actually when he took off. No offence was committed so long as he was on the ground—because he was allowed to attend to the air-craft—excepting one regarding fuelling.

Shrimati Renu Chakravartty: His officers knew about it and they al-

lowed it. He is not replying to that. His officers are being protected by him. The officers were informed by a Class IV employee that he would take off. He does not answer that point.

Mr. Speaker: But I find myself helpless in this atmosphere. What would have been the case there? I have been appealing again and again anybody listens to me. He is trying to give the reply. Unless we hear him.....

Shrimati Renu Chakravartty: He is not giving the reply. What he says is, "What can we do?".

Shri Raj Bahadur: As soon as this gentleman reached the hangar and he took out the batteries, the chowkidar came and reported it to the airport officer who was on duty. He at once went and asked him, "What are you doing?". He said, "I have come to attend to my aircraft and to replace the batteries because I have to run it." He was doing it before. So, that permission was given. He again came and put some petrol in the tank. One of the airport officers went right upto the hangar and checked everything. It is absolutely wrong to say that he allowed him to have a free hand to attend to the aircraft. Of course, he could attend to the aircraft. But then in the meanwhile, because he was involved in that case, the airport officers were themselves considering what further action they could take in case there was any further violation of this thing. That is because of the order. If the order of the civil court was not there informing that he cannot remove his plane, perhaps they would not have cared for that.

Shrimati Renu Chakravartty: He violated the rules.

Shri Raj Bahadur: What rules? I can go into them. He contravened rules only when he took off. Before he took off, except the re-fuelling, no rule was contravened.

Shrimati Renu Chakravartty: How could he re-fuel it?

Shri H. N. Mukerjee: Do you catch a thief after he has gone away or while he is thieving?

Shri Raj Bahadur: Let me know the questions that they want to put.

Mr. Speaker: I am not allowing any questions now.

Shrimati Renu Chakravartty: Please allow me to put one question.

Several Hon. Members: No, no.

Mr. Speaker: If the Members are so agitated.....(Interruptions).

Shri H. N. Mukerjee: He says, you cannot catch the thief till he runs away. He should resign at once.

Mr. Speaker: Every Member had an opportunity to say whatever he thought was proper. Now, it is for the Minister to answer and his reply must be heard.

Shrimati Renu Chakravartty: He is not answering. That is exactly the point.

Shri Raj Bahadur: Let me know the questions that they want to put.

Mr. Speaker: I am not allowing any questions. My difficulty is, I am not allowed to exercise control or check. There are so many voices raised that I feel myself helpless. He might continue his speech.

Shri Raj Bahadur: I will again repeat what the offences are and when they could have been committed. One is: an aircraft registered in a foreign country shall be operated only by a person properly licensed in accordance with the regulations of the

State. Mr. Walcott did not possess a licence which was current on the due date of his flight—the current licence was not there. This was one offence. But that offence is not committed before he flies. (Interruptions) Of course, not. It is absolutely clear.

Shri Tyagi: Unless a person murders, no murder can be committed. The crime is committed only when one murders. Before the murder, there is no crime.

Shri Raj Bahadur: I think, it is not so simple as that. Even supposing all these offences could have been anticipated, what was the remedy? Let the Members agree on that. Some Members opposite were raising doubts. The remedy was that the D.G.C.A. should have been compelled to file a regular case in a court of law. The D.G.C.A. could not have done anything on the spot because either the D.G.C.A. or the chowkidar or the other people should have acted as police guards which they could not do, or they could have taken some orders anticipating if all these things were done. These things were not done till then. The D.G.C.A. should have gone to the court and got orders from the court. I am trying to answer what the airport authorities, about whom so much has been said could have done. They could have done nothing excepting going to the court. (Interruptions).

Shri Ranga: So many people are being arrested without showing any cause at all. He could have easily arrested this man. It is not a question of taking umbrage under all sorts of excuses. It is an insult to the House, to the people and to the country. (Interruptions).

Mr. Speaker: Order, order.

Shri Raj Bahadur: I think the issues are being confused needlessly.

Shri Tyagi: Why was he chased then? (Interruptions).

Mr. Speaker: Is the House in a mood to listen to the hon. Minister or not?

Shrimati Renu Chakravartty: We are not interested in listening to this kind of thing?

Mr. Speaker: Then, should I ask him to sit down and conclude? Is that the desire of the House?

Shrimati Renu Chakravartty: This kind of frivolous answer should not be given.

Mr. Speaker: It is for him to make his reply and advance his arguments. I cannot put my arguments or the Members' arguments into his mouth. He has to reply to them, and he is trying to do so. Whether we like it or not, whether that is cogent or not is a matter which it is for the Members to judge for themselves, but he must be allowed to have his say.

Shri H. P. Chatterjee (Nabadwip): The simple remedy is that he should resign.

Mr. Speaker: It is a good advice that he has given! But can I execute it?

Shri H. P. Chatterjee: You should have the opinion of the hon. Minister.

Mr. Speaker: Even in spite of this advice, he has to listen to him.

Shri Raj Bahadur: I should say that now comes the last stage. When he had taken off, and as soon as the air-port authorities came to know, within three minutes of that, they gave a ring to the Air Force Radar Unit, and the Air Force Radar Unit were, first of all, thinking that the matter was difficult because their duty, as I said in the beginning, was essentially to intercept hostile aircraft, and this was a case where evidently excepting the violation of the traffic regulations, nothing else could be reported or could have been reported against Mr. Walcott, because personally there was no case against him. So, they consulted the Command, and ultimately they decided that an aircraft should be sent, pending

consultations with the External Affairs Ministry. When the External Affairs Ministry got to know the whole facts, they said that we could not take any violent action, excepting that if we could intercept, we could intercept, but no shooting could be done, because, after all, at the most, it was a case of violation of traffic regulations. Therefore, the point was that no particular success in this method could be achieved. And whereas it was indicated by all reports that he had flown in the north-western direction, towards Lahore, actually, he took off for Karachi. Then, there was some time taken in getting the necessary permission to fly a Hunter and to chase him. That time was also taken. But I should like to say, so far as that is concerned, that

Shri Hem Barua: We want to know what the time-lag was.

Shri Raj Bahadur: The time-lag was about 50 minutes or 55 minutes; it was only about that much and not more. But that time was necessary.

So, I would say that so far as the chasing part of it is concerned, it was an extra work that the Air Force took upon themselves. In fact, under the existing rules, they could not chase a civilian aircraft like that.

The last point that has been made is that we should not put our country to shame and that we should not . . .

Shri Hari Vishnu Kamath: You have done that already.

Shri Raj Bahadur: . . . depend upon the US authorities for requiring him to be produced here. We have got an extradition treaty with the US Government, and that is an old one, and it was open to us to inform the US authorities in regard to the nature of the incident that had taken place, and inform them also of all the details. And the Federal. The aviation authorities of the US Government were good enough to assure

us that they would take all possible steps to take such action as was warranted under the rules and the laws, both the US Government rules and also the Indian Aircraft Rules etc., against Mr. Walcott, but I am informed that to this date, the whereabouts of Mr. Walcott are not known; and he has also taken away the Piper Aircraft from the control of his own country and he has put it in Israel.

Now, these are the circumstance in which we have got to content with this situation. But I do not know what the air-port authorities could do; I do not know also what the police could have done; unless and until the police were asked by the court to proceed against this aircraft, to impound it and to guard it, what could they do?

So, in the circumstances, the case that has been made out by Shri Nath Pai, though it might have been very eloquent, is based on certain suppositions, on mere suppositions, a story which is based on a make-believe. I would say that it was hardly a case for an adjournment motion, and particularly when Shri Nath Pai should have known from the list of questions that a question on that subject had been tabled for today.

Shri Tyagi: The hon. Minister has floored him.

Shri Raj Bahadur: Especially when a question on that particular subject had been tabled for today, he should have remained content with that information, and then only he could have brought up the adjournment motion, if at all. I am grateful to the House for the indulgence shown to me. If any angry words have been thrown at me, I hope I have not retaliated.

Shrimati Renu Chakravarty: It is a shame on yourself.

Shri Nath Pai: Mr. Speaker, I must confess that I was not only disappointed but very much distressed to listen

to the speech of Shri Nanda. I have known him for a very long time. We happened to be in the same jail in 1942 and since then I have had a regard for him. But I never knew that in order to score a debating point he would show such scant regard for a matter in which all Members of this House . . .

Some Hon. Members: No, no.

Shri Nath Pai: . . . irrespective of party, feel equally concerned. This protest is only to remove the charge that yesterday they were taken un-awares; they want to show that they are very alert.

I had expected, and I think the whole House and perhaps the country, the public and the press had expected, that taking the opportunity provided by this motion, the Home Minister in particular would come forth with a reassurance that 'things are not as bad as perhaps you might be thinking'. Instead of giving such an assurance, he thought it fit to treat us to a very strange piece of rhetoric.

What kind of things he said? The worst thing was that in his eagerness to score against me, he insinuated against the Speaker, by saying that I was exploiting a situation. While making this remark—I am constrained to say; it hurts me to say this—he was insinuating that the Chair in giving consent was unwise . . .

Shri Nanda: No such insinuation was at all intended . . .

Shri Nath Pai: . . . and the House—normally I would have sat down, but he has today set a bad precedent; he did not yield even once—was irresponsible in giving unanimous consent to me. But I leave it at that. Perhaps after the heat he will think better of what he has said.

But among the gems of legal and constitutional poppiety which he has propounded are some which need to

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be answered very quickly and very seriously. Time and again, he was labouring the point that the order preventing Mr. Walcott from taking the plane was issued at the instance of a private party! How wrong it is for the courts to act at the instance of a private party! (*Interruptions*). Please go through your speech. Again and again, you have said that that was an order in the interests of Tatas. I am glad that Prof. Hiren Mukerjee—and that should satisfy him—took him to task for this kind of statement. Is there a different law in this country for different persons? But, his colleague, Shri Raj Bahadur, who normally is very responsible—I do not know what went wrong today—said something very interesting. He said 'the police cannot do anything about such an order.'—these are his exact words. If the police cannot enforce the order of a court, who enforces it? The Sadhu Samaj?

Shri Raj Bahadur said, 'we do not know the whereabouts of Mr. Walcott'. And he thought that was a profound statement! Are you sure that Mr. Walcott may not be hiding in New Delhi, as he has done in the past?

Shri Raj Bahadur: Can you give the information?

Shri Nath Pai: The Home Minister said that he was free to go. That was his central point. These are his exact words: 'The central fact was that he was free to go'. Now, was he so free? If he was, then why have you sent a note to the American Embassy making a request for his return? You never do that in the case of a man who was free to go. It was because he was a wanted man. Because he was a wanted man, therefore alone you could do that. Otherwise, what was the justification for doing that? Then, why were the planes of the IAF ordered to pursue him? He has said something interesting. He says the planes ought not to have gone, it was not necessary. He said the chase was not necessary. If the planes

were not flown to chase him, were they escorting this honourable man? Or perhaps he had forgotten *pan dan* and *hookah*, and because of our charity, well known Indian hospitality, were the Government of India trying to fly them to him? What is the meaning of saying the planes ought not to have flown?

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In trying to defend his own colleague in the Transport Ministry, he has castigated, perhaps unwittingly, the Defence Ministry which sent two of its aircraft to intercept the plane. What was the meaning of it? If he was free, if an order was not pending against him, why were you trying to get him back? I do not understand the meaning of it. What is the meaning of your note that you want to get him back.

I would like to say that about the pursuit, the Government's plea is very interesting. The plane could not be intercepted because it was flying at a low height. This is a very novel plea. The Walcott plane, the piper plane, cannot be intercepted because it flies too low and too slow. The Chinese planes cannot be intercepted because they fly too fast and too high. It is a wonderful thing indeed.

Shri Raj Bahadur: Just to correct an impression. Since they have also allowed themselves to intervene, I would say that what has been said is that on a radar screen a low flying plane cannot be detected, cannot be traced. That is all that has been said.

Shri Nath Pai: I think the House will recall the point that no less a person than the Prime Minister has said, whenever a question was asked why the Chinese offending planes or the Pakistani planes could not be intercepted, that the hon. Members do not know that the planes fly very fast and very high, and even the radars cannot detect them. This has been the classical reply given times without number to this House.

Listening to Shri Nanda and Shri Raj Bahadur one thinks that this Walcott, misunderstood by us, misrepresented and maligned by the press, is a paragon of virtue. They almost give him a certificate, almost recommend him, as somebody hinted, for the Padma Bhushan on the 26th January list of honours. Here is the man, where did we get bad reports about him? We get reports about him because we keep our ears open and we do not allow our conscience and ears to be plugged by official reports.

He made fun of me by saying, "Where does he read about the biscuits?" While trying to pay me a compliment regarding my alleged eloquence, they tried to say that I was carried away by something my imagination was dictating. I read the Indian papers, papers, I may say for the satisfaction of the balance of power in the ruling party which are both to the right and to the left. This is what happened. It says Walcott dropped biscuits for jail mates. I do not own this press, I do not get money from this paper for party contributions. This is a well known paper which publishes it, all papers have published it. (*Interruption*).

समझते हैं तो रेलिण, बिना मगजे

मत बोलिण ।

This was a daily here, and practically all the dailies had carried reports about it. This was the source. Of course I do not have any other source. So, I depended upon it.

He has said he was free. All right, I grant it to you. But was he free to import five boxes of cartridges—I will give you the numbers—by DC 434 and then transport them to DC 31? Was not your officer called upon to see how it was happening? Did it not happen under the very noses of the security officers? How were they transported from Palam to Safdarjung? Did they fly, did they disappear, did they perform the rope trick? They went in a jeep.

They have accused me of all kinds of things. Shri Raj Bahadur made this delightful statement an airport is not a security force. What a profound revelation! What we demanded was not that the airport converts itself into a security force, but that there should be a security force at every airport in the country. That is the simple demand. But he distorts even that. Even at this stage we want to know if there is any armed constabulary or armed force at the airports to look after security. What are the intelligence men doing? Shri Swell, pointed out that these are the vital strategic points in the country. And what a cavalier, casual, indifferent manner of replying!

Listening to Shri Nanda, one would feel that nothing whatever is wrong in this country. The only thing wrong is pointed out that men like Walcott can avoid the laws of this country. Nothing is better than being a Walcott, and nothing is so bad as pointing out that there is danger in this country!

Finally, may I ask a question? Shri Mohiuddin—I think party discipline will not be employed against him—had made a statement that this affair was a serious affair. He made a public statement. I hope he will not disown it. It was serious. I think in a lapse into truth he stated the truth! He lapsed into truth because he did not allow official prestige to debar him, restrain him, and he uttered the truth that it was a serious matter. He further disclosed to the press that an enquiry was being made. I want to know what has happened to that enquiry. Who has been found guilty, in a country in which the guilty shall not be punished, and the meritorious shall not be rewarded, in a country in public duties shall be ridiculed, even their motives suspected; I do not think that that bodes well for the future of the country. We want to know that the guilty are punished. Never in this country, whatever the enquiry, be it the NEFA enquiry involving the security of this country, or be it an en-

[Shri Nath Pai]

quiry like this, has the guilty person been found. No one is found guilty. The Minister is never guilty. The officials are never guilty. What is guilty is the rules! Only the rules are to be held guilty.

May I, in conclusion, make a very simple plea to him? I was not carried either by my oratory or by my partisan spirit. As you found, behind the party discipline, the overwhelming majority of the Treasury Benches, particularly the back-benchers who are not expecting, and particularly those who do not expect any benefit out of the Kamaraj plan, were as concerned as I felt, as those who supported the motion felt. Take this concern and anxiety of the House, of the country, of the press, into consideration and see to it—unless you think that this is an example to be emulated by all Walcotts,—that there are no Walcotts and try to nip them in the

bud. Even at this late stage, please take into consideration my suggestion for creating a security council and examining the whole apparatus of the security of this country. If you do this, this debate would have served a useful purpose. Thank you very much.

Mr. Speaker: I shall put the motion before the House. I need not read the details. The question is:

“That the House do now adjourn.”

The Lok Sabha divided.

Mr. Speaker: Any corrections to be made in the Ayes? I see three hon. Members standing. So, 3 more to be added to Ayes. Any corrections to be made in the Noes? I find three hon. Members standing. So, 3 more to be added to Noes.

Division No. 1]

AYES

17.44 hrs.

Aney, Dr. M. S.
Bade, Shri
Badrudduja, Shri
Barua, Shri Hem
Bhattacharya, Shri Dinen
Bhecl, Shri P. H.
Chakravarty, Shrimati Renu
Chatterjee, Shri H. P.
Chaudhary, Shri Y. S.
Chaudhuri, Shri Tridib Kumar
Deo, Shri P. K.
Dwivedy, Shri Surendranath
Gayatri Devi, Shrimati
Gokaran Prasad, Shri
Gupta, Shri Indrajit
Gupta, Shri Kashi Ram
Gupta, Shri Priya

Himmatsinhji, Shri
Jha, Shri Yogendra
Kachhavaiya, Shri
Kakkar, Shri Gauri Shanker
Kamath, Shri Hari Vishnu
Kandappan, Shri S.
Kapur Singh, Shri
Kar, Shri Prabhat
Krishnapal Singh, Shri
Kumaran, Shri M. K.
Lahri Singh, Shri
Laxmi Dass, Shri
Mate, Shri
Mohan Swarup, Shri
Mukerjee, Shri H. N.
Naiz, Shri Vasudevan

Pottekkatt, Shri
Ranga, Shri
Reddy, Shri Eswara
Reddy, Shri Narasimha
Roy, Dr. Saradish
Sen, Dr. Ranen
Sezhiyan, Shri
Solanki, Shri
Swell, Shri
Trivedi, Shri U. M.
Venkaiah, Shri Kolla
Vishram Prasad, Shri
Warior, Shri
Yadav, Shri Ram Sewak
Yashpal Singh, Shri

NOES

Abdul Wahid, Shri T.
Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alva, Shri Joachim
Anjanappa, Shri

Azad, Shri Bhagwat Jha
Balmiki, Shri
Barkataki, Shrimati Renuka
Barupal Shri P. L.
Basumatari, Shri
Baswant, Shri
Besaral, Shri
Bhagat, Shri B. R.

Bhagavati, Shri
Bhakt Darshan, Shri
Bhanja Deo, Shri L. N.
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bist, Shri J. B. S.
Borooh, Shri P. C.
hwar Prasad, Shri

Brij Raj Singh Kotah, Shri	Kedaria, Shri C. M.	Panna Lal, Shri
Chakraverti, Shri P. R.	Keishing, Shri Rishang	Pant, Shri K. C.
Chanda, Shrimati Jyotana	Khadilkar, Shri	Paramasivan, Shri
Chandak, Shri	Khan, Dr. P. N.	Patel, Shri Chhotubhai
Chandrasekhar, Shrimati	Khan, Shri Osman Ali	Patel, Shri P. R.
Chaturvedi, Shri S. N.	Khan, Shri Shahawaz	Patil, Shri D. S.
Chaudhuri, Shri Sachindra	Khanna, Shri Mehr Chand	Patil, Shri J. S.
Chaudhuri, Shrimati Kamala	Khanna, Shri P. K.	Patil, Shri M. B.
Chavan, Shri D. R.	Kindar Lal, Shri	Patil, Shri S. B.
Chuni Lal, Shri	Koujalgi Shri H. V.	Patil, Shri V. T.
Das, Dr. M. M.	KriPa Shankar, Shri	Patil, Shri Vasantao
Das, Shri B. K.	Krishna, Shri M. R.	Patnaik, Shri B. C.
Das, Shri Sudhansu	Krishnamachari, Shri T. T.	Pattabhi Raman, Shri C. R.
Dasappa, Shri	Kureel, Shri B. N.	Pillai, Shri Nataraja
Das, Shri G.	Lakshmikanthamma, Shrimati	Prabhakar, Shri Naval
Deo Bhanj, Shri P. C.	Lalit Sen, Shri	Pratap Singh, Shri
Desai, Shri Morarji	Laskar, Shri N. R.	Raghunath Singh, Shri
Deshmukh, Dr. P. S.	Laxmi Bai, Shrimati	Raghuramaiah, Shri
Deshmukh, Shri B. D.	Mahadeo Prasad, Shri	Rai, Shrimati Sahodrabai
Deshmukh, Shri Shivaji Rao S.	Mahatab, Shri	Raj Bahadur, Shri
Dey, Shri S. K.	Mahishi, Shrimati Sarojini	Raj Deo Singh, Shri
Dhuleshwar Meena, Shri	Malaichami, Shri	Raju, Dr. D. S.
Dighe, Shri	Malhotra, Shri Inder J.	Raju, Shri D. B.
Dineah Singh, Shri	Mallick, Shri Rama Chandra	Ram, Shri T.
Dixit, Shri G. N.	Mandal, Dr. P.	Ram Sewak, Shri
Dwivedi, Shri M. L.	Mandal, Shri J.	Ram Subhag Singh, Dr.
Elayaperumal, Shri	Mandal, Shri Yamuna Prasad	Ram Swarup, Shri
Ering, Shri D.	Maniyangadan, Shri	Ramaswamy, Shri S. V.
Pirodia, Shri	Mantri, Shri	Ramaswamy, Shri V. K.
Gaekwad, Shri Fatehsinhrao	Maruthiah, Shri	Ramdhani Das, Shri
Gahmarig Shri	Masuriya Din, Shri	Rane, Shri
Gajraj Singh Rao, Shri	Mehdi, Shri S. A.	Rao, Shri Jaganatha
Ganapati Ram, Shri	Mehrotra, Shri Braj Bihari	Rao, Shri Krishnamoorthy
Gandhi, Shri V. B.	Mengi, Shri Gopal Datt	Rao, Shri Muthyal
Ganga Devi, Shrimati	Menon, Shri P. G.	Rao, Shri Ramapathi
Ghosh, Shri Atulya	Minimata, Shri	Rao, Shri Thirumala
Ghosh, Shri N. R.	Mirza, Shri Bakar Ali	Rattan Lal, Shri
Goni, Shri Abdul Ghani	Mishra, Shri Bibhuti	Ray, Shrimati Renuka
Govind Das, Dr.	Mishra, Shri Bibudhendra	Reddy, Shri K. C.
Guha, Shri A. C.	Mishra, Shri M. P.	Reddy, Shri Ramakrishna
Gupta, Shri Shiv Charan	Misra, Shri Shyam Dhar	Reddy, Shrimati Yashoda
Hajarnavis, Shri	Mohanty, Shri G.	Roy, Shri Bishwanath
Hansda, Shri Subodh	Mohiuddin, Shri	Sadhu Ram, Shri
Hanumanthaiya, Shri	Mohsin, Shri	Sahu, Shri Rameshwar
Hazarika, Shri J. N.	Morarka, Shri	Saigal, Shri A. S.
Heda, Shri	More, Shri K. L.	Samanta, Shri S. C.
Hem Raj, Shri	Mukerjee, Shrimati Sharde	Samnani, Shri
Iqbal Singh, Shri	Murthy, Shri B. S.	Satyabhama Devi, Shrimati
Jadhav, Shri M. L.	Murthi, Shri M. S.	Sen, Shri A. K.
Jagjivan Ram, Shri	Muthiah, Shri	Sen, Shri P. G.
Jain, Shri A. P.	Naidu, Shri V. G.	Shah, Shri Manabendra
Jamir, Shri S. G.	Naik, Shri D. J.	Shah, Shrimati Jayaben
Jamunadevi, Shrimati	Nallakoya, Shri	Shakuntala Devi, Shrimati
Jedhe, Shri	Nanda, Shri	Shankaraiya, Shri
Jena, Shri	Naskar, Shri P. S.	Sharma, Shri A. P.
Joshi, Shri A. C.	Nayak, Shri Mohan	Sharma, Shri D. C.
Joshi, Shrimati Subhadra	Nayar, Dr. Sushila	Sharma, Shri K. C.
Jyotishi, Shri J. P.	Nehru, Shri Jawaharlal	Shashi Ranjan, Shri
Kabir, Shri Humayun	Nesamony, Shri	Shastri, Shri Lal Bahadur
Kamble, Shri	Niranjan Lal, Shri	Sheo Narain, Shri
Kanungo, Shri	Oza, Shri	Shinde, Shri
Karuthiruman, Shri	Paliwal, Shri	Shree Narayan Das, Shri
Kayal, Shri P. N.	Pandey, Shri Vishwa Nath	Shyamkumari Devi, Shrimati

Siddiah, Shri
Sidheshwar Prasad, Shri
Singh, Shri D. N.
Singha, Shri G. K.
Sinha, Shri B. P.
Sinha, Shri Satya Narayan
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeshwari
Sinha, Shri
Sonavane, Shri
Soundaram Ramachandran,
Shrimati
Srinivasan, Dr. P.
Subramaniam, Shri C.

Subramanyam, Shri T.
Sumat Prasad, Shri
Swamy, Shri M. P.
Tahir, Shri Mohammad
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tula Ram, Shri
Ulaka, Shri Ramachandra
Upadhyaya, Shri Shiva Dutt
Utiya, Shri
Vaishya, Shri M. B.

Valvi, Shri
Varma, Shri Ravindra
Veerasasappa, Shri
Veerasappa, Shri
Venkatasubbaiah, Shri P.
Vidyalankar, Shri A. N.
Vijaya Ananda, Maharajkumar
Vyas, Shri Radhela
Wadiwa, Shri
Wasnik, Shri Balkrishna
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yusuf, Shri Mohammad

Mr. Speaker: The result** of the division is as follows:

Ayes 49; Noes 254.

The motion was negatived.

17.12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

TRAIN-BUS COLLISION AT LEVEL-CROSSING NEAR REN STATION

Shri P. C. Borooah (Sibsagar): Sir, I call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported train-bus collision at an unmanned level-crossing near Ren Station on the Jodhpur Division of the Northern Railway on November 18, 1963, involving eight lives."

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): On 18-11-1963 at about 17.23 hours, train No. J 114 Down Goods proceeding from Merta Road to Phulera, just after passing Ren Station, collided with a passenger bus at an unmanned level-crossing situated between the Up Outer and Home signals of Ren station.

As a result the bus was smashed and 8 out of the 34 passengers travelling in the bus were killed on the spot. The remaining passengers were in the first instance taken to the Railway hospital at Merta Road for preliminary medical attention. Eleven of these passengers were discharged at Merta Road and the rest i.e., 15 were sent to Jodhpur for further treatment in the Civil Hospital. According to the latest information, 9 persons are admitted in the hospital of whom 5 are reported to have been seriously injured.

Relief train with medical van and medical officers of the Railway was rushed from Merta Road and reached the site at 18.47 hrs.

The Divisional Superintendent, Jodhpur and other Divisional Officers of Northern Railway rushed to the site of the accident immediately on receipt of information to assist in relief operations. The District and Police authorities also reached the site shortly after the accident.

The cause of the accident is under investigation and an officers' enquiry has been ordered.

Shri P. C. Borooah: This unfortunate incident happened at a level-crossing near the railway station. May I know what was the consideration for which this level-crossing, important as it is because of its proximity to the railway station, was left un-manned?

**Ayes: The name of one Member could not be recorded.

Noes: The name of one Member could not be recorded.