

[Shri R. N. S. Deo]

ing the Opposition that such a detention order has been passed. Without knowing the facts, it is very difficult to judge. We may concede that there is such an emergency situation in Saurashtra. We are even prepared to concede that there might be such an emergency situation in some parts of the country. It would still have been better for the Government, if they at all felt the necessity of such a measure, to have restricted the measure to certain parts of the country. Why have a general law on the Statute Book of the country which is liable to be so much misused, which has, in fact, been so much abused, as numerous instances have already shown. Therefore, this measure is bad in theory and in practice, and such a law should not remain on the Statute Book.

I need not go into the other arguments because they have been already controverted and it is really very amazing to find the weakness of the arguments in support of the Bill. We were expecting that during the course of the debate, hon. Members who were supporting the Bill, would bring forward some cogent reasons, but we have been disappointed. All the arguments that have been brought forward are weak. They are not convincing. The hon. Member who just spoke before me quoted the provisions of the Criminal Procedure Code to justify preventive detention. He suggested that even the police have got powers to arrest, though not for the purpose of preventive detention. But that analogy does not apply to cases like this. There it is not preventive detention. It is arrest under suspicion and with the least possible delay, the man has to be produced before a Court of Law, and he has to be charged with the crime, if there is a crime. So, that analogy does not apply in this case. Some people have also argued that actually it is not detention without trial because there is an Advisory Board, but the procedure followed in the case of the Advisory Board is not the same as that followed in a judicial court. There, this right of cross-examination, this right of legal representation, all these things are allowed. It is said that there is need for secrecy, therefore there cannot be a public trial. It may be conceded that where there is need for secrecy, the trial may be held in secret. There is nothing to prevent it, but, why deny the right of legal representation, why deny the right of cross-examination. These are things which

are conceded to people detained in similar circumstances, not exactly similar circumstances, but on suspicion.

Mr. Deputy-Speaker: One hon. Member cannot go on taking the time of the House.

Shri R. N. S. Deo: I am coming to the end, Sir.

Mr. Deputy-Speaker: He need not repeat what the others have said. He must also give an opportunity to others to speak.

Shri R. N. S. Deo: I will now end, Sir, by saying that even in other countries during emergencies, these rights are conceded to the detenus, and at least in peace time these should have been conceded here. But, Sir, in any case, I appeal to the Government to review their attitude and drop this Bill.

पंडित ठाकुरदास भागवत (गुडगांव) :

जनाब डिप्टी स्पीकर साहब, अब एक बज गया है। अगर आपकी इजाजत हो तो मैं कल अपनी स्पीच शुरू करूँ। अगर आप का हुक्म हो तो मैं दो एक किन्करे पेश कर दूँ।

Mr. Deputy-Speaker: It is nearing one O' Clock. The House stands adjourned to 3-30 P.M.

The House then adjourned till Half Past Three of the clock.

The House re-assembled at Half Past Three of the Clock.

[MR. SPEAKER in the Chair]

STATEMENT RE: FOOD SITUATION
IN WEST BENGAL

Mr. Speaker: The hon. the Minister for Food and Agriculture will now make a statement on the Food Situation in West Bengal.

The Minister of Food and Agriculture (Shri Kidwai): Sir, I regret I was not present here when the two adjournment motions re: the food policy in West Bengal were moved in this House. I think there is some misunderstanding somewhere about the implementation of that policy. There were three portions to the policy that was laid down when I visited Bengal in the second week of June.

The first related to redress in distressed areas. There were two schemes. One was gratuitous feeding about which it was agreed that 5000 maunds of wheat and 5000 maunds of rice were to be issued and the people were to be fed without any charge and so long as the situation demanded additional releases of foodgrains would be made. That scheme was implemented immediately.

The second proposal was that wheat and rice in equal proportions should be sold at a very much reduced price. 10,000 tons of wheat and 10,000 tons of rice were immediately released there and have been sold at Rs. 15 a maund. This proposal was also immediately implemented.

The second portion of the policy was about greater concession. After studying the situation and after discussing with the Bengal Government it was agreed that the Centre will take over the responsibility of feeding Calcutta, and the Bengal Government will cordon off this area, so that no smuggling may be possible. We made this agreement in June and the question was one of implementing it for the next six months of this year and if necessary for the whole of next year. At that time Calcutta had in its stock actually 94 days' rationing stock. Therefore actually the question was about the remaining three months, when the rice procured by the Bengal Government which was still a rural area should remain in the rural areas. Before this scheme was evolved, the Bengal Government had asked the Centre to allot them one lakh tons of rice, and I had agreed to it. After this scheme was evolved, it was also suggested that some rice may be allotted which may be sold over and above the rations, so that the necessity for smuggling may not prevail. I agreed to this suggestion. The proposal was that 20,000 tons should immediately be placed at their disposal and an allotment for this purpose may be made to the extent of one lakh tons or whatever may be necessary. The balance from the one lakh was to be carried over for the next year. I returned and made arrangements in that direction, and two lakh tons were actually allotted. We cannot manage to despatch there all of the quantity allotted in one month. 44,000 tons actually reached the Bengal Government in the next month, i.e. for June and part of July. We allotted to Bengal the one lakh tons that we were importing from China. Out of this 37,000 tons reached there, while the balance is to come, in the course of this month

and the next month. Therefore, it is wrong to say that the two lakh tons of rice was not allotted.

The third portion of the policy concerned the modification in the procurement system and the allowing of free movement in the area outside Calcutta. I think, if I may quote from the statement that I made in Calcutta on 12th June on which the decision was taken, it will be found that I said then that from next year the levy system will be introduced and after the introduction of the levy system, the ban on inter-district movement will be removed. I do not know where the misunderstanding has arisen. So far as the levy system being introduced and free movement being allowed are concerned, it will be found in my statement made on 12th June at Calcutta and published in all the papers that that was to come into force for the next year, after the procurement of the present *aus* crop has been made. Therefore that portion and only that portion was to come into force from next year, and all the other things were to be given immediate effect to, and they have been given immediate effect to also.

PREVENTIVE DETENTION (SECOND AMENDMENT) BILL.—contd.

Mr. Speaker: The House will now proceed with the further consideration of the Preventive Detention (Second Amendment) Bill. As we want to finish this stage of the Bill I would again appeal to the hon. Members not to take a long time for speeches. The points, as I said in the morning, have already been brought out, and hon. Members are practically repeating the same thing, the illustrations being different. So far as the principle is concerned, there is no new point that is coming in, and I find a large number of hon. Members anxious to say something, and they want to associate or dissociate themselves with the Bill, publicly and openly. That is the main cause of their desire to speak, but their speeches should be very short,—as short as possible.

पंडित ठाकुर बंस भांब : (गुड़गांव) इस बिल पर कई रोज़ से बहस हो रही है। जो तक़रीरों में ने इस बिल पर सुनीं उन के सुनने के बाद में आप की सेवा में अदब से अर्ज़ करता हूँ कि दर असल इस बिल का जैसा डिस्पैशनट कनसिडरेशन (dispassionate consideration) होना चाहिये था वह