

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

1819

HOUSE OF THE PEOPLE

Monday, 8th December, 1952

The House met at a Quarter to Eleven
of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-53 A.M.

MOTIONS FOR ADJOURNMENT

Shri N. Sreekanth Nair (Quilon
cum Mavelikkara) rose—

Mr. Deputy-Speaker: Order, order.
Will the hon. Member resume his seat?

Shri N. Sreekanth Nair: On a point
of information, Sir. There is an ad-
journment motion.

Mr. Deputy-Speaker: The hon. Mem-
ber need not be in a hurry.

I am coming to the adjournment mo-
tions.

Shri Nambiar (Mayuram): But
there is one on the very same subject.

Mr. Deputy-Speaker: That one was
already disallowed the day before yes-
terday.

Shri Nambiar: No, Sir.

Mr. Deputy-Speaker: Of course, it
was. Hon. Members must watch the
Proceedings, or read the printed deba-
tes. The day before yesterday I disal-
lowed the adjournment motion and I
allowed this Short Notice Question
which has just been concluded. That
question has been more than suffi-
ciently answered.

392 PSD

1820

EVICTION NOTICES ON REFUGEES IN
BANDHABNAGAR COLONY

Mr. Deputy-Speaker: There is an ad-
journment motion by Shrimati Renu
Chakravartty. It was held over till to-
day. Has the Government got to make
any statement?

The Minister of Rehabilitation (Shri
A. P. Jain): I have made enquiries in
regard to the Bandhabnagar colony.
This colony has been set up in an area
near Dum Dum. This area was
squatted upon about the mid-
dle of 1950. Nearly 500 families
of displaced persons are there in this
area and on the portion which is pro-
posed to be acquired, there are living
between 200 and 300 families. The land
proposed to be acquired is needed by
the Defence Ministry for setting up a
wireless transmitter. A notice was issued
under the Requisition and Acquisi-
tion of Immovable Property Act some
time ago to show cause why the pro-
perty should not be acquired. The ob-
jections made on behalf of the refugees
were rejected. No objection was filed
on behalf of the Secretary of the co-
lony. On the 15th of November, the
Collector of 24 Parganas, who is
the competent authority, passed
an order that the possession of
the land should be handed over by
the 15th December. All objections that
were legally filed have been rejected
by the Collector some time ago. The
colonists, however, filed a petition be-
fore the Collector on Saturday the 6th
December 1952 saying that they had
made an appeal to the appellate autho-
rities of the Defence Ministry, New
Delhi, and requesting that the proceed-
ings may be stayed till the appeal is de-
cided. The Collector has not passed
any order for staying the proceedings.
No ejection, in any event, is going to
take place before the 15th of Decem-
ber. Under section 10 of the relevant
Act, the Central Government have the
power to stay the proceedings. Sub-
Section (3) of Section 10 says:

"The Central Government may
stay the enforcement of the order
of the competent authority for

such period and for such conditions as it deems fit”.

The appeal is pending before the Defence Ministry. The Defence Ministry will take all the facts into consideration in both passing an order for stay and also for finally deciding the case. I have made enquiries and the reason why the Defence Ministry have chosen this particular piece of land is that it adjoins another piece of land which already belongs to the Ministry of Defence and these two pieces together will be used for setting up a wireless transmitter.

Bandhabnagar colony is one of the 66 squatters' colonies in West Bengal which we have selected for regularization. In the event of the Defence Ministry finally deciding upon the acquisition of land, my Ministry, under a well defined policy, will give alternative accommodation to these persons.

Shrimati Renu Chakravartty (Basirhat): The hon. Minister said that a wireless transmitter is going to be installed. There is enough land on the other side for the Defence Ministry to take over. This colony was a waste land in which there was knee deep water and now this land has been improved by the refugees, schools have been set up and tube wells have been sunk. Since there is enough place on the other side, would it not be right that we should ask the Defence Ministry to look into the whole matter and stay the eviction?

Mr. Deputy-Speaker: This is an adjournment motion. I have heard both the sides. The hon. Minister has given an assurance that the whole matter will be looked into by the Defence Ministry. We are only on the 8th not 15th. No orders will be passed. The matter is before the Defence Ministry. I am sure the hon. Defence Minister will take note of all the facts that have been listed. No further representation is to be made in this behalf and proper orders will be passed. In view of this assurance, the adjournment motion is unnecessary.

Shrimati Renu Chakravartty: 15th of December—there is very short time and I feel that there is every chance of their being evicted. Therefore, I should like to have some sort of an assurance from the Defence Ministry that they will do everything possible for not evicting them.

Mr. Deputy-Speaker: It is not possible for Parliament to give any directions. The hon. Minister of Rehabilitation has said that if the Defence Ministry decides that the land should be acquired, alternative accommodation

12 Noon

will certainly be provided for. Parliament cannot itself take up the responsibility of choosing except laying down policies. In case the Defence Ministry, for reasons of safety, find it necessary to acquire this area, every step will be taken to see that no hardship is caused to these people and they will be provided with alternative accommodation. In view of this assurance, it is unnecessary. I do not allow this adjournment motion.

Shri H. N. Mukerjee (Calcutta North-East): In view of the possibility that the Rehabilitation Ministry can very easily satisfy itself regarding the work of the refugees in regard to making Bandhabnagar colony habitable, will the Rehabilitation Ministry give an assurance that that being so, the Ministry of Defence would be requested to move on to other areas in order to secure.....

Mr. Deputy-Speaker: The Ministry of Rehabilitation is the guardian of all the refugees. It will certainly do all that is necessary to see, as far as possible that distress is averted.

Shrimati Sucheta Kripalan (New Delhi): May I draw the attention of the hon. Minister to the fact that the notice which is in the name of the secretary to the colony was not served on him but to an unauthorised person?

Mr. Deputy-Speaker: All that has been said.

Shrimati Sucheta Kripalan: There is a legal aspect of the notice.

Mr. Deputy-Speaker: Order, order. When this adjournment motion originally came out, these matters were referred to. The hon. Minister also said there was some exception taken to the manner in which the notice was served. It was served to a wrong person. All that has been said on the floor of this House. That was not from you. Now the Minister of Rehabilitation is fully aware of the difficulties of the situation, of the hardships that may be caused. Everything possible will be done to see that in any case alternative accommodation is provided.

Shri N. Sreekantan Nair: I was under the impression that my adjournment motion was not ruled out. Today I thought I would get a chance of asking a question on a matter which I felt to be very important. I feel justice has not been done to me.

Mr. Deputy-Speaker: The hon. Member must watch the proceedings of the

House. It was ruled out and then this question was admitted so as to be elucidated. The hon. Member has not been able to catch my eyes. I have allowed a lot of supplementaries over this matter.

Shri N. Sreekantan Nair: I felt it is important.

Mr. Deputy-Speaker: I am glad.

Shri N. Sreekantan Nair: I do not know what I should do.

Mr. Deputy-Speaker: It is not possible to satisfy every hon. Member. There must be some time limit to these questions. I allow sufficient time.

GRAVE CONDITION OF SHRI SRIRAMULU

Mr. Deputy-Speaker: Now I will proceed to some other matter before the House. I have received notice of an adjournment motion that the business of the House may be adjourned to discuss a matter of urgent public importance namely the situation arising out of the grave condition of Shri Putti Sriramulu who is on fast for the formation of an Andhra State. There is no doubt that it is a serious thing. The life of an individual is precious but on a prior occasion a similar matter came before the House. Another gentleman, equally important, in Andhra Desa, started something like a strike for the purpose of inducing the Central Government to form an Andhra State. Whether such actions should be adopted for the purpose of forcing the formation of a State is not a matter with which I or the Speaker can agree. Anyhow I will close this after the hon. Prime Minister makes any remarks on this matter.

Shri B. S. Murthy (Eluru): The person is on his death bed, Sir.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): As you have said, Sir, the life or death of any individual is always a serious matter and one should not consider any such subject, that is to say where the life of a person is involved, in a light way, but with all respect to the sentiment. I will say this that bringing pressure of such a kind on very major decisions would, if acceded to, put an end to the authority of Parliament and of democratic procedure. I recognise—and I have no doubt that the House recognises—on the one hand the importance of a person possibly losing his life. On the other hand we have also to appreciate the issue on which he is fasting. I do submit that it is quite impossible to deal with that

matter in this fashion—it cannot be done. It should be approached differently and I would appeal to those who are interested in this matter and to the gentleman who is fasting, to try to endeavour, to achieve his object by better ways, more legitimate ways. I am very sorry for him. The adjournment motion says that we should try to save his life by Government immediately coming to a major decision about a major matter overnight. Surely, no Government and no Parliament can accept that. I submit, as an adjournment motion, one can hardly deal with this matter here.

Dr. Rama Rao (Kakinada): The condition of Mr. Sriramulu is very serious—he is practically dying. From the reports coming from all over Andhra, it is evident that this matter is exercising the minds of all parties there. In English papers you may not find much space devoted to this matter. But all the Andhra papers—whether it is Communist or Congress—are giving a lot of space for this matter. In this matter they are all agreed. It is causing a lot of anxiety all over Andhra and the Government are showing a callous attitude.....

Mr. Deputy-Speaker: I am afraid I cannot allow any further discussion—it is really unfortunate. As the hon. the Prime Minister has said, such major issues ought not to depend on the volition of an individual even though he may be prepared to sacrifice his life. It is potent of serious consequences and I do not want to create a precedent of such a matter being brought up.

If this principle is conceded any of the various citizens of this country can force the hands either of Parliament or of the Government by taking to such means. Those persons who are interested will certainly persuade him to give it up and resort to other methods for achieving this end.

The adjournment motion is ruled out of order.

Several Hon. Members rose—

Mr. Deputy-Speaker: Every sympathy has been shown by the Prime Minister for the gentleman as well as the cause of the individual. But, unfortunately, such issues cannot be decided by such motions. Therefore, I do not want to hear anything more about this adjournment motion.

Shri Ramachandra Reddi (Nellore): The answer given by the hon. the Prime Minister has not at all been satisfactory. I wish to say.....