

[Shri C. D. Deshmukh]

I think, Sir, these were the main points raised in the course of this debate, and what I have said now does not obviously represent the final decision as the whole matter would have to be considered by the Select Committee.

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, be referred to a Select Committee consisting of Shri S. Sinha, Pandit Algu Rai Shastri, Prof. Ram Saran, Shri Ghamandi Lal Bansal, Shri C. R. Basappa, Shri Shantilal Girdharlal Parikh, Shri Hari Vinayak Pataskar, Shri Radheshyam Ramkumar Morarka, Shri P. Natesan, Pandit Chatur Narain Malviya, Shri Ahmed Mohiuddin, Pandit Thakur Das Bhargava, Shri A. K. Basu, Dr. Panjabrao S. Deshmukh, Col. B. H. Zaidi, Shri C. P. Matthen, Shri Purnendu Sekhar Naskar, Shri Sohan Lal Dhusiya, Shri P. N. Rajabhoj, Shri Kamal Kumar Basu, Shri N. C. Chatterjee, Shri K. A. Damodara Menon, Shri Tulsidas Kilachand, Shri S. V. Ramaswamy, Shri Mahavir Tyagi and the Mover, with instructions to report on or before the 21st July 1952."

The motion was adopted.

CODE OF CRIMINAL PROCEDURE (SECOND AMENDMENT) BILL

The Minister of Home Affairs and States (Dr. Katju): I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

This is, in spite of a large number of amendments of which notice has been given, a very innocuous measure and the reason why the Bill has been introduced is set out succinctly in the very short Statement of Objects and Reasons. As the House is aware, under sections 128 to 132 of the Code of Criminal Procedure, it is open to the civil authorities, whenever they think necessary for the purpose of dispersing unlawful assemblies, which they cannot with the forces at their disposal, to call in the aid of military forces; and inasmuch as this Code was initially passed in the year 1852 or so and at that time the only military forces were the army, reference is made in the Code to the Commissioned and non-Commissioned officers and ranks of the army. They can be utilised subject to the order and general supervision of the magistrate. Now, the armed forces

of the State include—everybody knows—the army, the navy and the air forces. We have got the stations scattered over the country where we get some personnel of the air force (*An Hon. Member:* For bombing) and then we have got our ports Bombay and Calcutta where some naval officers and ranks may be available. These are people who have got military training and they can be utilised. The object of the Bill is to enlarge the description of the people who can be requisitioned for giving military aid and instead of describing them as army and Commissioned officers and non-Commissioned officers of the army, we say they should be used as 'armed forces of the State'—armed forces maintained by the Union of India. And the armed forces would include these three different groups. The rest of the Code remains exactly as it has been during the last nearly 100 years.

Now, I should have thought, as I said, that this would not have aroused any comment at all. But I was astonished—I use the word deliberately—to hear that this wicked Government now wants to take authority for aerial bombing of the civilian population. I respectfully suggest that that is a suggestion which had never occurred to me at least, and I believe, never occurred to 90 per cent. of the Members of this House.

Shri Nambiar (Mayuram): Then why amendments?

Pandit A. R. Shastri (Azamgarh Dist.—East cum Ballia Dist.—West): 99 per cent.

Dr. Katju: The question was that for the purpose of dispersing the unlawful assemblies you require some authority. Ground soldiers may not be available, there may be naval detachments, there may be some people in the aerodrome or airfields, you get them and they might be employed by the magistrate for dispersing. That is all. And I say that there is not the remotest idea—no one ever thought of it—there is not the remotest possibility that any such wicked thing should be done which we condemn everywhere.

I have seen notices here of amendments given that the Bill should be circulated. I am myself anxious to obtain opinions. But circulation for what? You may say 'for public opinion'. But do you not want the unlawful assemblies to be dispersed or is it your suggestion that the aid which may be requisitioned by a magistrate should be limited to the soldiers of the army who

today are armed in a variety of ways. I have seen rioters now-a-days armed in the streets of Calcutta with acid bulbs and bombs and weapons of all descriptions. Similarly so far as the police is concerned, they have not got acid bulbs and bombs but they have got their pistols and firearms of that description. Now if you get the naval detachment in Calcutta it can be called in. Say about 100 people or 50 people just march in the streets.....

Shri Nambiar: And bombard.

Dr. Katju: Mr. Nambiar, in the first instance you should not interrupt and whenever you interrupt, you talk nonsense, you take it from me. (*Interruption*).

Dr. S. P. Mookerjee (Calcutta South-East): The hon. Minister has to address the Chair. Is that word 'nonsense' addressed to the Chair?

Mr. Chairman: As a matter of fact we expect that when an hon. Member or a Minister speaks, other hon. Members should keep quiet and not interrupt him. If there is interruption and if in respect of that interruption some reply is given, the hon. Member should not then feel it. As a matter of fact there should be no interruptions from the hon. Members.

Dr. Katju: The word 'nonsense' is not unparliamentary.

Shri H. N. Mukerjee (Calcutta North-East): Is it your ruling, Sir, that when a Member interrupts, he can be addressed straightway by the hon. Minister in any fashion he chooses? When I am interrupted, am I entitled according to your ruling to answer the interruptor in whichever way I like?

Mr. Chairman: All Members should address the Chair. But when a reply has been given it is no use asking the Chair for a ruling. (*Interruptions*)

Shri Nambiar: I will give and I will take.

Dr. Katju: You are defying again the ruling of the Chair.

Dr. S. P. Mookerjee: Again he addresses the Member and not the Chair.

Dr. Katju: I am very sorry. I am always accustomed to talk face to face.

Now the Bill is a short one. It can be disposed of here. Either pass it or reject it: finished. What is the use of troubling and wasting good paper and good ink by circulating it for public opinion. The point is very clear. In

appropriate cases when the magistrate feels so inclined and thinks it necessary, he should have the speediest measures available to him to disperse that unlawful assembly. The assembly will not wait. It has got to be dispersed.

Then there are some amendments which suggest that the President should declare an emergency and should issue a proclamation. This is absurd. Now just consider it. Here is an assembly—let us say somewhere here or anywhere else—then there is a telephone message to be sent. Unlawful assembly may be anywhere for instance in Delhi, Calcutta or Bombay or even in Telangana. So the unlawful assembly is sitting. They are throwing stones; they are throwing brickbats; they are throwing acid bulbs and bombs and the civil authorities should restrain their hands and immediately send a wire to the President saying "Please issue a proclamation and declare an emergency" and till the President issues such a proclamation and issues such consequential orders, that assembly will continue to stay and loot and commit arson and all sorts of things. Therefore, I think this is ridiculous.

So, Sir, I will not take your time and I suggest that every hon. Member would be pleased to read about ten lines of the Statement of Objects and Reasons. This is a plain-sailing Bill, and requires very short consideration and it may be taken into consideration at once and passed.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

Shri Velayudhan (Quilon *cum*-Mavelikkara—Reserved—Sch. Castes): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon."

I was very pleased to hear the elucidation of the Home Minister on this Bill and at the outset he himself mentioned that it is an innocuous measure and will have to be passed without much difficulty. I was trying to find out as to what was the meaning of the word 'innocuous'. I asked my friend on my right side and he said that it is a "harmless" measure. Then I went through the Objects of the Bill as well as the purpose of the Bill, and I find that I will have to differ from the Home Minister. I might say that

[Shri Velayudhan]

it is not only a harmful measure, but it is a wicked measure and it is a measure which no democratic country will tolerate. The hon. Minister was trying to restrict the scope of the Bill when he, like a clever lawyer was trying to argue with us and trying to convince you and the Members in this House that it is only a very light measure. The Bill, even though it is only an amendment of a certain Act which was passed some time before, covers the whole field of law and order in the country. It is not only a Bill that has found its place in the Statute-Book recently. It was there in some form or other during the time of the British regime. It was also amended during the time or after we got independence. I again hold the view that the Bill covers the entire field of law and order. I remember the days of the British regime when it had its own way of keeping law and order in the country. We have not forgotten that there was the Criminal Law (Amendment) Act as well as the Defence of India Rules existing during the time of the British regime. But when we got independence we changed those rules into different forms.

Mr. Chairman: Order, order. I will just clarify this question. According to the Bill the only change which is sought to be made in Chapter IX is that instead of certain words like 'sailor', 'soldier', 'army', 'navy' etc. the words 'armed forces' be substituted. The scope of the Bill is a very restricted one and a reference to the question of civil liberties and the Defence of India Rules etc. is not germane to the subject. I would therefore request the hon. Member kindly to restrict his remarks to the Bill itself.

Shri Velayudhan: Sir, I was trying to convince you about this point. But if the Chair is not convinced I cannot help it. I wanted merely to express my views on this Bill. This is not a small matter. You are allowing the armed forces to smash the people—the civilians—in the country. The Government is now trying to get the help of navy as well as air force. Is it a small matter? (*Interruptions*) For that reason we oppose this Bill in principle. We oppose it because we do not want such a measure in a democratic country which we are having today. Of course we.....

Mr. Chairman: To me the point is clear. It is aware that the present law of the country is contained in Chapter IX so far as the dispersal of unlawful assemblies is concerned and the present law is only sought to be amended

to the extent that these words 'armed forces' are going to be substituted for some other words which now exist, namely the three branches of the forces, army, navy and air. And the only other difference is that for the words "any commissioned or non-commissioned officer etc." the words "any officer of the armed forces etc." are being substituted. That is the only difference and therefore I would just request the hon. Member to restrict his remark only to this Bill and the provisions of this Bill and not to travel outside.

Dr. S. P. Mookerjee: Is it your ruling, Sir, that it will not be open to us to discuss the principles of the Bill? We are entitled to discuss the principles of the Bill under rule 75, not only the provisions; and, as has been stated in the Statement of Objects and Reasons, the principles of the Bill relate to the provision of military assistance in cases of need. So it is certainly open to us to show that we are opposed to the principles of the Bill. We are against the extension of the use of military force in cases of civil commotion. We can go into those questions and you cannot rule out the discussion of the general principles.

Mr. Chairman: I am not doubting the right of the Members to discuss the principles of the Bill but the Bill is an amending Bill. It does not relate to the principles underlying the entire statutory law contained in Chapter IX of the Criminal Procedure Code. You cannot go back to the principles of Chapter IX. Only two amendments are sought to be made and one is that instead of certain words the words "armed forces" are being used. We cannot go back to the parent Act and go into its principles. We are only concerned with an amending Bill.

Dr. S. P. Mookerjee: The principle of the Bill, as the Home Minister mentioned and as is contained in the Statement of Objects and Reasons, relates to recourse being had to military force for purposes of dispersal of unlawful assemblies. So far as the provisions of the Bill are concerned, they relate to the extension of the principle to air force and navy. There is a fundamental difference between the two. Under rule 75, it is clear that the principles of the Bill and also its provisions may be discussed. It will depend on how the matter is put before the House.

Mr. Chairman: To me the point is very clear. So far as the principles are concerned they can only be as covered by the provisions of the Bill as a whole. We are not dealing with

Chapter IX as a whole. If that were so, certainly all the principles which underlie the provisions in Chapter IX will be open to discussion. Here we are only concerned with an amending Bill and so far as principles are concerned the only principle involved arises from the substitution of certain words. Previously too, as also even now, according to the law the army, navy and the air force can be requisitioned by the civil authorities.....

Hon. Members: No, no.

Mr. Chairman: Order, order. Let hon. Members wait till I have concluded. When the Chair is addressing the House, no Member should stand up, and, certainly, when several Members stand up simultaneously the decorum of the House cannot be maintained. I am open to conviction and I will hear every possible view.

As I was saying, here we are only concerned with two amendments. Instead of the words commissioned and non-commissioned officers, we are using the words "officer in charge", and for the words the Indian army, navy or air force etc. the words "armed forces" are substituted. The only principle involved is what is involved in the substitution of the words but you cannot go back to the question whether civil authorities are entitled to use the armed forces and the circumstances in which the civil authorities will so act. For instance, reference has been made by the Home Minister to the powers in emergencies which are outside the scope of the Bill.

Shri H. N. Mukerjee: Sir, as far as I can understand, the Government wants amplification of the provisions for requisitioning the armed forces in the task of quelling possible civil disturbances. The provisions in regard to amplification are now under discussion. How can we possibly discuss what is asked for in the way of amplification without referring to the basic principle of the employment of the armed forces to assist the quelling of civil disturbances?

Mr. Chairman: I would request the hon. Member to point out the words in all the provisions of the Bill in respect of which the amplification is required. Under certain circumstances instead of a commissioned or non-commissioned officer it is suggested that the person in charge may be made to give orders. So far as that is concerned it is perfectly open to any Member to base his argument but if any Member wants to question the

very propriety of the civil authorities calling in the military etc., that cannot be allowed.

Sardar Hukam Singh (Kapurthala-Bhatinda): So far as I can make out section 129 of the old Act says that if any such assembly cannot be otherwise dispersed and it is necessary for public security that it should be dispersed, a magistrate of the highest rank who is present may call for it to be dispersed by military force. By military force was meant the army or the land forces. What is now sought is that the magistrate might be able to requisition the naval or air force as well. That is the amplification that is now required. The apprehension is that a civil disturbance might be of a very small magnitude and the magistrate in charge of dispersal might come to the conclusion that it requires the assistance of the armed forces, which are the words sought to be substituted now and he can requisition the services of the air force, which may come by planes, or the naval force. Even the Government does not intend it or it was never suggested to them that that is the construction that can be put on the words that are being put in now. If the air force is to come they will come in their planes. This is the fear that we have on this side, though it might not have suggested itself to the Government. But certainly it would be so construed and it would be a right construction on the words brought in now.

Shri Dhulekar (Jhansi Dist.—South): On a point of order, Sir. My hon. friend Mr. Velayudhan submitted on the question that an unlawful assembly cannot be dispersed now with military force because India has now attained its independence; from that point of view it is out of order. The second point put forward by Sardar Hukam Singh is that he is afraid that there might be aerial bombing or the naval force might also be brought in to help in the dispersal of an unlawful assembly. I put the point of order this way. What are the words that he would suggest which should be substituted for the words that the Minister has put in? The Minister has suggested the words "armed forces". If Sardar Hukam Singh has some apprehensions, what are the words which he wants to substitute, so that we may consider them?

Sardar Hukam Singh: I only wanted to point out that Chair was under the impression that no substantial chance was brought about and I was trying to show

[Sardar Hukam Singh]

that a great and big change was involved in the Bill.

Mr. Chairman: Quite true. I stand corrected. There is a change. As a matter of fact the present words are "the Indian Army, or a person subject to the Territorial Army Act..." I was under the impression that sailors and airmen were also included there. I was wrong. As a matter of fact now the change is that instead of the army and the members of the territorial forces alone, even the air and naval forces can be called into aid. That is correct. But the broad point which has been brought into the discussion by the Member who was speaking is certainly not justifiable. I would therefore restrict the discussion to two points. One is whether the change from army and territorial force only to the navy and air force also, which can be requisitioned to quell disturbances, is called for. The second question is whether the substitution of the words "commissioned or non-commissioned officers" in place of "officer in charge" of a particular detachment should be made. These are the two points to which the discussion must be restricted.

Shri N. C. Chatterjee (Hooghly): After your observation, it is not necessary for me to take the time of the House. I was going to submit that section 128 which deals with use of civil force says that the executive can call upon a male person to help in the dispersal of an unlawful assembly but not an officer of the Army, Navy or Air Force or a person subject to the Territorial Army Act, 1948. That was meant to exclude those people. There you can call upon any male person except those persons who are excluded. But section 130 is going to be amended and there the ambit is going to be wider. That section really deals with the use of military force. Any magistrate, even a third-class magistrate, is going to get the power to requisition any officer of the army, navy or the air force and it is our apprehension that there is a possibility of abuse. On that point we want to make ourselves very clear. We have made some constructive suggestions also and we have said that only a district magistrate or a first-class magistrate should have this power and not any magistrate under any circumstances.

Shri A. K. Gopalan (Cannanore): Rule 75(1) says that when discussing the principle of a Bill, its provisions may be discussed generally. Previously, the provision was that for dispers-

ing an unlawful assembly, the military can be used. Now it is said that not only the military but.....

Mr. Chairman: I have given a ruling that the discussion shall be confined to the two matters I pointed out. At this stage, it is not open to the hon. Member to criticise that ruling. He should accept it and proceed on that basis.

Shri A. K. Gopalan: I am not criticising but I want to know.....

Mr. Chairman: That discussion is concluded.

Shri Velayudhan: On seeing these discussions and disputes on the scope of the discussion on the Bill. I have come to the clear conclusion that while the previous Bill allowed only the calling of the army, this Bill seeks to allow the calling of the navy and air force. There is a vast difference between calling the army and also calling the navy and the air force. Supposing this Bill is defeated. What will be the effect? Its effect will be that the army itself cannot be called.

Dr. S. P. Mookerjee: How can that be?

Shri Velayudhan: I may be wrong, but that is my opinion. I request the Chair not to put any undue restriction on the discussion, because the purport of the Bill affects the very civilian life of the country. If this Bill is passed, the police force, or the military or the navy or the air force can be called in at any moment and any area can be bombarded. Even this Parliament can be bombarded. (Hon. Members: No, no.) Therefore, it is not a small affair as it is depicted by the Home Minister. It is a very serious affair.

Mr. Chairman: The hon. Member should know that this Parliament can never be an unlawful assembly.

An Hon. Member: It may be considered as one and a bomb may fall on it.

Mr. Chairman: It is not the Government but the Speaker and the Members of the House who have got authority here.

Shri Velayudhan: Let me tell you how the Government have used this power in the past. There was the previous Act. They had the power only to call the army. Did they use it properly? Again, should I not come to the question of law and order? There was no need for calling the army and

yet there have been instances in the past where the Government have called the army to quell the disturbances or the so-called rebellions in several parts of the country. One instance I can bring before the House. It was also discussed here in this House. In Cooch-Bihar when there was a hunger march, not only the police but the army was called. The Press reports said that there was bombardment also. I say therefore that the Government have misused the power. They have arbitrarily used the power conferred by this Parliament, and that is where I come to grips with the Government. I do not oppose the Government simply for the sake of opposition. I want India to be a democratic State just as much as anybody on the other side wants. At the same time, this kind of legislation, this kind of pious sentiment which the Home Minister expressed, does not extend any hope of a democracy for India. But at the same time, it is raising a fear of dictatorship in the country. I say this with a little emotion, because I am one who wants democracy to be built up in India. My personal opinion is that none of us wants to introduce Communism or Socialism here—we know it is not yet time for India—but when the time comes, people will have it in spite of you and the Government and its military and air force, whether you get it from America or Europe. You are going, I think, to make this country a fascist State with this kind of Legislations. The Prime Minister may dispute this. I am intelligent enough to understand it. But I claim that I am equally intelligent, if not more intelligent than the Prime Minister.

Mr. Chairman: He need not bring in the Prime Minister. Why should he compare himself to the Prime Minister?

Shri Velayudhan: I was not saying this with any disrespect to the Prime Minister. I have the greatest respect for him. When I spoke on the Budget I called him as one of the world personalities today.

Mr. Chairman: He is going outside the scope of the Bill.

Shri Velayudhan: You yourself said that I was comparing myself with the Prime Minister.

Mr. Chairman: Order, order. The hon. Member was making a statement like that himself, and I only asked him not to bring in the Prime Minister. He has nothing to do with this Bill as such. Let him confine his remarks to the Bill.

Shri Velayudhan: Coming to the Bill as such, the Home Minister is making a fetish of the whole thing. I do not believe that he has got any heart at all. He is a heartless Home Minister. Civilians according to the Bill can be bombarded under the guise of quelling disturbances; and who issues this order? A magistrate drawing Rs. 75 salary. Can such a thing happen in any other democratic country?

Mr. Chairman: Order, order. I am very sorry to interrupt the hon. Member again and again. The powers of the magistrate as such are not in dispute in this case; the powers will continue as before. They are irrelevant to the discussion. I would, therefore request him to confine himself to relevant remarks and bring his speech to a close.

Shri Velayudhan: My idea in making these remarks was this. I can certainly understand the President declaring an emergency and calling in the troops. But you are giving a *chhotta* magistrate power to call not only the army, but also the navy and the air force. It is here that my difference with the Home Minister comes. It is a fundamental difference. I entirely agree with the Home Minister, and the Treasury Bench that in case of an emergency declared by the President or the Governor of a State, they should have the power to call in the army, navy or air force. In this case my fear is that the power is likely to be misused by the States. It is not the Centre that is dealing with the situation. Parliament may be sitting here, or it may not be sitting, but it is the States that are going to execute this particular piece of legislation.

We have seen in the past how the States misuse the powers conferred by this Parliament. We had a lot of discussion in the previous Parliament on the Preventive Detention Bill. I do not want to enter into a discussion of it on this occasion. I only wish to say on this occasion that the States have misused the powers conferred by this Parliament and any extension of the power to the use of the navy and air force would create a dangerous situation to the people of this country. The House knows well what happened in Gorakhpur. There was half-an-hour's discussion over it in this very House. Our own friends had gone there and investigated the matter. Very appalling stories of the happenings have come to our notice. The other day the Home Minister presented a report to

[Shri Velayudhan]

the House on the firing at Gorakhpur. But, I believe, truth will never come through Government sources. It can come only through people's sources, and we have heard the truth. Simply under the orders of a magistrate and the General Manager of a Railway, not only the police but also the military force was called out. Firing was resorted to, which led to the death of two people. I was informed that the bullet that was used was not the bullet permissible by the police. It was a bigger type of bullet. One of the bullets hit the abdomen of a man; it was not extracted by the doctor, fearing that the size of the bullet would be discovered with the result that the man died.

Shri P. T. Chacko (Meenachil): May I know what is the size of the bullet permissible under law?

Mr. Chairman: The hon. Member is referring to a certain matter which happened in some State, the details of which are not known. The hon. Member can certainly discuss general questions which arose out of that incident, but to refer to specific details of that incident, will not be fair. Again the hon. Member is speaking on the basis of hearsay information. I would therefore request him to be more specific and discuss questions of a general nature.

Shri Velayudhan: I have no desire to accuse any State Government in this connection. The hon. the Home Minister himself made a statement regarding this matter in this Parliament; I therefore, wished to allude to it. The other side also will get a chance and they can refute any statement in my speech—I do not mind it.

But if you want to keep law and order in this country, this is not the way you should proceed. You cannot have a police state to keep law and order. We have seen it in the British days.

Pandit A. R. Shastri: You tell us the way.

Shri Velayudhan: You put me in the other position, I mean the Treasury Bench. I know how to do it. Today the Treasury Bench is filled with masters of bungling. If intelligent people go there, they will know how to rule the country.

Mr. Chairman: I am sorry to interrupt the hon. Member again. I warned him several times that he should

not speak about the intelligence of this Member or that. That is very improper. I would ask him to confine his remarks to the scope of the Bill and not to travel about hither and thither. He has been repeating these very arguments over and over again. I find he is not hearing me. I would ask him to at least hear what the Chair says. He has been repeating the arguments *ad nauseam*. I have allowed him enough latitude and would ask him to bring his remarks to a close.

Shri Velayudhan: The other point I wish to emphasise is that this measure is more dangerous than the Preventive Detention Act. The Preventive Detention Act only puts people in lock-ups or jails. But by one bombing you may kill thousands of people. That is why I attach particular importance to this Bill.

This measure should not be taken as a simple one or in a humorous way by the Treasury Bench. I am speaking under emotion, but I am not angry at the other side. Which country in the world has tolerated this kind of suppression, this kind of police measures and dictatorial acts? Government would not have been in power even for twenty-four hours, if it were not in India. If it were not for the ignorant and illiterate masses here, Government would not have dared to bring such a measure. They do so because they know the people are weak, they have no intelligence, they have no commonsense or organising capacity. But I believe in the power of the people. I know a time will come when the people will do what they want. If pieces of legislation like this are going to be enacted a day will come (*interruptions*).

Mr. Chairman: Order, order.

I have already warned the hon. Member. I do not know, I may have to take some drastic step against him if he persists in this kind of thing. I request the hon. Member to confine himself to the provisions of the Bill and to the matters which are relevant to the Bill. He is again travelling out and making all sorts of statements, and not saying anything which is relevant. I will have to curtail the speech of the hon. Member if he behaves further in this manner.

Shri Velayudhan: Only one word I have to say and that is, if the Government bring forward this kind of police legislations in this country, I know certainly the people will not tolerate it. The Treasury Bench may tolerate

it; the Congressmen in the country may tolerate it. But, the people are bigger than the Congressmen, bigger than the Socialists or Communists. They are bigger than all joined together. I myself, as the representative of the most down-trodden people, know the feelings of my people, the under privileged people in the country. With these police actions, with these atrocities, with this suppression, who have suffered most? It is not people like Mr. Gopalan or Mr. Punnoose or their community that have suffered. It is my community people, the untouchables of India who have suffered most. That is why I am very particular about this Bill. If a high class person is arrested, there will be the Minister directly or indirectly coming in his favour with the police officer. If a Harijan is arrested, it is not like that. He is made into pulp by the police. I can accept the charges from the other side if they stand for democracy. I would go with them if they stand for democracy and I know most people in the country will be with them if they are dictated by the principles of democracy.

Mr. Chairman: Order, order. I have heard the hon. Member at great length. He now speaks of discrimination between the various classes, which is very far from the principles or any matter connected with this Bill. I am sorry I shall have to curtail his speech unless he finishes it very soon.

Shri Velayudhan: I commend this Bill for circulation for eliciting public opinion.

Mr. Chairman: Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon."

Shri M. V. Krishnappa (Kolar): On a point of order, Sir,.....

Mr. Chairman: No point of order. The hon. Member has finished.

Shri Namdhari (Fazilka-Sirsa): Sir, I was simply amazed and surprised that whenever the Government brings any measure for law and order.....

Shri Vallatharas (Pudukkottai): On a point of order, Sir. (*Interruptions*) Please excuse me, I have got a right to submit what I want to say to the House. Though we have got the highest pitch of our voice and the liberty to wield every limb of our body to any extent, there must be a sense of decorum in our demonstration, oral as well

as physical. Such a decorum is observed in the law courts to the strictest possible extent. There is always a limit. May I request the Chair with the greatest respect, to say whether there is any principle followed by us here or whether a Member is at liberty to indulge to any extent.

1 P.M.

Shri M. V. Krishnappa: In support of the same point of order, Sir, I may say some hon. Members get nervous when the hon. Member speaks.....

Mr. Chairman: Order, order. I have not understood the point of order involved. What is the point of order?

Shri Vallatharas: There is a limit to the pitch of voice which is used and also a limit to the physical demonstration in the course of a speech. We observe it in the law courts, and I have personal experience of that. Do the same principles apply here? That is what I want to know.

Mr. Chairman: If the hon. Member wants to stress that there should be decorum and dignity in this House, he is perfectly welcome to give this sermon to his own side as well as to other Members of the House. At the same time, I would request all hon. Members to maintain dignity and decorum. This is the Parliament of India. Every Member is expected to behave with dignity and decorum. It is true this is not a law court. A law court is a different thing. At the same time, we should keep up the decorum and dignity of the House. Nobody can doubt that. I would request the hon. Member who has just spoken to use his influence with those around him to keep this idea before them.

Shri Namdhari: I was saying that I am surprised that whenever Government introduces any Bill for enforcing law and order, it does not upset the other respectable parties in the Opposition except the Communist party. Do they intend to break the law? Is that so? I do not understand why they get upset. If we equip a surgeon with all the modern surgical instruments to operate in any portion of the body, it is not a bad thing. Who knows in what side of the country, in what conditions, its application will be necessary. The idea is only to keep law and order. The idea is not to kill the people. I do not know why it upsets my Communist friends. I have heard these people have not surrendered their arms. Have they got a definite

[Shri Namdhari]

plan to break law and order? It does not upset other respectable parties. The Hindu Sabha and Akalis are there; there are others. They have spoken nicely and quietly argued. Why does it upset my friends, the Communist Members? We have heard such beautiful speeches from.....

Mr. Chairman: May I just enquire from the hon. Member if he wants to continue his speech?

Shri Namdhari: Yes.

Mr. Chairman: He may continue tomorrow.

It is proposed to take up the following Bills tomorrow, the 10th July, 1952 and Friday, the 11th July, 1952. These Bills were introduced some time ago.

(1) Business entered in today's agenda and not concluded.

(2) The State Armed Police Forces (Extension of Laws) Bill.

(3) The Prevention of Corruption (Second Amendment) Bill.

(4) The Criminal Law Amendment Bill.

(5) The Indian Tea Control Amendment Bill.

(6) The Rubber (Production and Marketing) Amendment Bill.

(7) The Indian Companies (Amendment) Bill.

(8) The Indian Ports (Amendment) Bill.

(9) The Reserve and Auxiliary Air Forces Bill.

Members may give notices of amendments today.

Sardar Hukam Singh: Is there time enough now? How can we give notice of amendments today?

The House then adjourned till a Quarter Past Eight of the Clock on Thursday, the 10th July, 1952.