

The result may be, his whereabouts may be known, but in so far as he has not been heard of by some, that would give cause for divorce.

**Shri S. S. More:** How, if his whereabouts are known?

**Shri Tek Chand:** Kindly see.

There is a case of sentence and imprisonment, for seven years. So long as you are undergoing imprisonment for three years, that is a good ground for the other party though his conviction or his imprisonment might have been contributed by the guilty party. These are not measures that are being adopted and known in other lands. We have had no experience of their working. It would be most desirable that, if a Divorce Bill is to be introduced, divorce should be allowed only in the rarest of cases of real genuine provocation.

**Shri Venkataraman:** A long series of speeches have been delivered against the provisions contained in clause 27 that I am grateful to you for giving me this opportunity to put forward the point of view of a large number of people who have not given amendments. My hon. friend Shri N. C. Chatterjee said that nearly 12 Members have given amendments of the same kind for the deletion of clause (k). But, if he had analysed the amendments, he would have found that some of us have given amendments that sub-clause (k) may be deleted and substituted by something better of the same kind. If it were an argument that a large body of people are against this clause, what about the rest of the Members who have not given any amendments? Does it not mean that they are in favour of the clause as it stands in the Bill?

**Shri Gadgil:** No presumption can be drawn one way or the other.

**Shri Venkataraman:** Therefore, I do not propose to draw any inference except to say that the inference drawn by my hon. friend Shri N. C. Chatterjee is wrong.

**Shri N. C. Chatterjee:** I am in good company.

**Shri Venkataraman:** I now come to the specific amendment of which I have given notice, namely 97. My hon. friends Shri C. C. Shah and Shri Pataskar.....

**Mr. Chairman:** Since the hon. Member wants to introduce a new subject and it is already five o'clock I would request him to continue tomorrow. Now, we shall take up the half-an-hour discussion.

5 P. M.

**Shri Raghavachari:** Is the House sitting after 5 p.m.?

**Sardar A. S. Saigal (Bilaspur):** It is already five o'clock.

**Mr. Chairman:** Order, order. This is already on the Order Paper. There is nothing new about it.

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#### SALE OF SOVIET PUBLICATIONS: ON RAILWAY PLATFORMS

**Shri V. P. Nayar (Chirayinkil):** I raise this discussion on the basis of an answer given by the hon. Deputy Minister of Railways to one of my questions on the 6th September. I shall read out the question and the answer, in order that the House may appreciate why this discussion is raised.

My question was:

"Will the Minister of Railways be pleased to state:

(a) whether it is a fact that books and periodicals printed and published in the U.S.S.R. are not allowed to be sold on the railway platforms even now; and

(b) whether Government will lay on the Table of the House a copy of the orders of Government in force with regard to this matter?"

The Deputy Minister of Railways answered, yes; that is, the sale of Soviet

[Shri V. P. Nayar]

literature has been completely banned. He further added of his own:

"Government have issued instructions to Railway Administrations to discourage the sale at their bookstalls of literature which is of a tendentious nature.

(b) It is regretted that it would not be in the public interest to do so."

The action taken by Government as admitted in the answer, is wrong in several ways. You know Sir, that India has entered into a trade agreement with the Soviet Union very recently. This trade agreement has been violated by the orders of the Railway Ministry, because you find that the trade agreement says:

"Both the Governments will in every possible way develop and strengthen the trade relations between the two countries on the principles of equality and mutual benefit."

Further, it adds:

"For goods imported and exported from one country to other, both Governments pledge themselves to grant maximum facilities allowed by their respective laws, rules and regulations."

This trade agreement expressly specifies books and periodicals as articles which can be exchanged. I might invite the attention of the House to item 39 in the list of goods which we are to import from the Soviet Union, and to item 20 of the list of items which we are to export to the Soviet Union. They relate to printed matter including books and periodicals.

While this is so, when the two Governments which are friendly have entered into an agreement under which books and periodicals can be imported from one country into the other, I submit the action of the Railway Ministry in having banned all the publications of Soviet origin is against the very spirit of the agreement, and it is one which will, as a matter of fact, subvert the agreement itself.

I would have very much appreciated if the hon. Minister of Railways had the guts to tell us, "yes, I have banned these under such and such circumstances, these are the orders, I have issued etc. Instead of that, what does he say? He says that all Soviet literature has been banned because the Railway Ministry have issued instructions to the Railway Administrations that the sale of "tendentious literature" should not be encouraged. What does it mean? It means that all literature from the Soviet Union is tendentious, and therefore, the Railways do not find it possible to encourage their sales,

I do not think that anybody whose place is outside any lunatic asylum will think that the entire literature produced from a country is tendentious. I shall come to the really tendentious nature of some of the books and periodicals, this Ministry have allowed to sell, later on.

I also submit that this is a point in which the constitutional safeguards given are also violated. There is a fundamental right to do any trade or business. There is no law so far, forbidding sale of such books which has been violated. I would ask the hon. Home Minister, who, I understand, is replying to the debate today, to point out any specific provision of law which could stand the test of constitutionality under which the Railways, or for that matter, any other administration can enforce a ban on the sale of the entire literature of a Country.

In the present context of Indo-Soviet relations, this ban has very serious effects on the good relations of both the countries. One Ministry enters into an agreement with the Soviet Union, specifying that books and periodicals will be a subject-matter of exchange, while another Ministry passes an order prohibiting the sale of all literature which is covered by the agreement. One could have gauged the depth of the unfriendly attitude of the Railway Ministry in

regard to this matter, if only this item 'books and periodicals' had not been specifically mentioned as a commodity for interchange between the two countries. It is a pity—in fact, it is a misfortune, I should say, that we have such tendentious minds which have found places for themselves, places from which they can pass any orders, and go on repeating with impugny that what they have done is correct.

When the Railways say that tendentious literature is not encouraged, I would request you to see some of the books which I have presented to the Library yesterday to be exhibited there. None of those books can be sold, because the entire Soviet literature is banned. You find in that collection not tendentious literature, but literature, which throughout the world is acknowledged as the best works of some of the greatest masters of literature. Maxim Gorky, Ivan Turgenev, Anton Chekov, Leo Tolstoy and Alexi Tolstoy are all names to confine with in world literature. Their works cannot be sold in these railway bookstalls because the Railways or the Railway Minister thinks that they will amount to tendentious literature. Also displayed in the Library are works of some of the greatest scientists who have ever lived. I refer to the works of Pavlov, Michurin, Lysenko, none of whose books can be sold on the railway bookstalls simply because they are produced in the Soviet Union. I can quote any number of instances, but I do not want to tire the House.

On the other hand, when this order of tendentious literature is applied, you must go and have a look round in some of the railway bookstalls to see what literature they really sell. Literature which is *per se* objectionable, *per se* tendentious, abnoxious and abominable and which none of us would care even to look at, is sold in very large numbers. There are any number of crime thrillers, which will interest my hon. friend Dr. Katju, because he is a great admirer of Sherlock Holmes, as he has several

times said in this House. Here is a book, for example, with me. I have an American publication, called the *Best Detective*. It has ten stories, all of which relate to murder. They do not have any other topic to write a story upon, except the theme of murder. If Dr. Katju wants, I can make a present of this to him.

**The Minister of Home Affairs and States (Dr. Katju):** Please do. I shall be obliged.

**Shri V. P. Nayar:** I selected some other books at random. Here is another book, whose caption is 'Murder is so simple'. Inside it, you will see that the write-up on the front page is:

"They died trusting him. Why should they suspect that the charming man who professed to love them so dearly was no more than a ruthless killer? Murder is after all so simple."

**Shri K. K. Basu (Diamond Harbour):** Not the Home Minister.

**Shri V. P. Nayar:** Not the Home Minister?

I have some other books also with me now. Any number of them, even hundreds of them, you can get in any of these bookstalls. Look at this book. It is entitled 'The D.A. calls it a murder'.

**Shri M. S. Gurupadaswamy (Mysore):** What is the price of this?

**Shri V. P. Nayar:** Twelve annas or fifteen annas.

**Sardar A. S. Saigal (Bilaspur):** Present it.

**Mr. Chairman:** I do not want to interrupt, but I must remind the hon. Member that only half an hour's time has been allotted for this discussion. If the hon. Member takes more than ten minutes, then it will be difficult for him to get a reply from Government.

**Shri V. P. Nayar:** Sir, in the past I have raised four or five half an

[Shri V. P. Nayar]

hour discussions, and every time, I have been given fifteen minutes.

**Mr. Chairman:** There are other hon. Members also who are desirous of speaking, and the hon. Member must necessarily expect some replies from Government also. If the hon. Member takes ten minutes, five minutes or more may be given for other Members, and ten minutes at least may be given to Government. Otherwise, proper use will not be made of this half-an-hour discussion.

**Shri V. P. Nayar:** I will not take one minute more than what is necessary.

**Shri Joachim Alva (Kanara):** In view of the importance of the subject, will you kindly extend it by another half an hour?

**Mr. Chairman:** It is a half-an-hour discussion only.

**Shri V. P. Nayar:** What I was submitting was that in the railway bookstalls when you have banned the works of some of the greatest men of letters who ever lived in this world, you find all sorts of crime thrillers, gangster stories, fornication and pornographic literature, pin-up studies—of which Dr. Katju himself got a present the other day—and all sorts of literature which we can call as most vulgar, obscene and profane. Their sales are encouraged by the railways because perhaps somebody in the railways wants to go through them or perhaps they have some other interests in their sale. On the other hand, there are publications and periodicals which come from the Soviet Union in which there are articles on Indian culture, on indology on Education, Science, Art etc. For example, I have before me one which gives a detailed account of the work done on Kalidasa's works in the Soviet Union. I am having two books in my hands. One is a pamphlet which shows on the cover page the portrait of a girl actually in the process of undressing. This is sold in the railway bookstalls; there

is the stamp of Wheelers & Company on it. On the other hand, there is another magazine, *Soviet Land*, on the front page of which is a portrait of a Member of Parliament, a Member of the other House Mrs. Alva along with other leading Indian & Soviet women. This periodical cannot be sold in Railway premises whereas the other one with the undressed portrait is sold. This is the effect of the discrimination.

**Shri S. S. More (Sholapur):** That is a way of attracting passengers.

**Shri V. P. Nayar:** All the filth and rubbish which is produced in the U.S.A.....

**Mr. Chairman:** I would request the hon. Member to conclude. Otherwise, I will not be able to give a chance to others.

**Shri V. P. Nayar:** Two more minutes, Sir. All the filth and dirt and rubbish which is produced in tons in the gutter Press of the United States and U.K., by the Press tycoons, all the war-mongering literature, all really tendentious literature showing the designs of the imperialist aggressors are allowed to be sold in all the bookstalls. On the other hand, all literature devoted for peace, literature which comes from peace-loving countries, the Eastern European democracies, and China are not allowed to be sold in the bookstalls. This, I submit, nothing but is discrimination. This is definitely intended and deliberately so, to subvert the trade agreement recently entered into between India and the Soviet Union. I submit this should stop. This masquerading of Ministers as moralists must stop. I want the Home Minister to depart from his usual way of indulging in mere chicanery, to meet the situation, and to give us a definite undertaking that this discrimination shall not continue, that Government will end this discrimination and that hereafter our train passengers will have the benefit of purchasing at railway stations some of the greatest works of Masters.

**Shri Joachim Alva:** I want to ask the hon. Home Minister whether he proposes to draw an iron curtain between Soviet literature and literature of the East. His generation and the generation that preceded him, and my own generation, has been fed on the prose and verse of Milton, Shakespeare, Dickens and Scott. The children of the new generation and our own children seem to be fed on literature about crime, adultery, sex and murder. I say it with all the sense of a father, as every Member in this House and every father and mother in this country would say. It is only for the last ten years since the end of the last war that this gutter literature has infiltrated into our railway bookstalls. We have a solemn, moral and spiritual duty to our children to see that they do not read this literature. I have had to hide bad books from my own little boys, because I do not want them before they grow up to twenty-one, to see these things and be wafted away by the strong winds of infamy or crime literature. I speak very solemnly as a Christian, as an individual, as an Indian citizen, we have no right to defame our children by letting them read all this literature. Our children may not be versed in good English or Hindi, but they know how to skip through all these lurid magazines and pictures which we never saw in our earlier life. They are being allowed to be sold at the bookstalls. I want to ask the hon. Minister how much money has been wasted, how many dollars have been wasted, by the import of this kind of literature. If you propose to proscriber a particular set of literature, then put a ban on all such literature. If you want to ban Soviet literature, put a ban on all that type of literature and say that we shall not allow such books and literature to come into our country. We must admit frankly that the children's books produced in Russia are indeed extraordinarily beautiful. The literature that is produced in, and coming from America is training up our children to be dacoits, bandits, murderers and what not. If that is the modern set-up,

then every one of us is guilty at the bar of public opinion. What has happened to our spiritual values, the great spiritual values which our forefathers had? Sir, we are drifting away. The railway bookstalls are going to distribute this kind of literature by tens, by thousands, and when the tide will be rushing, when the avalanche will be rushing, we will not be able to stop it. Why do we permit literature which slanders Soviet Russia? Why do we allow the *Reader's Digest*, which slanders Soviet Russia, to come to this country? Why do we permit *Time*, which slanders our Prime Minister, to come to India? Either we say that we ban all Soviet and Chinese literature or we do not. If we ban, we cannot allow all this literature from America to come in. If you want to import this objectionable stuff, let us have literature from the other side also and let us sell it all on our bookstalls. Let us have a balance. Let us restore the balance in politics and literature.

As I said, our children's taste for literature has been devoured by this avalanche of bad literature, by this literature depicting crime, sex and murder. Let us seriously take this into consideration. If *Time* news-magazine slanders our Prime Minister on Kashmir, why do we allow it to come in and be sold in our bookstalls? We do not also allow the *New Times* of Moscow to enter our bookstalls. The *New Times* is a clean magazine. If some people were to say that one is unclean, we want to note both sides of the medal. We want to be familiar, with both sides of the science and philosophy of politics. Let us have both so that we can restore the balance. We have weeklies and other magazines which criticise the Prime Minister of India and our political values. They are being allowed to be openly sold. They take a stand in defence of Portugal and decry our stand on Kashmir. Is this not treason? At the same time, we do not permit clean books from Soviet Russia or China to be put on our bookstalls.

[Shri Joachim Alva.]

I do not want to take more of your time. But we have raised this matter time and again. What are we going to do with this literature in our bookstalls? Even a great man like Dr. Katju—I claim he is an incorruptible Minister of the Union Government—even he who has lived in the generation which fought for freedom, seems to be silent on this issue. I want people to take this seriously, these gross inroads of literature on our bookstalls. Mahatma Gandhi has time and again told us about Tolstoy's books. Are these books also going to be banned?

**Some Hon. Members:** Yes.

**Shri Joachim Alva:** Are Tolstoy's books, on which our freedom movement was based, and other books which contain great moral and spiritual values, going to be banned? We believe in the glory of all those who have fought for freedom in other countries. The sooner we lift this iron curtain, the better it would be for all of us.

**Shri H. N. Mukerjee** (Calcutta North-East): I wish only to ask one question which I hope, against hope, the Home Minister will answer seriously. In view of the fact that Soviet literature made available in this country is either reprint of classical expositions of Marxist ideology or serious objective description of Soviet society and its outlook on world affairs, or reprints of literary works by men like Tolstoy and Gorky, does not the Government's ban on their sale in railway bookstalls, where they were previously on sale, amount to deliberate discrimination against the propagation of a theory that nearly half the world has accepted and an indirect but a very forcible intimation to all bookstalls the Government disapproves of the open sale of literature, specially on the theory and practice of Marx?

**Shri M. S. Gurupadaswamy:** I want to ask one question. Though it is a mistake to discriminate as between

the literature of one country and that of another, I want to know whether our literature is being allowed to be freely sold in Russian bookstalls.

**Dr. Katju:** Ask our hon. friend Shri H. N. Mukerjee.

**Shri M. S. Gurupadaswamy:** If our literature is discriminated against, then there seems to be some justification in discriminating against Russian literature here.

**Shri Bhagwat Jha Azad** (Purnea cum Santal Parganas): Is that a ground for discrimination?

**Shri S. S. More:** Let us have reciprocity!

**Shri M. S. Gurupadaswamy:** So I want a clarification whether our literature is allowed to be sold in Russian railway stations.

**Shri Sadhan Gupta** (Calcutta-South-East): Do we produce literature in Russian?

**An Hon. Member:** In Hindi.

**Shri K. K. Basu:** If a particular Marxist classic book were published from Britain or America, naturally the cost is four times what is price would be if it published in Soviet Russia. If it is printed in Britain it costs here Rs. 11/4 but if it is published from Soviet Russia it costs only Rs. 2/15.

There is another book by Engels 'Anti Duhring' I know the hon. Home Minister does not like that this book should be read because Government would probably lose if it is read popularly. But this is a classic by Engels, the British publication costs Rs. 7/6 while the Soviet publication costs only Rs. 1/14. What is his idea? Does he want to ban Soviet books from being brought here?

**Dr. Katju:** Sir, I shall very seriously and frankly say a few words.....

**An Hon. Member:** I want to put one question, Sir. The Chair did not see me. With the permission of the Minister.....

**Mr. Chairman:** According to rule 74 the hon. Member should have notified his name and there is no question of permission. He should have signed at least the notice under rule 74. I cannot allow the hon. Member to put a question. The hon. Minister has already started.

**Dr. Katju:** I was saying that in the very few minutes that I have, I shall be perfectly solemn and perfectly frank in answering some of the questions that have been raised here. I would not say what I would have been tempted to say on a complaint like this—whether it comes from this party or that party—that this literature or that literature has been banned, where there is no reciprocity, where it is an iron curtain for the study of everything.

What is a railway bookstall? A railway bookstall is conducted by contractors. Government is the proprietor. It is open to Government to say that the contractor should sell this and should not sell that. It is no argument to say that here is a stuff that is being sold.

Two years ago, the Railway Board issued specific instructions that unhealthy literature should not be sold....

**An. Hon. Member:** What is the definition of it?

**Dr. Katju:** .....that the bookstalls should be forbidden from selling unhealthy literature—no matter where it comes from, whether it is printed in India or whether it is printed abroad. I imagine the Railway Board would be only too grateful to any hon. Member if he should inform them if objectionable books are sold, whether it is printed here or elsewhere. I saw in Calcutta books which were printed in India to which objection was taken. Very well, you better communicate to the Railway Board. But the argument is this. It is said, here is rotten literature, rotten in the sense that it is all murders, gangsterism and things of that sort. Therefore, it is said, you must also allow us to sell our literature.

There is no comparison in these matters. The word which was used, and deliberately used, in the answer was tendentious literature. Tendentious literature is something which purports or aims at saying—directly or indirectly by insinuations—your system of government is wrong, it is not sound and you should not follow this system of government—though in a persuasive way it may be. But, it is harmful. I am not blaming anyone. Everybody is singing his praise. Everybody wants co-existence. That is the aim of all our parties. It may be good for you. We have all sorts of Members here (*Interruption*). It may not be good for others also. You have an equal right of choice. Books printed in America or let us say printed in India are not welcomed in the U.S.S.R. My friend has brought it through the Trade Agreement with Soviet Russia that this thing should be done and that thing should be done. (*Interruption*).

My friends are frequently going to that part of the globe. I do hope that they will try their best to see that every book that is printed in India in favour of capitalism, in favour of landlordism, could be brought over there; every book which praises a particular religion could be bought over there. Let them say that every book should have access there, should be sold through Government bookstalls and let me see what response they will have.

**Shri B. C. Das (Ganjam South):** Does he know that Tulsidas' Ramayana has been translated into Russian?

**Dr. Katju:** It is no use interrupting me in this fashion. Shri Mukerjee is following my remarks. There is no answer to that.

The second thing is this. My hon. friend, Mr. Basu, said, look at this: they are selling books at cheap prices, books which would have cost Rs. 5/- in printing alone; these are generous people, they are very regardful of our spiritual, and material advancement, intellectual advancement, who

[Dr. Katju]

are selling those books here for five annas or nine annas—books which will obviously cost Rs. 5/- for printing alone.

**An Hon. Member:** Five rupees in India and not there.

**Dr. Katju:** I may be a man of old fashion.....

**Dr. Jaisoorya (Medak):** I am sorry to say very old fashion.

**Dr. Katju:** When a man offers to me a million books at the rate of nine annas which will cost anywhere about Rs. 5/- I become, naturally, a little suspicious. I ask a question for which I do not expect an answer. Where do the proceeds go? Tell me. My hon. friends over there know much better than I do as to where the proceeds go.

**Dr. Rama Rao (Kakinada):** Ask the banks; it goes to Russia.

**Mr. Chairman:** This kind of interference is not fair. This should be done in a more gentle way.

**Dr. Katju:** You have taken away two minutes of the ten minutes I had.

**Shri H. N. Mukerjee:** On a point of order, Sir. Is it the way of asking a question and expecting us not to give an answer thereto and thereby insinuating very definitely that the proceeds of certain sales are more or less managed by ourselves? That kind of insinuation is, I submit, absolutely out of order, frivolous and objectionable.

**Mr. Chairman:** The hon. Member has raised this point of order with certain vituperative expressions attached to it. It would have been proper for the hon. Member to ask a question. I would not have objected to it. But, when the hon. Minister is replying, and in the heat of his argument, for another member to rise up and shout like this is not in keeping with decorum.

**Shri H. N. Mukerjee:** I want to know whether this kind of insinuation is to be permitted.

**Mr. Chairman:** If the question is put and if the reply is not made, he can draw his conclusion and proceed. But, at least the etiquettes of good discussion require that a person should be heard and should not be shouted at when he is speaking.

**Shri H. N. Mukerjee:** Are we expected to say where certain proceeds go? Why can't he ask A. H. Wheeler and Company, his railway bookstall contractors, where they send the money? What is the insinuation?

**Dr. Katju:** I have always come to the conclusion that when there is shouting on the opposite side, the thing is correct and it hurts. If my hon. friends had sat quiet and thought that here is an argument advanced by Dr. Katju, who is a lawyer, then it would be different. If they are infuriated, that means that the thing is substantially true and there is no answer except shouting (*Interruptions*).

**Shri S. S. More:** I want to know ... (*Some Hon. Members:* Sit down.)

**Mr. Chairman:** Will he resume his seat?

**Shri S. S. More:** Sir, I want to know..... (*Some Hon. Members:* Order, order). I only want to know..

**Mr. Chairman:** Order, order. The hon. Members should know that they should sit down when the Chair is standing. This persistence in standing is not fair. After all, Mr. More is an old parliamentarian. He knows the rules of the House and I am shouting at him to sit down and he will not sit down. He ought to keep cool and not get excited on matters like this. It is not a matter on which we can argue against each other in this fashion.

**Shrimati Renu Chakravartty (Basirhat):** On a point of information, Sir. Are we to take it that the Minister of Home Affairs is not able



to find out through the banks where the money is going? -

Does he stand here and say that he has not found out where that money goes though open transactions are going on and regular accounts books are kept? Then he should resign.

**Dr. Katju:** Now, I do not want to go into any details, but may I ask

my hon. friend Mrs. Renu Chakravarty to come to me in my room and I will give her the requisite information. (*Interruptions.*)

**Mr. Chairman:** It is now 5-30 and the House stands adjourned.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 16th September, 1954.*

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