

## MESSAGE FROM THE SPEAKER

**Mr. Deputy Speaker:** I have received the following message from the hon. Speaker:

"Dear Mr. Deputy-Speaker,

I have to request you kindly to convey to the House my apologies for my inability to be present at the opening of the present session of the Lok Sabha, as also for some subsequent period on account of the condition of my health. I extremely regret that I should not be able to serve the House for reasons beyond my control. The House is probably aware that I have had an attack of coronary thrombosis in the last week. My medical advisers have prescribed me absolute rest in bed.

It is difficult to say, just at the moment, as to exactly when I shall be able to attend at the meetings of the House.

In the circumstances, I trust the House will forgive me for my inevitable absence until I am enabled to recoup my health completely and join my duties as before.

Yours sincerely,

G. V. Mavalankar."

May I convey to the hon. Speaker the prayerful good wishes of this House for his speedy recovery so as to enable him to return to this House and to the Chair which he so honourably occupies?

## DEATH OF SHRI NATESAN

**Mr. Deputy Speaker:** I have to inform the House of the sad demise of our friend Shri P. Natesan who was a sitting member of the House. He passed away at 5-30 p.m. on the 4th January, 1956, at his residence in Madras. He was about 64 years old. He had been a member of the Madras Legislative Assembly from 1937 to 1952. He was a sitting Member of this House since 1952.

We mourn the loss of Shri Natesan and I am sure the House will join me in conveying our condolence to his family.

The House may stand in silence for a minute to express its sorrow.

*The Lok Sabha stood in silence for a minute.*

## QUESTION OF PRIVILEGE

**Mr. Deputy-Speaker:** The Secretary will now report about the President's assent to Bills.

**Shri N. C. Chatterjee (Hooghly):** Before we proceed to any other business may I draw the attention of the House to an important matter which, in my opinion, is a matter which involves privilege of the House and privilege of a Member of Parliament? In the *Bulletin* of 31st January, 1956 you will find a letter from the District Magistrate, Mathura, addressed to the Speaker in which it is stated:

"I have the honour to inform you that I have found it my duty under section 124A/117 of the Indian Penal Code, to direct that Babu Ram Narayan Singh, member, Lok Sabha, be arrested for delivering a seditious speech against the Government on 10-8-1955, at Mathura."

I beg to draw the attention of the House, and you know Sir, that it has been already declared by the Punjab High Court in the case of Master Tara Singh that Section 124 is repugnant to the fundamental guarantees which are enshrined in article 19 of the Constitution and that is no longer legal. Sir, it is very important because if any Member of Parliament can be arrested for delivering a seditious speech only against the Government then many of the Members of the Opposition will be in that difficult predicament—almost all of us. Sir, what I am submitting is this. This is something which is basic which involves the fundamental right of citizens and if for the offence of making a speech against the Government a Member of Parliament is detained and is put in jail that involves a matter of privilege and it should be taken serious notice of. And, this Magistrate also has not even the courtesy to say, the propriety to say that he (Babu Ramnarayan Singh) has been arrested for being alleged to have committed an offence of sedition, but he says: "He is arrested for delivering a seditious speech against the Government". It is a very serious matter and the House should take notice of it.

**Shri U. M. Trivedi (Chitoor):** I support it.

**Mr. Deputy Speaker:** I do not know. The matter has to be considered in proper proceedings. The House cannot be

asked to consider a matter about which sufficient notice has not been given. I would advise the hon. Member to take such proper proceedings and move the House in such manner as is required.

**Shri N. C. Chatterjee :** I thought it fit to bring it to the notice of the House on the first day that we are meeting; otherwise it may be barred on the question of being too late. If you will permit me to table a motion tomorrow, I will do so.

**Mr. Deputy-Speaker:** I do not know what the nature of the motion is. I will consider when it comes. Now, the Secretary will report to the House about the President's Assent to Bills.

#### PRESIDENT'S ASSENT TO BILLS

**Secretary:** Sir, I have to inform the House that the following Bills, which were passed by the Houses of Parliament during the last Session, have been assented to by the President since a report to the House was last made on the 23rd December, 1955:

1. The Indian Tariff (Second Amendment) Bill, 1955.
2. The Indian Tariff (Third Amendment) Bill, 1955.
3. The Prevention of Corruption (Amendment) Bill, 1955.
4. The Railway Stores (Unlawful Possession) Bill, 1954.
5. The Prevention of Disqualification (Parliament and Part C States. Legislatures) Amendment Bill, 1955.
6. The Constitution (Fifth Amendment) Bill, 1955.
7. The Delhi (Control of Building Operations) Bill, 1955.
8. The Insurance (Second Amendment) Bill, 1955.
9. The Press and Registration of Books (Amendment) Bill, 1955.
10. The Manipur (Courts) Bill, 1955.
11. The Citizenship Bill, 1955.
12. The Companies Bill, 1953.

#### MOTION FOR ADJOURNMENT

##### VIOLATIONS OF INDIAN TERRITORY BY PORTUGUESE ARMED FORCES

**Mr. Deputy-Speaker:** I have received notice of an Adjournment Motion from Shri Sadhan Gupta regarding violations of Indian territory by Portuguese armed forces. He has himself tabled a Short Notice Question. I find in the order paper inside a notice received from Dr. Lanka Sundaram on the same matter. May I ask the hon. Prime Minister at what stage we are with the Short Notice Question?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** We shall certainly answer the Short Notice Question. I do not think the date has been fixed; but I think in the course of two/three days it will be answered.

**Mr. Deputy-Speaker:** The hon. Minister may indicate his convenience and we will fix up a date. In view of the fact that there are Short Notice Questions on the same matter, one by the hon. Member himself who has given notice of this Adjournment Motion I do not think it is necessary to take it up now. However, it has been a matter pending for a long time and it comes up before the House from time to time. As and when it comes up, I am sure on account of the importance of the matter and taking into consideration the seriousness the Government itself will make a statement and clarify the position.

**Shri K. K. Basu (Diamond Harbour):** Does the Government accept the Short Notice Question? Time is the most important factor.

**Mr. Deputy-Speaker:** Very well; it will be done.

**Shri Kamath (Hoshangabad):** The Ministry has issued a Press Note on the subject. Are the contents of the Note correct? Does the Prime Minister stand by it?

**Mr. Deputy-Speaker:** When he answers the Short Notice Questions he . . . .

**Shri Jawaharlal Nehru:** Which Ministry?

**Shri Kamath:** The External Affairs Ministry has issued a Press Note on the subject.