12.08 brs.

RE: CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

HEALTH OF SHRI GOPALAN

Mr. Speaker: I have received Calling Attention Notice from Dr. Lohia and others about the health of Shri A. K. Gopalan. Is the Minister ready with any statement?

The Minister of Home Affairs (Shri Nanda): In the afternoon. I give the information.

Mr. Speaker: The statement would be made in the afternoon.

Shrj Hem Barua (Gauhati): Βv what time, Sir?

Mr. Speaker: At what time could it be made?

Shri Nanda: 5 O'clock.

An hon. Member: What is it about.

Mr. Speaker: About Shri Gopalan's health. Will 4 O'clock be all right?

Shri Nanda: Yes, Sir.

Mr. Speaker: At 4 O'clock, the statement would be made.

12.09 hrs.

RE. MOTIONS FOR ADJOURNMENT AND CALLING ATTENTION NOTICES

BASTAR INCIDENT

Mr. Speaker: I have got six Adjournment Motions and 18 Calling Attention Notices about the Bastar incident. Of course, the matter serious and is of urgent importance as well. But I am not satisfied so far that this is the Centre's responsibility. Shri Lohia may satisfy me on that point. He need not go into other matters.

डा० राम मनोहर लोहिया (फर्रखाबाद): श्रध्यक्ष महोदय, जो बस्तर में हत्या-काण्ड हम्रा है उसमें केन्द्रीय सरकार की बिल्कुल साफ ध्रसफलतायें हैं धौर वह संवि-धान की चार धाराओं को लेकर है-244. 47, 256 भीर 353 ।

सबसे पहले में संविधान की धारा 244 पढ़ कर सुनाता हूं। पांचवीं फेहरिस्त की धाराएं जो कि परिगणित इलाक़े हैं भौर परिगणित जातियां हैं किसी राज्य में घसम को छोड कर के उनके प्रशासन ग्रीर नियन्त्रण के बारे में लागृ होगीं। यह 244 है। जो फिक्य शैक्यल है उसको सगर साप पढेंगे तो उसमें साफ़ लिखा हमा है कि केन्द्र का निय-न्त्रण रहता है। क्या भ्रापने इसे देख लिया?

प्राप्यक्ष महोदय : जी हां देख लिया, ग्रव ग्रागे चलिये ।

मनोहर लोहियाः राम executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas."

यह बिल्कूल साफ़ है कि रहना चाहिए। जिन इलाकों में यह सब कुछ हमा है वह शैडयल्ड ऐरियाज में झाते हैं क्योंकि झंटागढ़, नारायणपुर और दन्तेबारा तहसीलें और कुटरू और भोपालपतनाम, जमीदारीज, यह सब बस्तर जिले में हैं। सरकार ने खद ऐलान किया है कि यह परिगणित इलाके हैं। इस लिए जहां तक धारा 244 का सवाल है भारत सरकार ने उसके धनसार काम न करके घएनी श्रसफलता दिखाई है। यह परिगणित इसाक्रे हैं। परिगणित इलाकों में के प्रशासन धौर नियन्त्रण के बारे में

श्राध्यक्ष महोदय : दुमरा बतलाइये ।

डा॰ राम मनोहर लोहिया : मैं सदन का ध्यान धारा 47 की तरफ़ खीचंगा। सब मैं हिन्दस्तानी में ही पढ़ कर मुनाता हूं। राज्य

[डा॰ राम मनोहर लोहिया]

भ्रपना प्राथमिक कर्त्तव्य मानेगा खाने पीने का, रहने के स्तर को, जनता के रहने के स्तर को ऊंचा करने का भ्रीर मवमाधारण को मुधारने का। भ्रव भोजन का मामला राज्य का...

ग्रध्यक्ष महोदय : यह श्राप कौनसा पढ़ रहे हैं ?

डा० राम मनोहरःलोरहिया : 47 धारा पढ़ी है। इस सम्बन्ध में चुकि पूरी इत्तिला श्राप को नहीं मिली हो ग्रगर सिर्फ ग्रापने श्रख्नवारों पर निर्भर किया हो तो मैं श्राप को यह बतला दं कि जो बस्तर के सर्वोपरि नेता थे, महाराज थे जरूर लेकिन ग्रब तक एक तरीके से वह भी भंजदेव हो चके थे। उन्होंने 13 तारीख से 20 तारीख तक भख हडताल की थी इसी भूख के मामले को लेकर 13 से 20 तारीख तक भख हडताल की थी। भ्रपने इलाके के लोगों के भख से मरने के कारण यह हइताल उन्होंने की थी ताकि भख से वे न मरें। बहां पर धान को लेकर एक बहुत जबरदस्त वसूली चल रही है जिसको लेकर एक तहलका मचा हुन्ना है भीर यह मामला महीनों से चला ब्रा रहा है। धारा 47 का वहां बिल्कूल साफ़ तरीक़ों से उझ्लंबन हो गया है। यह दूसरा हुआ। इसके बारे में मुझे क्या भीर कुछ कहने की जरूरत है।

ग्रध्यक्ष महोदयः जी नहीं । भ्रागे बढिये ।

कां राज मनोहर लोहिया : धव मैं आपका ध्यान 256 की तरफ़ दिलाता हूं। जो भी संसद् के बनाये हुए कानून हों या जो कोई मौजूदा कानून राज्य में हों उन को लागू किया जाय यह कर्त्तव्य इस संघ का भी हो जाता है दिल्ली सरकार का भी हो जाता है। वह दिल्ली सरकार राज्यों को हिदायतें दे इन कानूनों के अनुसार कार्यवाही कराने के लिए। इस सम्बन्ध में मुझे भ्राप से खाली इतना कहना है कि जिस ढंग से श्री भंजदेष मरे हुए पाये गये और मैं खास तौर से उनका नाम लेता हूं वैसे तो पता नहीं 20,50,100 कितने मरे होंगे यह स्रभी तक मालुम नहीं हो पाया है। लेकिन उससे लोगों के मन में यह शक पैदा हो रहा है कि क्या सरकार ने श्रपनी राजनीति के श्रस्त्रों में क़त्ल को भी एक श्रस्त्र मान लिया है ? सब कानुने वहां उठ गयी थीं श्रीर भगर ग्राप मुझे इजाजत दें तो मैं बतलाऊं कि किस ढंग से वह मरे हुए पाये गये ग्रपने घर के भन्दर ? इस वक्त ग्रमी पता नहीं है। तीसरी चीज भी उल्लंघन हुई । ग्रब मैं श्राप से कहं कि एक साधारण तौर पर जो संकटकालीन क़ानुन है उस पर भी ध्यान दें तो दक्ता 353 भ्रपने श्राप लागु हो जाती है क्योंकि इस वक्त संकटकालीन कानून सारे देश में है इसलिए बस्तर में भी है ग्रौर इसमें भी बिल्कुल साफ़ है जो कुछ इस संविधान में कहा गया है लेकिन दिल्ली सरकार की कार्य पालिका शक्ति राज्य के महक्तमों में भी चली जाती है जब तक कि संकटकालीन कानून है (व्यवधान) ।

श्राप अंग्रेज हैं इसलिए मैं अंग्रेजी में पढ़ कर सुनाये देता हूं :—

"notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;"

अंग्रेजी में मैं आपको वह भी बतला दूं जो कि मैंने हिन्दी में कहा था :---

"Murder has become an instrument of State policy."

बहुत से हमारे साथी इन कालमों को प्रयेखी में ही समझ पाते हैं बाकी ग्रगर प्राप साहबान समझ गमें होंगे तो मुझे उन्हें ग्रंभेची में पढ़ने की जरूरत नहीं है। ग्रध्यक्ष महोदय, ग्रगर ग्राप इजाबत दें तो उन बार कलमों को ग्रंपेखी में पढ़ कर सुना हूं?

ध्यथ्यक्ष महोदयः जी कोई बरूरत मही है।

Shri Ranga (Chittoor): Mr. Speaker, Sir, as you all know, this is essentially a tribal area and more than 80 cent of the people are tribal people. They had looked upon Shri Bhanj Deo as their leader. For years, for months, for the past few weeks there have been representations made to the Central Government complaining against the local government and, more especially, against the local administration in the districts, against the police, against the revenue authorities and all those people. They had also complained about shortage of and against the compulsory food levy. In spite of all these things the Central Government did not raise its finger in their protection and on their behalf to caution the local government with a view to see and prevent these untoward events. Only a few days before this unfortunate happening the ex-Maharaja, Bhanj Deo, sent a representation to the President and also, I think, to the Home Ministry, expressing grave fears that his life was in danger and that the local authorities-I am not quite prepared to say whether he included the local government or not-were intending to attack him and all those who were offering worship to their Goddess and were associated with him in that fort and in that hunger-strike. He had said that he was apprehending danger to his own life. In spite of all these things the Government of India did not do anything. The protection, the welfare, the advancement of the tribal people has been made a special charge on the Government of India. It is because the Government of India has been failing in regard to this particular duty and it has been dealing with these people in the same manner as the other advanced people that these things have happened and this particular tragedy has taken place.

Sir, the Chief Minister there made a reference to Mizo Hills. We do not

know what is happening there, but we do know that these people have been suffering from malnutrition and from hunger. I am not quite sure whether there have been some hunger deaths. but I shall not be surprised if there were some. In spite of this, this compulsory levy has been imposed these people in such a callous manner. This is in continuation of the earlier oppression. All these things brought things to a head. While these things were brought to a head, while these representations were being made to the Government of India, the Government of India, together with their President, have failed signally in their duty to intercede between those unfortunate suffering people and local government and its vengeful policy. The consequence is this terribie tragedy.

As my hon friend, Dr. Lonia, said, it is not only the Maharaja who was killed, who was murdered according to me, but scores of helpless tribals have been murdered in that place. Various objections may be raised by the Government by taking advantage of the fact that the local Government is there in charge of law and order, it has appointed a Commission of Inquiry and so on. Sir, such means can be adopted in order to get rid of any one who is here in the Opposition through the means of the local Government. There would be no redress unless this House is given an opportunity of discussing this matter and taking this Government to task and also knowing what Government has done and is going to do in order to see, in order to assure not only those people but all the people who are in the opposition to this Government that their life would not be in danger that their political and social existence would not be destroyed by the flat of the local Government through this kind of mischief under the guise of decentralisation.

Shri 前, N. Mukerjee (Calcutta Centrai): I support Dr. Lohia and Professor Ranga in their contentions that [Shri H. N. Mukerjee]

the responsibility of the Government of India is very definitely attracted over what has happened in Bastar. During his life time, the former Maharaja of Bastar was subjected to all kinds of activities on the part of the Government of India, rightly or wrongly, and now that he has died in very deplorable, almost dastardly, circumstances, surely it devolves on the Government of India to give some explanation for the situation that prevailed in that part of the country which has led to these events happening. It also stands to reason where our tribal people are concerned-and in that part of Madhya Pradesh there is a contiguous region where they live in very large numbers-since they have been known to be devoted to the person of the late Maharaja of Bastar, it becomes a very serious matter, particularly in view of the Chief Minister of Madhya Pradesh having already stated that it was some thing in the nature of a Mizo or Naga upsurge.

Shri Bade (Khargone): No. no.

Shri H. N. Mukerjee: That was so. We saw it in the papers and we can only proceed on the basis of information which is supplied to us by reputable press agencies.

The Maharaja of Bastar also used to be in the receipt of privy purse payments from the Government of India and when somebody who belongs to that category of Indian princes who at one time enjoyed a certain position in the country, the hangover of which has not gone altogethersurely, the Government of India is very responsible for it-when a person belongs to an order of people who were in a special category, and that is a fact of life, and when such a person dies in this kind of circumstances, surely something ought to be done. But the more important consideration is that our tribal people are concerned and in regard to the tribal people this Government has shown such egregious failure in execution and implementation of its policies and this very poignant circumstance, melancholy circumstances gives us an occasion for discussion of this matter.

Shri Hanumanthaiya (Bangaiore city): Sir, I want to submit to you two points. The first point is that this is a matter coming under the rule of sub judice.

Some hon. Members: No, no.

Shri Hanumanthaiya: So far as the tragedy is concerned, all of us deeply regret it and we do not want such things to happen. But the question is who is at fault or whose responsibility it is. The State Government has already appointed an Inquiry Commission.

श्री रामेद्वरातन्त्र (करनाल) : ग्रगर कांग्रेसी मर जाते, तो हम देखते कि मान-नीय सदस्य कैसे इस का विरोध करते हैं।

श्री भागवत सा भाषाद (भागलपुर) : तीन मारे गए हैं।

Shri Hanumanthaiya: The State Government has already appointed a High Court Judge, under the Central Act, the Commissions of Inquiry Act, to go into this matter.

Therefore, the whole question.... (Interruption).

श्री प्रकाशबीर शास्त्री (बिजनीर): सुत्रीम कोर्ट का जज एन्स्वायरी के लिए नियुक्त होना चाहिए ।

भी मोंकार लाल बेरबा (कोटा) : मध्य प्रदेश का जज इस जांच में नहीं रहना चाहिए ।

भी बड़े : वह तो मुख्य मंत्री के दोस्त हैं। भी हुकम चन्च कछवाय (देवास) : वह श्री द्वारिका प्रसाद मिश्र का निजी एवं घनिष्ट मिल्र हैं। यह जांच करने के लिए केन्द्र का कोई व्यक्ति जाए।

Shri Bhagwat Jha Azad: It will not be possible for us to hear them if they do not hear us.

Mr. Speaker: That is what I am going to tell them.

भी स० मो० बनर्जा : (कानपुर) : हम सब को गोली मार दी जाये ।

Mr. Speaker: Order, order. They will kindly listen to me. What we have to say must be in a regulated and orderly manner. I must plead with Members that only one Member must speak at one time. The other day some other Members were with me and we were at a luncheon with a foreign diplomat. When he said that he had seen simultaneous translations but it was only in the Lok Sabha that he had seen simultaneous speaking, really I felt ashamed at that moment. This should not be resorted to. Simultaneous speaking is never heard of in any Parliament,

डा॰ राम मनोहर लोहिया : यह सही नहीं है । सभी लोक सभाभ्रों में ऐसा होता है ।

अध्यक्ष महोदय : किसी जगह ऐसा नहीं होता है ।

श्री बागड़ी (हिसार) : इंग्लैंड में सदस्य इस से ज्यादा बोलते हैं।

श्रम्यका शहोबय : तो माननीय सदस्य इंग्लैंड में ही चले जायें । यहां ऐसा नहीं होगा ।

श्री बागड़ी : यहां ग्रध्यक्ष ज्यादा बोलते हैं । वहां भ्रध्यक्ष नहीं बोलते हैं ।

Shri Hanumanthaiya: A High Court Judge has already been appointed to

inquire into the whole affair. To discuss that subject on the floor of this House would certainly prejudice the case either for or against, one side or the other. You have given time to all of us to make out a case regarding the admissibility of the motion, But you see that people are already talking about the merits of the case and are passing remarks against the State Government and against some one or the other. That was not the intention with which you allowed this debate. The debate ought to restrict itself to the admissibility of the motion according to rules. I realise that many of my hon. friends are greatly upset with this tragedy and, therefore, I can understand a little going astray so far as the expression of emotion is concerned. But they are seasoned parliamentarians, would appeal to them that this is not the occasion to express their considered opinion on the merits of the case itself and to attribute motives to the State Government, the Chief Minister and the Central Government. Is it the occasion, Sir? In the course of the debate on the admissibility of the motion, can such things be said? Therefore, even if my hon. friends want to press for the admissibility of the motion, I would appeal to you, Sir, to see that the rules are interpreted, not that emotions are interpreted.

Shri Nath Pai (Rajapur): Mr. Speaker, I shall try to restrict myself to the admissibility of the motion. I have heard very carefully the words that have been uttered and I know that I am to plead for the admissibility of the motion. I have three grounds for the admissibility of the motion.

The first is a well established precedent in the House regarding this very same unfortunate area of Bastar. I had tried to raise it on a previous occasion when the same people had opened fire in Jagdalpur in Bastar and twelve, whom this Government contemptuously calls Tribals a word used by foreigners and which [Shri Nath Pai]

no Indian patriot should use about any other Indian-fellow Indians. twelve of them, were killed. We tried to raise it and your worthy predecessor, Shri Ayyangar, was in the Chair, Shri Lal Bahadur Shastri was the Home Minister. The matter was lowed to be discussed, not on an adjournment motion, but the rigidity of the rule was not so strictly enforced against us because the matter too serious. Shri Shastri came forward and said that he shared the anxiety and would like to make a statement because the killing of twelve Indians was not to be spurned aside and avoided in this House by taking shelter behind the Indian Penal Code and some provisions of the Constitution That is a precedent which should have the sancity and the authority of a rule.

The second important thing is the admission of the Chief Minister of Madhya Pradesh who himself says that conditions bordering on rebellion prevail in India. This is the admission of the Chief Minister for the justification of the heinous murder of twelve men. Then, that is the justification for the House to interfere and the authority is the admission of such conditions prevailing on the part of the Chief Minister.

Thirdly, I would like to draw your attention to this that, I think, still Mr. Nanda thisists on continuing the Emergency. And if here is the Emergency in this country, if conditions continue to deteriorate continuously, this Government is called upon to issue necessary instructions for the rectification of those conditions. This is what article 353 (a) says:

"Notwithstanding anything in this Constitution, the executive power of the union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;"

This is not an outburst. It is a combination of series of things that had been happening there and, therefore, the Government was called upon to issue the necessary instructions to the State Government of Madhya Pradesh to see that matters do not deteriorate.

Having said this, may I say one or two things within the narrow limits prescribed for me by Mr. Hanumanthaiya, remembering that the matter is sub judice? When I read about this news in the papers, the question that cropped up in my mind was: Is this country fast approaching to the state of affairs of Tshombe's Congo where Lumumba was murdered. Are these new equations that any disagreement. any dissent, any difference, will invaribly draw the threat of destruction and liquidation? We know the tragic conditions that have been prevailing, the atmosphere of fear that has been going on, between this unfortunate young man who had perhaps his weaknesses-he was perhaps temperamental-and the others. Only ten days back this House discussed that shocking outrage at Panipat and a shudder of horror and anguish went through the nation. May I ask the Government: Is the premeditated massacre at Jagdalpur not worse than the mad act of a mob which was temporarily seized by frenzy? We are told they are tribals. I take the greatest objection to this word being used by Government spokesmen that they are tribals. They are fellow Indians. If they are tribals, who is responsible for that? If we have failed in integrating so many Indians in the mainstream our life, are the tribals to be blamed or is it an indictment against Government?

In conclusion, Mr. Speaker, may I submit that only the other day the President remarked that there is violence in the air. We condemn any kind of violence. When Dr. Lohia, the other day, analysed it, we agreed that those who are inciting violence are wrong......

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डा॰ राम मनोहर लोहियाः ग्रगर हमेशा इसी तरह एक राय करेंगे तो बहुत अच्छा ह ।

श्री नाथ पाई : जैसे ग्राप करेंग, वैसे हम भी करेंगे !

I ask: Is this violence only onesided? The Prime Minister, before leaving the country, expressed this hope, "When I am abroad, I hope, nothing will go wrong in this country." Do they think that this will enhance our prestige abroad when the world headlines will be, a Maharaja massacred in his Palace? Will it enhance the prestige and the image of India? I want that this House be given a fair opportunity to discuss this affair. This trigger-happy mentality has to be curbed. The reply from that side should not be that there is going to be an inquiry into this affair. We want that inquiry so far as this particular episode is concerned. But we want a wider inquiry, over and above the judicial inquiry into this firing and ruthless killings which makes us hang down our heads in shame, into what had been happening in Bastar and what forces had been in operation to eliminate and liquidate this man who had been wronged. I hope Mr. Nanda will not try to take shelter behind this rule or that rule but will boldly say, "We will face any quiry, not only this judicial inquiry but a wider inquiry."

Some hon, Members rose-

Mr. Speaker: I cannot allow all. Mr. Bade.

भी बड़े : इस मोशन की एडमिसिबिसिटी के बारे में संविधान के झन्दर
जो कानून की बात है, वही मैं भाषको
सुनाजना । मैं स्वयं मध्य प्रदेश का रहने
वाला हूं और मैंने बस्तर देखा है । मैं
वहां के महाराजा से भी मिला हूं । वहां
पर महाराजा ने केवल इतना ही कहा था
कि इन मादिबासिबों को मनाज निमना
चाहिये, इस पर उनके ऊपर गोली चलाई
गई। बस्तर की कन्डीकन दो-तीन साल से
इतनी विगढ़ गई है कि सम्भल नहीं पा
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रही है । वहां के महाराजा ने गवर्नर को धौर प्रेसिडेन्ट को घपना मेमोरेण्डम भेजा था, लेकिन गवर्नर ने जो कि ट्राइबल एरिया के लिए रेस्पोन्सिबल होता है, कोई ज्यान नहीं दिया धौर न ही गवर्नमेंट ने कोई ध्यान दिया क्योंकि according to the Fifth Schedule

"The Governor of each State having Scheduled Areas therein shall annually, or whenever so required by the President, make a report to the President regarding the administration of the Scheduled Areas.."

हम यह पूछना चाहते हैं कि गवनेर ने क्या एक्शन लिया और उस के बाद वहां की गवनेंसेन्ट ने क्या किया, जिसके कारण कि यह परिस्थिति पैदा हो गई। मिश्राजी वहां के मुख्य मंत्री हैं, वह यह समझते ये कि यह मादमी हमारे राक्ते का कांटा है, इस लिये यह मौका निकाल कर उसको भून दिया गया। कहा गया कि उनको तीम गौंलियां लगी हैं लेकिन वास्तव में उनको 8 गोंलियां लगी, बल्कि उनके साथ दो ट्राइबल औरतें भी बीं उस एरिया की।

धनी हनुमतैया जो ने कहा है कि वहां पर अपूष्टिकल इन्ववायरी हो रही है, इस वास्ते धनी उस विषय पर वर्षा नहीं होनी वाहिये । लेकिन मैं धापको यह बताना चाहता हूं कि बहुत पहले जब वहां गोली चली बी, उस समय मैं इस पालियामेंट का नेम्बर नहीं था, उस, समय भी ज्यूडिकल इन्ववायरी हुई थी लेकिन इस पालियामेन्ट में भी उस समय चर्चा हुई थी, इसके बारे में धायके पास प्रेसिडेन्स है । मैं चाहता हूं कि वहीं मुख्य मंत्री जी ने यह जो नाटक का दुखद धन्त कर दिया है, राजा का चून कर के, उसके कारण और भी कई चून हुए धीर किर कह दिया कि उपूडिकल इन्ववायरी

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[श्री बड़ें]

कर रहे हैं। मेरा यह कहना है कि इस भवसर पर हमारे माननीय मंत्री जी का यह कर्त्तव्य है कि वह यहां से सुप्रीम कोर्टका जज भेजें धौर वह जांच करें। वहां पर ट्राइबल एरिया के लोगों को बिल्कुल विश्वास नहीं है ग्रीर वे 50 लाख घादिवासी इनके विरुद्ध उठने वाले हैं। इस लिये पालियामेन्ट में माननीय मंत्री भी के सामने मेरा यह कहना है कि वहां पर सी०बी० घाई० को इन्ववायरी करनी चाहिये क्योंकि वहां पर सारा पैलेस पुलिस के कब्जे में है ग्रीर सब भादिवासियों में भगदड़ मच गई है, एक तरह से वहां पर पुलिस का राज्य हो गया है । इस लिये इस बारे में सी०बी०माई० को रिपोर्ट करना चाहिये।

प्राप्यक्ष महोदय । सेन्टर की रेस्पोन्सि-बिसटी नहीं है।

भी बड़े: यह तो बिल्कुल मानी हुई बात है कि ट्राइबल क्षेत्र की जिम्मेदारी गवर्नर की है, भीर गवर्नर पालिमेन्ट के प्रति जिम्मेदार है, इस लिये वहां पर इन्द्रवायरी सेन्ट्रल गवर्नमेन्ट को करानी चाहिये। इस तरह से तो वे वहां पर सब को भून डालेंगे भौर भादिवासियों की हत्या हो जायेगी भौर न मालुम वहां पर क्या होने वाला है। इसलिये मेरी मांग है कि जो एडजार्नमेन्ट मोशन मैंने दिया है वह मैंने भग्डर दी :कांस्टीट्युशन दिया है, क्योंकि पूरा बस्तर ट्राइबल एरिया **R** 1

भ्रम्यक्ष महोदय : श्रव भ्राप बैठ बाइये ।

भी मध् लिमये (मुगेर) : प्रध्यक महोदय, मैं एक बहुत जरूरी बात धर्ज करना चाहता हूं।

चन्यक्ष महोदय : घव प्राप . . .

श्री मध् लिमये : सरकार या गृह मंत्री तभी जवाब दें जब सारी बार्ते सामने ध्वा जायें।

भी बागड़ी: बस्तर के जो एम०पी० हैं उनकी बात भी, ग्रध्यक्ष महोदय श्राप सुन लें।

भी मधु लिमये : मुझे भी प्राप सुनिये न । मुझ से भाप इतना नाराज क्यों रहते हैं । मंत्री महोदय जवाब किन वातों का देंगे । सब बातें तो उनके सामने धा जानी चाहियें (व्यवकान) ।

म्राध्यक्ष महोदय : भ्रव सब बैठ जाइये । म्राप क्यों खडे हैं ? यह कोई तरीका नहीं है।

भी मधुलिमये : मैं गृह मंत्रालय की जिम्मेदारी के बारे में मर्ज करना चाहता हुं। ध्राप मुझे सुन तो लें।

ध्ययक्ष महोदय : हर एक मैम्बर को नहीं सुन सकता हुं।

भी लक्षम् भवामी (बस्तर) : मैं बस्तर जिले का हं श्रीर वहां से मैं चून कर ग्राया हूं। वहां पर हलवी भाषा बोली जाती है । मैंने कुछ हिन्दी सीख ली है भौर में भपनी बात भपनी टूटी फूटी हिन्दी में भापके सामने रखना चाहता हूं। हमारे यहां की भाषा दूसरी है लेकिन मैं हिन्दी में ही बोलना चाहंगा। मैं बस्तर जिले में 13 तारी का से से कर 19 तारीख तक या । महाराजा प्रवीए। चन्द्र भंजदेव से मैं मिला था । जब महाराजा ने मुख हड़ताल की उसके पहले जो कुछ हुमा मैं भापको बतलाना चाहता हूं । नारायणपुर, धवजमाहा कोमभीवेड़ा घादि में वो घादिवासी रहते.

है उनके पास खाने के लिए चावल बादि नहीं था । वे महाराजा के पास उनके महल गए और उनसे कहा कि वे उनके लिए चावल का इंतजाम करें ! हम भूखे मर रहे हैं। ये लोग महाराजा के सामने रोये धोये । महाराजा ने कहा कि भाप भखे क्यों मरते हैं, मैं ही भूखा मर जाता है भौर मापकी खातिर मैं भुख हड़ताल करता हुं। उन्होंने कहा कि सरकार चावल का इंतजाम भापके लिए नहीं कर रही है इस वास्ते मैं भृख हड़ताल करता हूं। वह भख हडताल करके बैठ गए । इससे पहले चावल के लिए वहां कई बार भाठियां चली थीं । तेरह तारीख को सुमद्रा महारानी ने मुझे बताया कि महाराजा भूख हड़ताल करके बैठ गए हैं। मैं महाराजा के पास गया और उन से पूछा कि वह भूख हड़ताल करके क्यों बैठ गए हैं। उन्होंने कहा कि सरकार यहां लोगों को भनाज नहीं भेज रही है, इस वास्ते मैं भूख हड़ताल कर रहा हूं। मैं कलेक्टर के पास गया भीर वहां जा कर उन से धौर डिप्टी कलैक्टर से रेस्ट ष्टाउस में मिला। मैंने उनसे कहा कि महाराजा भृष्य हड़ताल कर रहे हैं घीर माप कोई चावल का इंतजाम क्यों नहीं करते हैं, झनाज का प्रबन्ध क्यों नहीं करते हैं, क्यों द्यनाज इस इलाके में नहीं भेज रहे हैं । उन्होंने कहा कि तम्हारे महाराजा बार-बार हमें तंग कर रहे हैं। हम लोग इंतजाम कर रहे हैं। मैंने वापिस बा कर महाराजा साहब को सब कुछ बताया । मेकिन सरकार की तरफ से कोई इंतजाम नहीं हुआ। कोई चावल उस क्षेत्र में नहीं भेजा गया । मैंने महाराजा से प्रार्थना की कि वह घपनी मख हडतान वापिस में लें लेकिन उन्होंने ऐसा करने से इन्कार कर दिया । 20 तारीच को मैं दिल्ली को भा गथा । भाने के बाद मुझे यह पता मना कि वहां पर मारपीट हुई है, कतल हए हैं और कितने ही भादिनासी मारे गए

हैं। उसके बाद ग्रंब यह समाचार ग्राया है कि महाराजा भीर उनके साथ कई भादिवासी मार डाले गए हैं।

Incident

माप देखिये कि बच्चा भी दूध के लिए जिल्लाता है तो उसको भी मां दूध दे देती है । लेकिन नागरिक जब मुख शान्त करने के लिए, ग्रपना पेट भरने के लिए प्रनाज की मांग करते हैं तो उन पर लाठियां ग्रौर गोलियां सरकार की तरफ से चलाई जाती हैं। लोगों को गोली से मार दिया जाता है। गोली से उनको मन दिया जाता है।

धापको यह भी पता होगा कि हमारे यहां मध्य प्रदेश में लेवी सिस्टम है। वहां पर यह कहा गया है कि जिन के यहां ग्रनाज पैदा हुग्रा है, ग्रनाज पका है वे एक किलो, दो किलो धनाज दें। इस लेवी के बारे में वहां पर हमारे खाद्य मंत्री श्री गौतम गर्मा भी हवाई जहाज के जरिये गये थे। उन्होंने जा कर कहा या कि प्रगर लेवी नहीं दोगे तो तुम्हें भ्रनाज नहीं दिया जायेगा तम लेकी न दो धौर हम धनाज नही देंगे । मगर रायपर में भनाज बचता है तो उसको द्याप बस्तर में ला कर इस्तेमाल कर लो घौर बस्तर में बचता है ती रायपूर में ला कर इस्तेमाल कर लांू। भाप इस के बारे में कमिश्नर के साथ जा कर मिल सें भीर ऐसा इंतजाम कर लें। हमने कहा कि दण्डकारण्य के लिए क्या प्रबन्ध धाप करेंगे जहा पर बहस से कारकाने हैं भीर जहां पर बाहर के मीग मा कर रह रहे हैं। उन्होंने कहा कि वहां हम केन्द्र से लेकर मनाज वगैरह दे देंगे । हमने जाकर धादिवासियों को समझाया कि जिन के यहां फसल पक गई है व लेबी दे दें भीर लेवी चार

[श्री लखम् भवानी]

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पांच गांवों की एक जगह वहीं गांव में रखी जायगी भीर उन्हीं के काम माएगी। जिन के यहां फसल पकी नहीं थी वे कहां से लेवी दे सकते थे ! लोगों ने कहा कि उनके पास खाने के लिए नहीं है तो वे कहां से दें, कहां से बीज के लिए रखें, क्या करें और क्या न करें। कुछ लोगों ने लेवी दे भी दी । कलैक्टर बादि जो लोग थे. जो सरकारी कर्मचारी ये उन्होंने जबदंस्ती जा कर लोगों से नेवी वसुल की धौरनिकाल कर वहीं उसको रक्षने के बजाय जगदलपुर वगैरह भेज दिया । जब उनको कहा गया कि वे बाहर न ले जायें तो उस पर भी मार पीट हुई । लेबी ले कर जब बाहर भेजने लग गए तो गडवडी वहां पर हुई । भव भाप जानते हैं कि वहां के लोग, बस्तर के लोग भनपढ़ हैं, पढ़े लिखे नहीं हैं। उनको जब तक घच्छी तरह से समझाया न जाए वे समझते नहीं हैं। वे पिछड़े हुए लोग हैं, मादिवासी लोग हैं। जब गोली से उनको समझाया जाता है तो मामला भीर भी खराब हो जाता है। इस तरह से कैसे काम चल सकता

चन्यका महोदय : घव ग्राप **वै**ठ जार्ये ।

भी बागड़ी : धव्यक्ष महोदय--

्रक्रम्यक्ष महोदय : मैं घपोजीशन को कहंगा कि हर एक भादमी को सुनना मेरे लिए लाजिम था। भ्रव मुझे गवर्नमेंट को भी सुन लेने दीजिये। मैं ने छः सात मैम्बर्ज को सुन लिया है। हर एक मैम्बर यह कहे कि उसको मौका दिया जाए तो यह किस तरह से सम्भव हो सकता है। यह नाजायज है कि भाप इस तरह से मुझे फोर्स करें। सब को मैं कैसे सुन सकता हूं। पंडह बीस मैम्बर्ज को मैं बहीं सुन सकता हूं।

की मधु लिमपे : मेरा 376 के मन्दर—

बी सब्बम् मवानी: मैंने प्रपनी बात
प्रमी तक खत्म नहीं की है। वहां पर
लोगों को ठीक ठरह से समझाया बुझाया
नहीं गया है। वहां पर हालत बहुत
बराब है, गम्भीर है। मैं चाहता हूं
कि सेंट्रल गवनंभेंट बहां पर जांच करे
भीर प्रदेश सरकार के सुपुर्द यह मामला
न किया जाए। वे धनपढ़ लोग है। गोली
बला कर प्राप उनको खत्म नहीं कर सकते
है। इस काम को प्राप प्रपने हाथ में लें
भीर प्राप उनको जा कर समझायें धीर
जांच करवार्यें।

बी मधु लिमये : मेरा एक व्यवस्या का प्रश्न है । कामरोको प्रस्ताव का धाप सदन में उल्लेख करते हैं तो जिन्होंने प्रस्ताव दिया है, उनको तो धाप सुन लें ।

सन्यक्ष महोदयः सब को नहीं।

धी षषु (क्षमये : मैंने नहीं कहा कि
सब को घाप सुन कें । मैं कह रहा था
प्रस्तावकों को सुनने के बाद घाप गृह मंत्री
से या सरकार से पूछते हैं कि क्या वह
प्राक्षेप उठाना चाहते हैं । उसके बाद
घाप फैसला करते हैं। घब गृह मंत्री जी
जवाब दें इसके पहले मैं उन बातों को
घापके सामने रख्या जो मब तक नहीं
कही गई हैं । नियम 60 में—

स्राप्यक्त महोदय : हर एक मैन्दर को सुनना लाजिम नहीं है । मैं होम मिनिस्टर से कह रहा हूं—

बी मनु लिनमें : 60(2) में साफ तिबा हुमा है । जन सरकार मालेप उठायें तो उस से पहले कम से कम उन धाराष्ट्रों को तो पढ़ें । मुझे घाए उन धाराष्ट्रों को तो बताने दीजिये । श्रै धारायें प्रापको बता देता हूं भीर घाप खुद देख लीजिये ।

भ्राप्यक्ष महोदय : मैंने देखी हुई है। हुर मैम्बर—

भी मधु लिसवे : मैं दोहराने वाला नहीं हूं । केवल नई घारायें बता रहा हूं । मुझ से धाप इतना नाराज क्यों रहते हैं, समझ में नहीं घाता है । क्या मेरे चेहरे से घापको चिद्र है या बात से चिद्र है ?

प्राप्यक्ष महोदय : मेरी तकलीफ यह है कि घाप कहते हैं कि घाप से मैं नाराख डूं घौर दूसरे कहते हैं कि मैं घापकी बहुत रियायत करता डूं—

भी मधु लिमपे : रियायत का क्या सवाल है ?

श्रष्टयक्ष महीदयः मैं दम्यान में हूं।

भी मणु लिनमे : धारायें तो कम से कम नोट कर लीजिये । संविधान की धारा 47 है—

धन्यक्ष महोदयः वह तो हो गया है।

धी वयु लिसये : 46 घी है । मैं केवल विषय बताता हूं । इस में प्रादिवासियों के लिए विशेष संरक्षण की चर्चा है । पूछ की चर्चा मेरे नेता ने की है । उसके बाद 339 है । उस में परिगणित इलाके की चर्चा नहीं है, सभी प्रादिवासी कीं तथा जनता के हित की रक्षा के मुताल्लिक केन्द्रीय सरकार की विशेष जिम्मेदारी की चर्चा है धीर निदेश देने का प्रशिकार केन्द्रीय सरकार को इस में दिया गया । मेरे नेता ने कह दिया है कि यह इलाका मैंड्युल्ड एरिया है । न

हो, तो भी करना पड़ता है 339(2) के अन्दर सायद 275 घारा भी है।

सम्बक्त महोदय : 275 मैं ने देख लिया है।

श्री समु लिमये: 275 जो है उस को पढ़ना पढ़ेगा। वह जरा कास्प्लिकेटेड है। केन्द्रीय सरकार के द्वारा जो धनुदान दिया जाता। धादिवासी क्षेत्रों के निकास के लिये उस के बारे में साफ प्रोवाइजो है, मैं उसे पढ़ देना चाहता हूं:

"Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the costs of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State.."

उस के बाद शैब्यूल 5 है।

सम्यक्ष महोबयः वह तो उन्होंने बतला दिया है ।

श्री मधु लिमये : उन्हों ने पैरा तीन बतलाया । मैद्यूल 5 में माने राज्यपाल ग्रीर राष्ट्रपति की विशेष जिम्मेदारियां ग्रीर केन्द्र की जिम्मेदारियां बतलाई गई है । उस में पैरा 5(2) में कहा गया है :

"The Governor may make regulations for the peace and good government of any area in a State which is for the time being a Scheduled Area."

गुड गवर्नमेंट का जिक है, शांति का भी जिक है। प्राप का ग्रैड्यून्ड एरियाज भौर शेड्यून्ड ट्राइब्ज कमिशन है उस की रिपोठ में भी है—बहुत सी बातें है

[बी मच् लिमये]

लेकिन भाप सुनना नहीं चाहते हैं इस लिये मंजबरी है-मैं भाप को बतला देता हुं, 281 पूछ्ठ है, उस में गृह मंत्रालय के करंट्य बतलाये गये हैं, गृह मंत्रालय द्वारा नियुक्त कमिशन है:

"The Ministry of Home Affairs is responsible for the policy and co-ordination of all tribal welfare programmes, and has a lrage say in regard to allocation of funds for them."

फिरग्रागे कहा गया है :

"In the Ministry, besides the Minister himself, there is a senior officer of the status of Secretary.."

भव मैं भर्ज करना चाहता हं कि यह सारा मामला जो हुआ है उस में विकास की बात हैं, भनाज की वसली की बात हैं, ग्रीर व्यापक बातें हैं जिन का इन सभी घाराधों से सम्बन्ध है। इस पर हनुमतया साहब ने जो भ्राक्षेप उठाया कि सब जडिस है . . .

सध्यक्ष महोदय: उस का माप को जवाब देने की जरूरत नहीं है मैं उस का जवाब देदंगा।

भी भव लिमये: कौन मामला सब जुडिस है ? घटना कम को प्रस्थापित करने का तथा गोलीकांड संबंधी ग्राध-कारियों की जिम्मेदारी का । लेकिन काम रोको प्रस्ताव प्रादिवासी इलाकों के बारे में जो केन्द्रीय सरकार की नीति है या जिम्मेदारी है उस संबंध में उसकी घराफलत को लेकर है।

The Minister of Home Affairs (Shri Namia): Before I say anything more, I must state that we are exceedingly unhappy and deeply distressed about what has happened in Jagdalpur on the 25th and 26th of this month. What has happened there is extremely unfortunate and painful. It has resulted in loss of life. Several lives have been lost, including that of Shri Pravin Chandra Bhanj Deo, exruler of Bastar. (Interruptions).

भी बागड़ी: सेवरल के क्या माने 8 1

सम्बक्त महोदय : प्रव भाप बैठ जाइये ।

बी बागड़ी: कितने मरे हैं, यह बतलाया जाये ।

भी श्रॉकर लाल बेरवा : गोलियों से उडाये हैं, मरे नहीं हैं।

बच्चल महोदय : क्या घाप खामोश हो कर सूनेंगे नहीं।

बी बागड़ी: कोई भुखमरी थोड़ ही माई थी जिस में मरे।

Shri Nanda: I share the deepest sympathy with all concerned over the loss and suffering.

The question has been raised that what has occurred there attracts the responsibility of the Centre. hon. Member, Shri Nath Pai, has said that even though these occurrences may be sub judice, he will expect us to allow a wider enquiry, and a wider discussion to take place here. In this House, this party is prepared to have any discussion, provided it is permissible, admissible, because this House functions within the framework of a Constitution and certain rules. Therefore, it is not a question that we are afraid of any enquiry, but the point is this.

The Chief Minister of Madhya Pradesh has already made three statements in the State Assembly on the incident and thereafter, a commission of inquiry under the Commissions of Inquiry Act has been appointed to enquire into the matter. A sitting Judge of the Madhya Pradesh High Court has been nominated by the Chief Justice of Madhya Pradesh Migh Court and appointed by the Madhya Pradesh Government to conduct the enquiry. (Interruptions)

Re. Bastar

व्यी हुकम बन्द कचनाय : केन्द्र द्वारा जांच होनी चाहिये । मैं इस बात को मानने के लिए बिलकुल तैयार नहीं हुं । वह जज मुख्य मंत्री का मित्र है ।

Shri Nanda: I place on the Table of the House a copy of the netification appointing this commission. [Placed in Library. See No. LT-5921/66].

Other things have been brought up, the circumstances, the background etc. If this enquiry, judicial enquiry, brings out anything which relates the circumstances there to any failure of responsibility on the part of the Centre, we shall certainly take it up, but at present we cannot presume anything at all that there has been any failure, and I would take exception to the reflection cast on a Judge of the High Court. What is the basis for that? When the Ministry is dealing with this matter and there is a vote of no confidence, let it be decided there so far as the administration of the Ministry is concerned. not a question to be brought up here. (Interruptions.)

भी प्रकाशबीर शास्त्री : उस समय तक तो सब खत्म हो जामेगा :

Shri Nanda: This should be settled one way or the other,

सी हुकम चन्द कछवाय : केन्द्र द्वारा जांच होनी चाहिये । . . . (व्यवचान)

चम्पन महोदय : इस तरह से बोलने से कुछ नहीं होगा । मैं बोलता हूं इतना सुनने के बाद तो मुझे बोलने न दिया जाये, मुझ सुनने न दिया जाये, इस तरह से कैसे काम चलेगा । क्या मैं फैसला इसलिये दे दूं कि आप ने इतने जोर ले मझ पर दबाव डाला है ।

Incident

भी हुकम काव कक्षवाय : मेरी मांग तो सुप्रीम कोर्ट के द्वारा जांच कराने की है। इस में भाप को क्या भापत्ति है। ... (व्यवचान)

Shri J. B. Kripalani (Amroha): May I submit that the local Government says that it was a rebellion? Therefore, it becomes a political question which we are entitled to discuss here.

Shri Frank Anthony (Nominated—Anglo-Indians): If this is correct that Bastar is obviously a scheduled area,—we all seem to miss that question—if the Home Minister accepts it as a scheduled area, then he cannot get behind the direct responsibility of the Central Government. The Fifth Schedule, clause (3) regarding the administration of the scheduled areas, reads like this:

".. and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas."

It comes squarely within the responsibility of the Union.

Mr. Speaker: That power extends—the Union Government has that power to give those directions, but if there are no directions, whether there is failure on the part of Government and whether that becomes the responsibility of the Centre to give that direction, the jurisdiction, that is what I want to ask Mr. Anthony.

Shri Frank Anthony: The way i would put it is this. Apart from Mr. Nath Pai's argument that there is an emergency and that there is a suggestion of a rebellion, if the duty of the Centre extends to giving directions to the State in respect of a scheduled area—apparently that is what

[Shri Frank Anthony]

the Fifth Schedule says, and this is a scheduled area-than a fortiorari it will extend to telling them, "we want an enquiry which will be completely * above suspicion, we will tell whom you should appoint, we tell you precisely what you should do to ensure that the enquiry is absolutely above any suspicion, you remove all your local officials". There would be an abdication of responsibility if the Centre did not assume this direct responsibility in this mat-

Re. Bastar

Shri Swell (Assam—Autonomous Districts); May a tribal Member of this House say a word in this matter?

Mr. Speaker: He will sit down.

Shri Swell: I have been sitting. I am trying to catch your eye. I have not been given any permission to say a word on it.

Mr. Speaker: How can every Member expect an opportunity? I cannot allow every Member.

Shri Swell: I have tabled an adjournment motion. Nobody from my group has spoken. I am a tribal Member of this House.

Mr. Speaker: Order, order. He will kindly sit down. I will see if I can give him an opportunity, but he will sit down first.

13 hrs.

Shri N. C. Chatterjee (Burdwan): Will the hon. Home Minister communicate to the Madhya Pradesh government that in the wider interest of the nation, they should not take up any rigid attitude The Home minister should nominate a member of the Supreme ourt judiciary or an ex-chief Justice. The other day Justice Gaiendragadkar retired from the Chief Justiceship of the Supreme Court of India and he can easily be nominated. I am quite sure the whole of India would accept his judgment; that will be completely above any suspicion or any reflection of any kind. That will inspire people's confidence (Interruptions.)

Incident

Shri Swell: You have been pleased to accept that the responsibility of the central government is to the extent of issuing directons to the state government with regard to the administration of these scheduled areas. This matter of Bastar has been before the country for the last many years and recently there has been quite some agitation. The ex-ruler of Bastar, I think, has drawn the attention of the central government to the danger of his personal life. There has been agitation about food and he has been on fast for so many days. Now, has the central government taken cognisance of this fact and have they issued any directions to the Madhya Pradesh government with regard to this matter? If they have not issued any direction, it has been a clear failure on the part of the Central government in not having issued any direction and having allowed the situation to develop in this manner. I have given an answer to the question you put to Mr. Frank Anthony. The central government by not having issued any direction to the state government with regard to his area has failed in its duty.

Shr! Nath Pai: When I submitted to you earlier, I was handicapped because I did not have a particular paper. You know how difficult it is to get quick references in this House though under you conditions have a little improved. I should like to point out to you that the question whether the area is scheduled or not is an important question. Under a notification of the Madhya Pradesh government, Bastar is a scheduled area.

Mr. Speaker: I will ask the Minister whether he agrees with this.

Shri Nath Pai: Let me conclude. If it is a scheduled area, the question arises. I am quoting now the authority of the Madhya Pradeah government. They say: "The M.P. government has declared the following as scheduled areas in Raipur division, Bastar....."The whole of Bastar district is there and then other areas are given. Once we accept that it is a scheduled area, then it becomes clear. The last sentence which my friend did not read is this: "The executive power of the Union shall extend to giving directions to the state...." The word is "shall".

Mr. Speaker: They had these powers?

Shri Nath Pai: Yes, and they failed to exercise those powers.

Mr. Speaker: There is one question about the past action or past events. The hon. Members might sit down. They did not consider it necessary to issue any instructions or any directions. That is one thing, Secondly, Mr. Anthony has now argued that they have the authority and therefore, they could issue instructions that instead of a judge of the High Court, a judge of the Supreme Court might be appointed to go into all the things. These are two distinct things: whether by failing and not thinking it proper to give any direction while the area was a scheduled area, there is any failure on the part of the government. That is one thing. The second is whether the government has those powers. Now, Members feel so much agitated. Will they issue a direction to the government now that instead of making it an enquiry by one judge, a Supreme Court judge might be appointed. These are two distinct things. Let me make clear the position to the hon. Minister.

Shri Nath Pai: Regarding admissibility, are you satisfied with facts that it is a central responsibility by virtue of its being a scheduled area?

Mr. Speaker: He may resume his seat; I have heard him,

बी प्रकाशकीर शास्त्री: मैं कितनी बार खड़ा हुआ, धाप मुझे धवसर ही नहीं दे रहे हैं। मैं यह चाहता हूं कि धाप गृह मंत्री से एक साथ इस प्रकन का भी उत्तर तें लें कि जब प्रान्तीय सरकार किसी केस में पार्टी बन जाय धौर स्वयं उसके संबंध में इस प्रकार के प्रमाण सदन को मिल चुके हों कि श्री प्रवीणचन्द्र मंजदेव के देहान्त के बाद धाध बंटे में पोस्ट माटम करके धौर उनकी पत्नी के धाने के पहले ही शव को भी जला दिया गया तो फिर क्यों नहीं केन्द्र की जिम्मेदारी धाती है ?

डा॰ राव मनोहर लोहिया : अध्यक्ष महोदय, भापने सारा सवाल सब-जूडिस पर...

सम्पक्त महोदय : प्रापको तो मैं के सुन लिया । प्रव मुझे भौरों को सुनन दीजिए । दोदारा मैं प्रापको वक्त नहीं दे सकता ।... (क्यवयान). .. डाक्टर साहब, मैंने प्रापको सुन लिया । इस तरह से प्रगर किसी के प्राप्यूमेंट्स रह जायं भौर वह दोदारा कहना चाह तो मैं नहीं सुन सकता...

बा॰ राज मनौहर लोहिया : इसके मानी मैं मान लेता हूं कि विचाराधीन तक का प्राप पर असर नहीं पड़ा !

श्रम्यक महोश्य : पाप बैठ जाइए । प्रव मैं नहीं मुन सकता ।... (श्रम्बद्यान) नहीं प्रव मैं नहीं मुन सकता ।

The Minister of Education (Shri M. C. Chagla): Mr. Speaker, there is no doubt that as regards the importance of the subject and the desirability of Parliament to discuss important matters... (Interruptions.) I am one of those who believe that we should have full and free discussion with regard to every matter that agitate: the mind of the country.

Shri Ranga: It is an important matter.

Shri M. C. Chagla: It is important; it is vital; it deals with a weak and vulnerable section of our society. The Centre may have responsibility. I even concede that the Centre has failed to discharge that responsibility but, this is an important 'but'..... (Interruptions.)

An hon. Member: The motion must be admitted; he concedes that failure.

Shri M. C. Chagla: Will I not be allowed to complete my sentence?

Mr. Speaker: I cannot do anything; Dr. Lohia might ask for permission.

Shri M. C. Chagla: May I complete what I was going to say?

More important than a discussion in Parliament is the fact that we should not in any way prejudice a tribunal which has been appointed with a sitting judge..(Interruptions.)

Shri Ranga: It has not come into existence.

Shri M. C. Chagia: It has ... (Interruptions.) The question to be determined is: what were the facts? What were the causes; who was responsible? All this has to be done by a High Court judge. I am surprised that an eminent lawyer like my hon. friend Mr. Chatterjee who was a judge of the High Court should himself cast reflections on a sitting High Court judge.

Shri N. C. Chatterjee: I have not. I am pointing out that the government of Madhya Pradesh is itself a party; therefore it is better in its own interest to do as I said.

Shri M. C. Chagla: I was a member of the judiciary; he was a member of the judiciary. I am proud of our judiciary. Is it suggested that a judge of the High Court nominated by the Chief Justice will not do jus-

tice between the State and the individual? We have been doing that all our lives. As I said, Mr. Chatterjee himself should have decided cases when the State was a party, I submit, Sir, it is a very serious reflection on the independence of the judiciary in our country. We proud of our judiciary. I do think it can ever be said that a High Court Judge will not decide fairly because one of the parties is the State Government. Every day we dispose of such cases in our Courts. Why should not a High Court Judge be appointed .. (Interruption). Rule 59 reads:

"No motion which seeks to raise discussion on a matter pending before any statutory tribunal cr statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved:

Then the proviso is this:

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry....

That means, the matter about the procedure to be followed by the tribunal or the subject-matter which means the terms of reference or the stage at which the enquiry is, once a tribunal is appointed. With great respect, I submit, a motion of adjournment which deals with the matter which is pending before the tribunal cannot be allowed. It will frustrate the whole enquiry.

Shri Nanda: May I re-emphasize the position? My colleague said 'even assuming'. It is a fact that it is a scheduled area. It is also a fact that there is, under the emergency powers, power which extends to the issue of a directive. But where are the conditions and where is the situation to issue a directive?

An hon, Member: There was a break-down.

Shri Nanda: No break-down (Interruption). Nothing has happened which will require any discussion which will necessarily involve and entail bringing up facts which will be sub judice.

Shri Nath Pai: Mr. Chagla has conceded Government's failure.

Mr. Speaker: The Home Minister said that Mr. Chagla was assuming— 'even assuming there has been a failure'.

Shri Nath Pai: No, no. He said he conceded.

Mr. Speaker: I also know that. I recollect that Mr. Chagla said: 'Even I concede' (Interruption). If Government say there is any failure . . . (Interruption). But there is very limited scope for this discussion. We cannot discuss the events which led to the murder itself. The discussion have to be very much restrictive.... (Interruption). Unless they have been brought in I am rather feeling doubtful whether there will be any use of this discussion in this manner. Therefore, I would rather think that the Home Minister might make a statement and elucidation or clarification might be sought by the Members.

Shri Ranga: Let us have a regular discussion separately.

Mr. Speaker: After the statement, that can be considered whether we can have a discussion also on that. But we will have a statement from the Home Minister first.

Shri S. M. Banerjee: You ask Dr. Lohia.

Mr. Speaker: I remember that.

डा॰ राम मनोहर लोहिया : ठीक है, पहले मंत्री थी बयान दे दें । फिर उस के बाद प्राप और हम लोग मिल कर फसला कर कि स्वगन प्रस्ताव घाये या नहीं।

स्राप्तम नहोस्य : एक स्यान तो अकर प्राजाना चाहिए ।

Shri Nanda: I want time so that I can collect the facts.

Mr. Speaker: Tomorrow afternoon?

Shri Nanda: I have already the statements which have been made by the Chief Minister,

Shri Nath Pai: We are not interested in that.

Shri Nanda: All that information I have. Any more information I will have to collect.

बा॰ राम मनोहर लोाह्या : कल सादे तीन बजे बयान हो जाए इन का, यह मैं सलाह देता हूं।

Shri Bhagwat Jha Azad: You said murder. It is not correct.

Mr. Speaker: He said that he will collect the information.

Shri Nath Pai: If he is going to give us the rehash which was given...

Mr. Speaker: I canot decide it beforehand.

Shri Nath Pal: After having admitted that the Government has accepted responsibility, if Mr. Nanda proposes to give a rehash of the explanation given by the Chief Minister of Madhya Pradesh, we are not interested. We want to be assured that information will be collected by the agency of the Central Government, not the State Government.

Shri Nanda: If it is going to be a wide-ranging inquiry, it is not going to be possible within the next few hours—collection of information. Some information we have. Others we will have to collect.

डा०राम भनोहर लोहिया : यह बयान गह मंत्री जी का तीन बजे तक माप करवा दीजिए ताकि फिर भी धगर हम को स्थगित प्रस्ताव करना पढ़े ती चार बजे तक वह प्रस्ताव लाया जा सके। कल तीन बजे तक इन का बयान करवा दीजिए।

Mr. Speaker: Would it be possible by three o'clock tomorrow? If he feels that that time is not sufficient, he can have it day after tomorrow at 3 o'clock.

Shri Nanda: Yes, day after tomorrow.

Mr. Speaker: On the one hand it is said that the Central Government should have all the information. For that, if he wants time we should give him time. Day after tomorrow 3 o'clock.

13.16 hrs.

PAPERS LAID ON THE TABLE

AUDIT REPORT AND APPROPRIATION ACCOUNTS, DEFENCE SERVICES

The Minister of State in the Departments of Parliamentary affairs and Communication (Shri Jaganath On behalf of Shri Sachindra Chaudhuri I beg to lay on the Table a copy each of the following papers:-

- (i) Audit Report, Defence Servies, 1966, under article 151 (1) of the Constitution. [Placed in Library, See No. LT-5912/661.
- (ii) Appropriation Accounts the Defence Services for the year 1964-65 and Commercial Appendix thereto. [Placed in Library. See No. LT-5913/ 66].

REPORT OF ELECTRONICS COMMITTEE

The Minister of State in the Ministry of Defence (Shri A. M. Thomas): On behalf of Shri Jai Sukh Lal Hathi, I beg to lay on the Table a copy of the Report of the Electronics Committee 1966 (omitting Security classified portions). [Placed in Library. See No. LT-5914/661.

ANNUAL REPORT OF PRAGA TOOLS

Shri A. M. Thomas: I beg to lay on the Table a copy of the Annual Report of the Praga Tools Limited, Secunderabad for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller Auditor General thereon, under subsection (1) of section 619A of Companies Act, 1956, [Placed in Library. See No. LT-5915/66].

13,17 hrs.

STATEMENT RE. FOOD AID BY CANADA

The Minister of Food, Agriculture, Community Development and Cooperation (Shri Subramaniam): I am happy to inform the House that the Government of Canada have announced their intention to offer food aid to the Government of India of \$56 million during the Canadian fiscal year 1966-67 beginning 1st April, 1966. This amount added to the \$15 million emergency food aid already given by Canada would mean the supply of about one million tons of Canadian wheat and would be of great help to us in meeting the difficult food situation during the coming months, I would like to convey on behalf of the Government of India our thanks to the Canadian Government for this generous and timely asistance to tide over this difficult period.

Shri S. M. Banerjee (Kanpur): On Friday I said that the Hon. Minister for Food and Agriculture might make a statement on the food supply position to Bengal. Will you kindly sak him to make a statement?

Mr. Speaker: He has heard it.