

PETITION RE MOTOR VEHICLES
ACT

Mr. Speaker: Shri T. N. Viswanatha Reddy to present a petition. It does not find a place in the agenda. But it does not matter. After all, he is only presenting a petition and any hon. Member who wants to look into the petition may do so.

Shri Viswanatha Reddy (Chittoor): Sir, I beg to present a petition signed by a petitioner in respect of the Motor Vehicles Act and the Rules framed thereunder.

DETENTION OF A MEMBER

Mr. Speaker: Mr. Punnoose.

Shri Punnoose: Sir, I did not write to you about this matter earlier, because I thought in some propriety some information will be given to us.

Mr. Speaker: No, no. The position is, if notice is given, copies of it are sent to the Ministers also. The Minister will be ready with any information he has, and it will be useful.

Shri Punnoose: My hon. friend is here. I thought naturally we will get some information.

Mr. Speaker: Not every day.

Shri Punnoose: It is now seven days since he was arrested. The paper reports say that he is on a hunger strike. Our friend Shri Reddy had been there to see him, but an interview was refused by the local authorities. Shri A. K. Gopalan was refused permission to speak while the curfew was relaxed in the case of some prominent people belonging to the Congress side. Even they have refused this interview and he is being dealt with as if he is a criminal. Any Member of Parliament should be given an opportunity to meet him. He is in very indifferent health. His continued detention is causing great anxiety. I would like to know what exactly the position is. The hon. Home Minister or the Prime Minister will be able to say what the latest position is. I want to bring this to your notice.

Mr. Speaker: What is his present state of health? If an hon. Member, whoever he may be, is arrested on a charge of having committed an offence, the matter is intimated to us. If he refuses to give bail, it is open to the authorities to keep him. I want the hon. Minister to say what is his present state of health. I can ask the hon. Minister to give information regarding his present state of health.

Shri K. K. Basu (Diamond Harbour): As an interview has been refused, we are not able to know that.

Mr. Speaker: The hon. Minister himself is not here. The Minister will take notice of what has happened and he will try to enlighten the House as regards Shri Gopalan's present health.

Shri Kamath (Hoshangabad): You were just now pleased to say that Shri A. K. Gopalan has been arrested for having committed an offence. May I submit, Sir, that in other connected case, where two persons were arrested along with me for breach of the curfew order, the judicial magistrate has held that they have not committed any offence. They were acquitted and the magistrate has hold in his judgment that a breach of the curfew order *per se* is no offence, unless the prosecution also proves that such breach is likely to lead to harm or injury to others. Shri Gopalan was arrested after that judgment. You may kindly take notice of this matter and deal with it accordingly.

Shri K. K. Basu: We request that the Minister should see that the arrest was on the 17th for more breach of the curfew. Why should it take seven days to determine whether a charge-sheet should be given? It is a simple matter. You are an eminent lawyer and you know it can be decided in two or three days. We are refused even an interview and we do not know what is happening.

Mr. Speaker: I have received the following letter dated 18th August, from the Judicial Magistrate, First

Class, Ahmedabad, on the arrest and detention of a Member of the Lok Sabha:

"In accordance with High Court Criminal Circular No. 103 at page 57 of the Criminal manual, 1947, I have the honour to inform you that Shri A. K. Gopalan, a member of the Lok Sabha, had been arrested by the Ahmedabad police yesterday at about 7-30 P.M., and had been produced before me within an hour or so thereafter. He has been arrested on the allegation that he committed offences punishable under sections 143 I.P.C. and 188 I.P.C.

On being produced before me I informed Shri A. K. Gopalan that he had been accused with the commission of bailable offences and that I was prepared to release him on his executing a personal bond for due appearance in Court to stand the trial. He declined to execute any bond.

Shri A. K. Gopalan was accordingly taken into custody at 8-30 p.m. on the 17th August, 1956 and is at present lodged in the Ahmedabad Central Prison, Sabarmati, Ahmedabad."

This is the latest information that I have received. The hon. Minister may just report to the House his condition tomorrow if it is possible or get the information as early as possible and report it. Regarding other matters, I do not know what supervisory jurisdiction the Minister has over the affairs there, and regarding the bail itself. It entirely seems to be in their hands. I am not giving any opinion. Whatever is possible, the hon. Minister will place before the House.

Shri Kamath: His friends should be allowed to interview him. He is an under-trial after all.

Mr. Speaker: I do not know what jurisdiction the Minister has to allow

an interview there. A copy of the proceedings will be sent to the Minister who will take all such action as is necessary.

DEMANDS FOR EXCESS GRANTS*, 1951-52

Mr. Speaker: The House will now take up discussion and voting on the Demands for Excess Grants in respect of the Budget (General) for 1951-52.

DEMAND NO. 3—COMMERCIAL INTELLIGENCE AND STATISTICS

Mr. Speaker: Motion moved:

"That a sum of Rs. 4,54,715 be granted to the President to make good an excess on the grant in respect of 'Commercial Intelligence and Statistics' for the year ended the 31st day of March, 1952".

DEMAND NO. 9—MINISTRY OF DEFENCE

Mr. Speaker: Motion moved:

"That a sum of Rs. 28,805 be granted to the President to make good an excess on the grant in respect of 'Ministry of Defence' for the year ended the 31st day of March, 1952".

DEMAND NO. 15—ARCHAEOLOGY

Mr. Speaker: Motion moved:

"That a sum of Rs. 8,130 be granted to the President to make good an excess on the grant in respect of 'Archaeology' for the year ended the 31st day of March, 1952".

DEMAND NO. 30—MISCELLANEOUS DEPARTMENTS

Mr. Speaker: Motion moved:

"That a sum of Rs. 10,41,867 be granted to the President to make good an excess on the grant in respect of 'Miscellaneous Departments' for the year ended the 31st day of March, 1952".

*Moved with the recommendation of the President