

(Part II—Proceedings other than Questions and Answers)

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LOK SABHA

Wednesday, 15th December, 1954

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON

MOTIONS FOR ADJOURNMENT

ALLEGED FIRING ON ELECTION PROCESSION IN ANDHRA

The Minister of Home Affairs and States (Dr. Katju): On the afternoon of the 11th of December 1954, some local communists took out a procession in village Gargeyapuram, eight miles from Kurnool, in order to prepare the ground for a meeting scheduled for the same night. The processionists numbered about 100. At about 3-30 P.M. the procession entered a lane in the village in which were situated the houses of people who did not support the communists. The processionists began to hurl obscene abuse at the residents of the locality. This was resented and the residents requested the processionists to desist from such abuse. A head constable who along with four constables had been deputed on duty in the village in connection with a festival from the 9th instant turned up at the place and apprehending a breach of the peace advised the processionists not to proceed further on that lane. The processionists, however, paid no

attention to the head constable and instead climbed on to the terraces of the houses which were made of mud and stones and started pelting stones at the inhabitants of the locality.

Some Hon. Members: Shame-

Dr. Katju: This led to retaliation. The head constable warned both the parties to stop pelting stones. The residents of the locality at once stopped, but the processionists continued the stone-throwing, hitting and injuring amongst others the head constable and a constable. After due warning, the head constable fired a shot but this did not deter the processionists and the head constable was compelled to fire three more rounds. While this was going on some of the processionists moved to another end of a terrace and began pelting stones against another section of the residents. Several persons received stone hits and one of the local residents who was thus attacked fired two shots from his licensed single barrel breech loading gun at the communists. The crowd thereafter dispersed.

On receipt of information of the incident later in the evening, the District Superintendent of Police with two sections of armed reserve, rushed to the spot, took all necessary precautions and brought the situation under control.

Fourteen injured persons came to the hospital at Kurnool on the 11th of December, of whom seven were treated as out-patients and seven as in-door patients. The head constable and the constable who had been injured came to the hospital on the 12th and are being treated for injuries caused by stone throwing.

[Dr. Katju]

On the report of the head constable a case against 21 of the processionists was registered under sections 147 and 327 Indian Penal Code. Nine of the accused have been arrested and released on bail. On a statement of one of the injured processionists another case has been registered against some of the local residents under sections 147, 148, 324 and 326 I. P. C. and section 19 (f) of the Arms Act. The complaint is being investigated.

On the afternoon of the 12th, the Sub-Division Magistrate of Kurnool started a magisterial enquiry into the incident. The enquiry was completed on the 14th and the Government expect his report today or tomorrow. As soon as the findings are received, they will be examined by Government without delay.

Shri A. K. Gopalan (Cannanore): May I make a submission, Sir? This morning I had information from a Member of Parliament who visited that place and according to that information, there are thirteen people in the hospital. The medical officer has certified that the injuries are due to gun shots. It is very clear from that that the police did not fire at the processionists. The information is that the police fired in the air so that the group may be dispersed.

Mr. Speaker: Order, order. I may make one position clear about which there seems to be some misunderstanding. Whenever an adjournment motion is tabled, the Chair will not ordinarily go into or ascertain the facts of the one side or the other. It will only hear both *prima facie* to see as to whether a case is made out and whether a situation appears to have arisen which is of such an urgent and important nature that the business of the House should be suspended and the motion should be immediately consented to. That is the position. Neither the Chair nor the House can decide questions of facts as to what happened at a particular place. Therefore, after hearing the

statement of the hon. Home Minister, I do not think that we need go into that question. The magisterial enquiry is already there. That will give the results of the findings of the Magistrates. The present purpose is to see whether the incident is of a type which will justify my giving consent to the adjournment motion. It is common ground to both the parties, that the incident is over and the situation is now a matter of *Post mortem* examination. If that is the state of things, I do not think that I should consent to the adjournment motion.

Shri A. K. Gopalan: May I make a submission? It is a matter of urgent public importance. This is not the first incident.

Mr. Speaker: He can submit, if he likes, without referring again to the facts.

Shri A. K. Gopalan: I am not referring to facts. There is already one incident. That incident relates to the procession which was part of the election campaign. Till February 11th, when the election begins, there will be election campaigns, processions, meetings and all that in Andhra. This is not an isolated incident. This is the first incident and this has happened. There may be differences in regard to facts. But, there will be processions and meetings elsewhere also. If it is not discussed and proved whether it is a fact—whether what is submitted by the Home Minister is correct—it will not be good. The facts that I have got are against what he said. I do not submit that now. What I say is that unless this is discussed, the same things are going to happen; the election is there and this is part of the election propaganda. The election will be over only after one and a half months. So, it is a matter of urgent public importance. It is a part of the election propaganda. These things may happen, and processions and meetings may be there till the elections are over,

Mr. Speaker: I am unable to agree with the view that the matter is urgent. It may be a matter of importance, for preventing such recurrences in future. But I should not like to anticipate that because there is an election and because there are going to be meetings and processions, they are all going to be violent processions and violent meetings, and the situation about law and order is really in such danger, simply because the election is there, and therefore, that this motion has to be discussed at this stage.

HUNGER STRIKE OF POLICEMEN IN WEST BENGAL AND CALLING IN OF MILITARY

Mr. Speaker: There is another adjournment motion which I have got. That reads:

"The situation arising out of the calling in of the troops to take over from the policemen, including armed policemen who are on hunger strike all over the State of West Bengal."

Prima facie, this appears to be a serious one, and I should like to know the facts.

Dr. Katju: I should like you to give me a little time, a day or two days. But my idea here is that under the existing law, it is the right of the local civil authorities, whenever they desire and whenever they find it necessary, to ask the local military people to come to their aid. So, very likely, I would suggest—but I shall read the statement day after tomorrow, if you would permit me—it was within their right, if they thought it so fit, and if the situation so demanded it, to ask the military to come to their help.

Mr. Speaker: That also may form part of the statement.

Shrimati Renu Chakravarty (Basirhat): May I make a submission?

Mr. Speaker: Let us have facts, before any statements or submissions are made.

Shrimati Renu Chakravarty: I just wanted to mention this point, namely that the strike has been there for the last three days, and the situation has deteriorated. But none of us has raised this point till today. The situation has deteriorated today to such an extent that it has spread right throughout the State of West Bengal, and I am surprised that the hon. Minister has not got such facts in his possession.

Mr. Speaker: I am afraid the hon. Member arguing the case would be out of court on her own statement. If she knew that the situation was there for three days, the urgency is lost.

Shrimati Renu Chakravarty: No, no.

Mr. Speaker: Order, order. That is the ruling. There is a string of rulings on the matter. However, I am prepared to excuse her ignorance, and I am prepared to ignore her own pleading in support of this motion. Let me have the facts from the hon. Minister concerned. Let me also say this that there are rulings in which it is said that if twenty-four hours are lost, the urgency is lost. That is the point.

Shrimati Renu Chakravarty: I shall explain just now...

Mr. Speaker: She may refer to the rulings on the subject and then come prepared next time.

Shrimati Renu Chakravarty: May I make a submission? The point is that even today, not only have the troops been called in, but the Inspector-General has said that the situation is much worse than yesterday. Therefore, the urgency is there.

Mr. Speaker: Any way, I do not know what the Inspector-General said or any other persons have said.

Shri Sarangadhar Das (Dhenkanal-West Cuttack): May I make a submission?

Mr. Speaker: Order, order. No submission now. The hon. Minister