

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Thursday, 12th March, 1953.

The House met at Two of the Clock.
[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

3 P.M.

MOTIONS FOR ADJOURNMENT

ARREST OF CERTAIN PERSONS

Mr. Deputy-Speaker: I have received notice of two adjournment motions, one from Shri Vishnu Ghanashyam Deshpande, on—

“The arrest and detention of Shri Swami Karpatriji, Shri Har-dayal Deogun, Organizing Secretary, Akhil Bharat Hindu Mahasabha and other leaders of Hindu Mahasabha, Jan Sangh, and Ram Rajya Parishad on the 11th March 1953 under Preventive Detention Act in spite of a specific assurance that Preventive Detention Act would not be used against leaders of political parties”,

and the other by Babu Ramnarayan Singh, on—

“Untimely and uncalled for arrest of Shri Swami Karpatrijee Maharaj, Swami Harihara Nandjee Saraswati and several others in order to terrify the people of this town”

I am not allowing the last portion of it.

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Now, when did this arrest take place?

Shri V. G. Deshpande (Guna): They were arrested early in the morning yesterday at 3 A.M.

Babu Ramnarayan Singh (Hazari-bagh West): It is night, Sir.

Mr. Deputy-Speaker: Not this morning?

Babu Ramnarayan Singh: 3 P.M. is night.

Mr. Deputy-Speaker: Was it early yesterday morning at 3 A.M. or last evening at 3 P.M.

Shri V. G. Deshpande: It is early morning 3 A.M.

Mr. Deputy-Speaker: Where were they arrested?

Shri V. G. Deshpande: Under the Preventive Detention Act.

Mr. Deputy-Speaker: In Delhi?

Shri V. G. Deshpande: Yes, Sir.

Mr. Deputy-Speaker: Who arrested them?

Shri V. G. Deshpande: The Police.

Mr. Deputy-Speaker: Order, order. I would like to know all these things; I am bound to ask for information, so that I may be able to make up my mind as to what is to be done. The information given is merely that they were arrested. I would like to know whether the hon. Member has anything more to say.

Shri V. G. Deshpande: I shall state the information, Sir.

Mr. Deputy-Speaker: The hon. Member will kindly answer my question. I

[Mr. Deputy-Speaker]

am not going to clothe the Centre with the responsibility in advance. I want to ascertain how far this Government is responsible for anything.

Under whose orders were they arrested? Has the hon. Member got any information?

Shri V. G. Deshpande: Presumably the District Magistrate, Delhi.

Mr. Deputy-Speaker: Why was it not filed yesterday?

Dr. N. B. Khare (Gwalior): They were arrested under Dr. Katju's orders.

Mr. Deputy-Speaker: The hon. Member thinks he is extraordinarily clever and rises again and again. This is a serious matter on which I am asking certain questions. Certainly he is not helping us in determining this matter at all.

Has the hon. Minister to say anything on this matter?

The Minister of Home Affairs and States (Dr. Katju): These gentlemen had been arrested under the Preventive Detention Act, which is the law of the land, and they have been detained, with a view to prevent them from acting in any manner prejudicial, among others, to the maintenance of public order.

The House is aware of what is being said, what is being done and what is being published, and I submit that the district authorities were entirely within their rights and acted very properly in passing these orders of detention.

The House is familiar with the procedure which has now been prescribed. Within five days, the grounds of detention will be handed over to the detenus, and then there will be an Advisory Board constituted—it has been constituted for the province of Delhi, and consists of a High Court Judge as president and persons who are qualified to be High Court Judges as its members. Before this Advisory Board, the Government will be called upon to lay all the materials which they possess in justification of this order. The Advisory Board will be entitled to make any such further investigation and inquiry as it pleases, ask for such information as it likes, and it will also be competent to hear, if it so desires, the detained persons, and

then it will tender its advice to the Government. If the Advisory Board is of opinion that there is not sufficient justification, then these gentlemen, the detenus, will be released. If, on the other hand, it is of opinion that the order is justified, then they will continue to be in detention for a maximum period of one year.

I respectfully submit that this is, in the circumstances, a purely law and order matter, fully covered by the procedure laid in the Act, and therefore, it is not a matter really for discussion on an adjournment motion.

Mr. Deputy-Speaker: I agree with the hon. Minister of Home Affairs, that inasmuch as special provision has been made in the Constitution regarding this matter, and in a detailed manner the Parliament has passed an Act, giving an opportunity to the detained person or persons to place his or their case before the Advisory Board, I find that whatever is done in the ordinary course under the ordinary law shall not be a subject matter for discussion on the floor of the House. Any amount of discussion, so far as this matter is concerned, will not enable us to come to one decision or the other.

However, this matter might have been raised even yesterday, since the arrest took place so early in the morning. I am not ruling it out merely on account of delay, but I am doing so on the other ground namely that there is the ordinary remedy provided under a statute of Parliament. In these circumstances, I do not think that I am called upon to give my consent to these adjournment motions.

Shri S. S. More (Sholapur): With your permission, Sir...

Mr. Deputy-Speaker: I have done with this now. I am not going to hear anything relating to this matter again.

Shri S. S. More: Not to this matter.

Mr. Deputy-Speaker: I have occasionally done so. All that the hon. Member wants to say must be said before. While I am hearing, if any hon. Member wants to enlighten me, certainly, I am willing to hear him, but not after the ruling is given.

Shri S. S. More: I am not going to make any reference to this particular matter.

Mr. Deputy-Speaker: Now that becomes hypothetical.

Shri S. S. More: May I submit that you are proceeding very hastily? My submission is that you should have...

Mr. Deputy-Speaker: I am afraid the hon. Member is not entitled to say I am proceeding very hastily at all. It was very wrong on his part to have said that. I thought he was saying cautiously, but he has said that I am acting very hastily. Certainly, I am not acting hastily.

Shri S. S. More: I withdraw that expression. What I want to submit is.....

Mr. Deputy-Speaker: I am not prepared to hear.

Shri S. S. More: You are assuming what I want to say, without giving me a hearing.

Mr. Deputy-Speaker: I am not prepared to hear. I will follow this procedure. Whatever is placed on the Order Paper, I am prepared to follow. This is a motion for adjournment. I am willing to hear any information from whichever source it may come, and from whomsoever, before I come to a conclusion. After I come to a conclusion, I do not want to hear on that matter. That is what I am saying. I have done so, on one or two occasions earlier. That is exactly why the hon. Member wants to place something, after the order is passed. I do not think I am called upon to hear a representation regarding this particular matter.

Shri S. S. More: That is not with reference to this matter.

Mr. Deputy-Speaker: Then it is a hypothetical matter, not arising out of this.

Shrimati Sucheta Kripalani (New Delhi): It is an entirely new matter.

Mr. Deputy-Speaker: If it is an entirely new matter, I would like that I should be given previous notice of it, so that I may come prepared with it, whatever the matter might be—instead of taking away the time of the House. I am willing to give any hon. Member any opportunity, relating to any matter of public importance, which can be raised here. I am only stating here, that on any particular matter which is raised, before the matter is closed, before I arrive at a decision and place it before

the House, I am willing to hear any hon. Member. But after the decision is given, I am not willing to hear any representation regarding that matter. If it is a matter arising out of something already on the agenda paper, then I am willing to hear, as soon as I place it before the House. If it is neither the one nor the other, I am always willing to hear any information on any matter, previous to its being brought before the House, if I think it is necessary that I should hear the hon. Member. It is a question of time and of our getting through the work that we have before us. It is nothing more than that. I am not trying to prevent any hon. Member from making any representations or to say anything on any important matter. I shall hear him earlier, and thereafter if necessary, I will bring it before the House either on that day or on the subsequent day. There is no question of damage in this matter.

The House will now proceed with the General Discussion of the General Budget. Yesterday, the hon. Finance Minister was on his legs, while the House adjourned for the day. He may continue his speech now.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): What about the second adjournment motion? You have not taken it up.

Mr. Deputy-Speaker: It is the same thing. I have given my ruling on the motions together.

GENERAL BUDGET—GENERAL DISCUSSION—Concl'd.

The Minister of Finance (Shri C. D. Deshmukh): Yesterday I dealt with the question of public co-operation and said that I will proceed with the discussion of two other matters, namely unemployment and deficit financing.

The new lease of life that I have received has suggested one or two thoughts to me, in regard to public co-operation. It strikes me that sufficient notice has not been taken of the provision of four crores for social welfare which has been made in the Plan, part of which has been provided for in the next year's Budget. That sum is intended to be used for the assistance of social welfare work, particularly in regard to women and children, and the channels of disbursement are largely likely to be non-official organisations of which, we know, there are at least 6,000 in this country. Therefore, there will be forces of en-