

court in response to the summons issued by the S.D.O. Sadar Purulia, refused to stand surety for him and surrendered him in court for necessary legal action stating that Sri Mahata does not like to remain on bail. Sri Bhajahari Mahata was asked to furnish another surety but he declined to do so and instead asked for being remanded to custody in pursuance of the new policy of his party namely Lok Sevan Sangha.

Sri Bhajahari Mahata M.P. was accordingly taken into custody at 3 p.m. on 22nd day of January, 1954 and is at present lodged in the district Jail at Purulia, Manbhum."

MOTIONS FOR ADJOURNMENT

KUMBH MELA TRAGEDY

Mr. Speaker: I have received notices of adjournment motions relating to the same subject, viz. the Kumbh Mela tragedy,—one from Shrimati Renu Chakravartty, one from Shri V. G. Deshpande and another jointly from Shri Kripalani, Shri Gurupadaswamy and Shri K. Subrahmanyam. Before I give my ruling, I should like to know how these motions are admissible in this House, because however unfortunate the incident may be, the Mela administration was entirely a matter for the Uttar Pradesh Government, and they were in charge of the arrangements. I do not think the motions would be admissible, but I should like to know from those hon. Members who have tabled the motions if they have anything to say—not on the merits but on the question of admissibility.

I may state that there is also another reason for it, and that is that a committee of enquiry has already been set up and it will be premature to discuss anything without first knowing what the facts are, as may be found by the enquiry committee.

Further, there has been a reference to this incident in the President's Address, and though the discussion

may not be permissible on an adjournment motion, I think it may not be possible altogether to avoid reference to this subject during the discussion on the President's Address, because the mention has been made by the President in his Address today.

There are also other reasons, but the principal reason is that the central responsibility is not there. The Government at the Centre was not actually in charge of the administration of the Mela arrangements and I do not see how I can consent to this adjournment motion.

Shrimati Renu Chakravartty (Basirhat): May I state, Sir, first that technically you may rule it out, but even technically you cannot do so, because it is a national tragedy? On top of that it is the Central Government which authorised the Uttar Pradesh Government to impose a toll tax. Even in the matter of amenities provided for the pilgrims the Central Government took responsibility. Above all, Sir, the main reason why we should debate this matter in this House is that there were many important Union Ministers who were present there and it was the many arrangements that were made for them that was directly responsible for this tragedy. Not only that, after this tragedy had happened, several of them were attending tea parties, etc., which has shocked the whole of India.

These are the reasons, Sir, why we consider that this matter should be debated in this House.

Shri V. G. Deshpande (Guna): My submission is that this matter should engage the attention of the Centre and this House because it was a national calamity of such a colossal scale that the whole of India has been shocked. The list of casualties shows that not only people from Uttar Pradesh but also from Bihar, Gujerat and other provinces have been involved in the tragedy. Moreover, the Prime Minister, the President of the Republic and the Ministers of the Central Government, as the Prime Minister himself has just now referred, were present in the Mela when this

[Shri V. G. Deshpande]

tragedy took place. My third argument is that the President of the Republic had issued an ordinance authorising the levy of a terminal tax on railway fares. Big crowds were thus attracted and money was collected through an ordinance of the Centre for the management of the fair. Under these circumstances, and particularly as a reference has been made to a party which was given in honour of the President, which was attended by Union Ministers and State Ministers where there was music and other types of enjoyment

Mr. Speaker: Order, order, the hon. Member is going beyond the merits of admissibility. Those facts are yet to be ascertained. I could not take them for granted from newspaper reports merely.

Shri V. G. Deshpande rose—

Mr. Speaker: I do not think the hon. Member need proceed further.

Dr. N. B. Khare (Gwalior): May I know, Sir, why this House, the whole House, just now stood up in silence to mourn the death of the victims of the tragedy, if it was not concerned at all?

Acharya Kripalani (Bhagalpur cum Purnea): May I bring to your notice, Sir, that an unusual kind of propaganda was carried on on behalf of the Centre and facilities were promised for attending pilgrims. This had not been done before. The Railways were supposed to make arrangements for the pilgrims. But it is a fact that trains were coming over full of people. Almost every train had passengers on the roof. Some of these passengers were killed in transit. All these things were known to the Central Government. The Central Government was responsible for making railway and transport arrangements, and during that transport there were accidents. They took no steps to discourage people from collecting together. The Centre is therefore responsible; if not, only a little less responsible than the Provincial Government.

I, therefore, submit that the Adjournment Motion is admissible on its own merits.

Shri H. N. Mukerjee (Calcutta North-East): Sir, as you said, the President was advised to make a reference to this in his Address, because it is obviously a matter of national importance. Apart from the Railways which are the direct concern of the Centre, it was the Army Engineers who helped in the construction of the bridges. I am also sure that the army was called to be in readiness to come and help in any emergency. There was a discussion openly in the papers that possibly the army was kept in readiness in order that the arrangements may be better.

This was a festival which even though it pertained to Hindus was one of a national character. This kind of incident having happened in circumstances which are so dubious, the State Government had to appoint a Committee to enquire into the matter. But the terms of reference of the Committee of enquiry are so inadequate that we as representatives of different parts of the country feel that we should have a right to say what we think in regard to this. I hope you will take into consideration the different aspects of the matter and give your ruling after you have given really careful thought to the widespread feeling all over the country regarding the desirability of a proper enquiry into the circumstances of the incident.

Shri N. C. Chatterjee (Hooghly): May I point out one thing? Just now seven Ordinances were placed on the Table by Mr. Sinha. (*Some hon. Members:* Not yet placed). They are on the Order Paper. Two of them—Ordinance No. 1 of 1954 and Ordinance No. 2 of 1954—directly relate to Kumbh Mela. They are promulgated under Article 123 of the Constitution of India and they could be promulgated only when it is a Central subject, only when it is within the competence of the Parliament to enact such a law;

and because it is a Central responsibility and a Central matter subject to the jurisdiction of this Parliament these Ordinances were promulgated. I submit, Sir, it is perfectly legitimate and admissible.

Dr. Lanka Sundaram (Visakhapatnam): May I read the text of the Ordinance concerned before you give the ruling. It extends to the whole of India, except the State of Jammu and Kashmir. It reads:

"There shall be levied on all passengers carried by railway from any railway station in the territories to which this Ordinance extends," (it extends to the whole of India), "to any of the following railway stations....".

Allahabad City and adjoining stations are mentioned. The Schedule of rates shows the rates of taxes, viz., one rupee and eight annas, one rupee, eight annas, and six annas.

The point here is that nearly Rs. 20 lakhs of the tax-payers' money from all over India has been collected to make arrangements at Kumbh Mela. All arrangements were to be made by the Railways with the assistance of several authorities, both Central and local. The question of competence of this House to deal with this matter is beyond doubt.

Mr. Speaker: I do not want to enter into any argument with the viewpoints coming from the hon. Members on this side of the House. It is obvious that the subject-matter of the Motion is what happened, actually, what may be called a grim tragedy. The fact that the Central Government gave certain facilities to raise finances to enable the Uttar Pradesh Government to make arrangements is entirely a different matter and the tragedy is not the direct result of the Ordinances being passed. Nor even the military aid given is the direct cause; perhaps the absence of it would have been a cause for complaint. Further—I forgot to mention,—I find that the matter was discussed in the Uttar Pradesh Assembly also—that is from the Press reports—and

the Chief Minister of Uttar Pradesh, I think, has given a statement of facts and a Committee of enquiry was appointed by the Uttar Pradesh Government. All this points to the fact as to where the responsibility lies and I do not see how I can consent to this kind of Adjournment Motions on the grounds urged.

Dr. N. B. Khare: My point is not answered.

Mr. Speaker: It does not require to be answered. I am not bound to answer each and every point.

Dr. N. B. Khare: Thank you. We walk away in protest against these banqueteers and racketeers.

Mr. Speaker: Order, order.

Acharya Kripalani: Sir, we do not walk out; yet I must tell you that many of us on this side feel the same way as those who have walked out.

PAPERS LAID ON THE TABLE

BILLS ASSENTED TO BY THE PRESIDENT

Secretary: I beg to lay on the Table a copy of the Statement showing the Bills passed by the Houses of Parliament during the Fifth Session, 1953, and assented to by the President.

STATEMENT

1. The Sea Customs (Amendment) Bill, 1953.
2. The Rehabilitation Finance Administration (Amendment) Bill, 1952.
3. The Employees' Provident Funds (Amendment) Bill, 1953.
4. The Travancore-Cochin High Court (Amendment) Bill, 1953.
5. The Dhoties (Additional Excise Duty) Bill, 1953.
6. The Live-stock Importation (Amendment) Bill, 1953.
7. The Calcutta High Court (Extension of Jurisdiction) Bill, 1953.