

Political Sufferers

285. Shri Subbiah Ambalam: Will the Minister of Home Affairs be pleased to state:

(a) the number of applications received during 1957-58 and 1958-59 so far for aid from political sufferers in Madras State;

(b) how many of them have been granted aid and how many rejected; and

(c) how many of them are pending consideration?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 111.]

Untouchability propaganda in Kerala

286. Shri I. Eacharan: Will the Minister of Home Affairs be pleased to state:

(a) the amount allotted by the Central Government for untouchability propaganda in Kerala for 1958-59;

(b) whether the Kerala Government has submitted any schemes for the purpose; and

(c) if so, the nature of the schemes on which the amount is proposed to be spent?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c): A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 112.]

12.03 hrs.

MOTIONS FOR ADJOURNMENT**SITUATION IN AHMEDABAD**

Mr. Deputy-Speaker: I have received notices of several adjournment motions. There are ten of them. Mostly they relate only to one instance. It may be very grave and unfortunate. I would have withheld my permission

and declared that they cannot be discussed and rejected them, but, as the matter is very important and must have agitated every Indian, I am going to refer to them. Otherwise, it was not necessary at all because it is a matter of law and order.

One adjournment motion is from Shri Goray and Shri Jadhav: "The state of extreme tension prevailing in Ahmedabad and other parts of Gujarat and the use of tear-gas, lathi charges and firing accompanied by wide-scale destruction of property".

Shri Goray (Poona): There is one more clause in it.

Mr. Deputy-Speaker: "The unfortunate situation..." I think there was no need to read it. "The unfortunate situation which is the direct result of peoples' resistance to accept the bilingual State of Bombay." It cannot be relevant for this adjournment motion.

Shri Nath Pal (Rajapur): Then only the first paragraph makes some meaning

Mr. Deputy-Speaker: The second is by Shri S. A. Dange: "The grave situation arising out of the unwarranted and brutal firing and lathi charge on an unarmed crowd on 12th August at Ahmedabad and the sense of insecurity caused to the citizens of Ahmedabad... the attack on civil liberties by the Government in prohibiting peaceful demonstrations..."

Then there is the motion of Shri S. M. Banerjee, Shri Tangamani and Shrimati Renu Chakravarty: "The grave situation arising out of the unwarranted and brutal firing and lathi charge on the unarmed crowd at Ahmedabad and other towns on 12-8-1958 and the sense of insecurity by the population of Ahmedabad and other towns as a consequence of the behaviour of the administration. Attack on civil liberties by the Government in Ahmedabad and other towns in prohibiting peaceful demonstration..."

Shri S. M. Banerjee (Kanpur): It refers to the hunger strike by one

of the Members of the Lok Sabha, Shri Yajnik.

Mr. Deputy-Speaker: Yes. "...in prohibiting peaceful demonstration in memory of the martyrs of the firing. Hunger strike by Shri Indulal Yajnik, M.P. against these actions of the Government". This would not make it more relevant. Of course, it is only unfortunate. I am only giving the gist of the motions, not reading the whole thing.

Then there is the motion of Shri Naushir Bharucha. Though it appears quite different, in substance, it is just the same. "Failure of the Union Government to intervene and avert breakdown of the Constitution" (*Laughter*).

Shri Naushir Bharucha (East Khadesh): That is under article 355 of the Constitution.

Mr. Deputy-Speaker: I was reading the motion as it is worded. "(b) Failure of the Government to prevent violation by the State Government of the fundamental rights....(c) Failure of the Union Government to prevent widespread feeling of insecurity of life.. (d) Failure of the Union Government to discharge the constitutional obligation imposed on it, under article 355 of the Constitution to ensure that the Government of the Bombay State was carried on in accordance with the provisions of the Constitution."

Then there is another motion: "Failure of the Union Government to give directive under clause 257 of the Constitution of India to Bombay State not to create provocation by removing the martyrs memorials....."

Then there is a motion by Shri Parmar: "The great tension and commotion..."

Then there is a motion by Shri Khadiolkar: "Very serious disturbances in Ahmedabad, Baroda, Nadiad and several other places in Mahagujarat

have taken place resulting in arson, looting and firing causing injuries to seven persons. These serious developments are a consequence of the decision taken by the House..."

Then there is the motion of Shri Assar: "Failure of this Government to respect the feelings towards martyrs of Gujarat by not giving directives to Bombay State not to remove martyrs' memorials....."

Then Raja Mahendra Pratap has sent in a different one. I might refer to that also:

(1) Riots at Ahmedabad and police firing.

(2) Strike of motor rickshaws at Delhi.

(3) The Jaipur agitation is also serious. House should kindly discuss..."

Because all the three are put, conjoined, together, it is rejected simply on that ground. Only one matter can be discussed. I have no difficulty in coming to a decision—

Raja Mehendra Pratap (Mathura):
The All-Gujarat—

Mr. Deputy-Speaker: Order, order. The House can discuss only one subject or one point in an adjournment motion at one and the same time. Different matters cannot be joined together in one adjournment motion. Therefore, that motion is ruled out on that score.

I have no difficulty so far as these adjournment motions are concerned. If rules are to be applied. The matter is very urgent, of course. It is of recent happening also. But the House would agree that it is a matter of law and order, however unfortunate it might be and however much we might be concerned about it. But, if the hon. Minister in charge wants to make a statement in order to enlighten the public and the country at large as to what has really happened, if he is in possession of certain facts, perhaps I

[Mr. Deputy-Speaker]

would request him to make it, so that certain facts might be known.

Shri Nath Pal: The Members who have given notices of the adjournment motions may be allowed to make their submission.

Mr. Deputy-Speaker: I do not think so. If I had any doubt, then perhaps I certainly would have requested the hon. Members who are the movers of these motions to first make certain remarks

Shri Nath Pal: There is one point which perhaps has not emerged very clearly in the submissions we have made to you. We think this Parliament is seized of the issue, of what is happening in Ahmedabad, because that has arisen by an Act of Parliament to which the people are putting up their resistance. It is under this that certain things are taking place and things are happening there, and where they are responsible. And as such you should give us your ruling.

Mr. Deputy-Speaker: If it is in consequence of an act done by this Parliament, then there cannot be any adjournment motion on that. Unless this Parliament takes another decision, that Act must stand and we must abide, all of us must abide, by that.

Shri S. A. Dange (Bombay City—Central): There is one point here which I may submit before the hon. Home Minister replies. The thing has happened in a province like Gujarat and especially in a city like Ahmedabad about which everybody knows very well—the home of non-violence. There the Government is forced to do such things.

The second point I would like to draw attention to is that the right of worshipping certain martyrs was attacked here. There was firing last year and people have started worshipping the martyrs. Thousands of men and women lay down flowers there and offer worship and this is sought to be

removed. It is an attack on a fundamental right and civil liberty and creates insecurity in a State like Bombay. It is not a small thing; it is such a big thing. It happens in a State governed by a very nice Congress Ministry which had the fortune of having the Finance Minister as Chief Minister and which is now having Mr. Chavan ...

Mr. Deputy-Speaker: He is going to other things.

Shri S. A. Dange: Therefore, the position is rather serious and requires the attention of the Central Cabinet very much; and, this subject should be debated here.

Mr. Deputy-Speaker: If I allowed this to continue, certainly that would be a discussion on the adjournment motion. Why should I allow that?

Shri Khadilkar (Ahmednagar): When there is a demand from all sides of this House ...

Some Hon. Members: No.

Some Hon. Members: Yes.

Mr. Deputy-Speaker: I would request the hon. Members to hold themselves in patience. When I require their assistance, certainly I would ask for that. But for the present I do not need it. I may answer this question in the beginning that even if there is a demand from all sides, then too I am entrusted with certain duties by this very House and I have to apply those rules for the present. I do not say I can over-ride the wishes of the House; it may do whatever it likes. But so far as this question is concerned, there are set rules approved by the House and it is my duty to apply them.

Shri Khadilkar: I am only suggesting when there was a demand to remove the memorials erected during the foreign regime, that demand had

not been acted upon by the Government. On the contrary, certain people were shot dead just in front of the Congress House and a memorial was erected. More than a million people every day worship that place. It is a fact. Why was there any necessity at the dead of night to remove that memorial?

Shri P. R. Patel (Mehsana): My submission is that it is not an ordinary question of law and order. When a grave situation arises in the country, it would be the concern of the House and of the country. Here there is firing; there is a 24-hour curfew, lathi-charge and all those things. Whatever happens in any part of the country, would it not be the concern of this House and of the country? I submit we are entitled to discuss any situation prevailing in any part of the country.

The Minister of Home Affairs (Pandit G. B. Pant): I am sorry that these unfortunate incidents should have happened in Ahmedabad. As you rightly observed, Ahmedabad has always been the centre of non-violence. . . . (*Interruptions*).

Mr. Deputy-Speaker: Order, order; now at least let there be non-violence.

Pandit G.-B. Pant: Ahmedabad has had its police and also along with that its non-violence in the past. The police is still there, but certain sections have been, I think, possessed by the spirit of violence, with the result that law and rules do not matter; human life has little value; public property need not be respected.

In this case two martyrs' memorials are said to have been put up on the thoroughfare . . . (*Interruptions*) I cannot vouch for it, how far they are from the read, but I am told that they are on the traffic island. If that is wrong . . . (*Interruptions*).

Mr. Deputy-Speaker: Shall we decide that first, whether they are on

the island or on private property? Sometimes we may differ on facts. Then too we have to listen patiently. Hon. Members may not agree with what is believed by the hon. Home Minister, because his information may be based on the information that he receives from his source, which he thinks is reliable. So, we should wait.

Shri S. M. Banerjee: He is making a factual statement that it is situated on the traffic island.

Mr. Deputy-Speaker: Facts also may differ according to different persons, because their knowledge might be derived from different sources. What is the wonder there?

Pandit G. B. Pant: The memorials were, according to my information, constructed on the traffic island or nearby against and in defiance of the orders of the municipal board and the request—I do not use the word 'warning'—of the police. Then, these were removed later.

An Hon. Member: No.

Shri P. R. Patel: But has the municipality passed a resolution?

Pandit G. B. Pant: The municipality, according to my information, did not permit the construction of these memorials.

Mr. Deputy-Speaker: Could there be a cross-examination as in a court? I shall have to ask the hon. Member to desist from this temptation.

Pandit G. B. Pant: The memorials were removed later on the night of the 11th.

An Hon. Member: Why in the night?

Pandit G. B. Pant: I am sorry that on the next day there were scenes of hooliganism and rowdyism. About 8 police chaukies were attacked and burnt. 3 post offices were burnt and 3 damaged. 2 municipal buildings were burnt and the Khadi Mandir burnt and looted. 6 municipal transport buses

[Pandit G. B. Pant].

were attacked and damaged. Several cases of stone throwing, etc., were reported. Several cases of damage to lamp posts, removal of bus stands, sheds, etc, have been reported.

This was the report which was received here of the happenings up to 11.40 yesterday. The police had been forced to use tear gas and they had acted, so far as one can see, with great restraint. There were other incidents thereafter, of which I cannot give the exact number. The papers say that shops were also burnt. There were many cases of vandalism. The number, according to one paper, came to 140. Someone told me that property worth lakhs of rupees had been destroyed.

It is a matter of deep regret to me that such wanton disregard for public property should have been shown. After all, all these post offices, police posts, buses, etc., belong to the public. Even those who set fire to them have a share in them as citizens of this country. It is regrettable that this resort to violence should have been there.

I do not refer to other matters, but so far as we are concerned, we can only hope that now Ahmedabad will return to normal. It is a matter of deep regret to me that not a word of criticism or condemnation, directly or indirectly, has been uttered in the sheaf of adjournment motions that have been sent by various hon. Members. I can only hope that better sense will prevail and there will be no outburst of violence. After all, in this country we have a democratic system and it is open to everyone to seek redress of the grievances in a constitutional manner. But if we take to means of violence then there will be anarchy; no right, civil or other; no fundamental right; and then nothing which can lead to progress or advancement will be achievable in the country. So, I appeal to all to look at these things from a correct angle, with

the right sense of perspective and not to encourage those who are misled and who are, perhaps, themselves habituated to the use of force and violence, but to see that peace is maintained, peaceful conditions are observed, and wherever there is any demand for anything to be done or undone, then only constitutional and peaceful methods should be followed.

Mr. Deputy-Speaker: I will now permit Shri P. R. Patel to ask one question.

Shri P. R. Patel: May I know from the hon. Home Minister whether it is a fact that on the 8th more than two lakhs people collected and erected the memorial and held memorial meetings there and there was peace everywhere in the Ahmedabad city and outside also and it was only after the removal of the memorials there was disorder? If so, has this disorder not been created by the Government? Furthermore, I want to know whether the Ahmedabad Municipality has passed a resolution requesting the Government to remove the memorial.

Pandit G. B. Pant: Well, the question that really arises in this case is whether the administration of law and enforcement of lawful orders should or should not be done.

Shri Nath Pal: It was removed in the night.

Mr. Deputy-Speaker: Order, order. I allowed only one question to Mr. Patel. He has put it. Now let us hear the Minister.

Shri Nath Pal: But he is addressing all of us.

Pandit G. B. Pant: If the law is violated then what will be the consequence?

Shri Nath Pal: Law should not function like a thief. The memorial was removed in the night.

Shri S. A. Dange: I have to make a proposition or seek a clarification from the Home Minister, arising from his statement. If the memorial was on a traffic island how does it interrupt traffic? Because the island itself is meant to regulate traffic, an interruption by itself. The second question that I wish to ask is whether you will consider the proposition of an impartial probe by the Parliament into the state of affairs of this State arising from this incident.

Pandit G. B. Pant: Many more serious things have happened elsewhere.

Shri S. A. Dange: Many more troops will be called.

Mr. Deputy-Speaker: Now perhaps the hon. Member is trying to seek something else that he has in mind. Now I suppose the hon. Members will allow me my turn.

It is very unfortunate that such a thing should have happened. All of us would deplore this violence. I am not discussing anything or giving my opinion about the facts that might be there. But we are, first of all, interested in upholding democracy and if such things go on, certainly democracy cannot advance and what we have undertaken to perform, that would be cut in the middle. Therefore, I hope that everyone of us would try in that direction.

So far as these incidents are concerned, one hon. Member asked: can we be impervious to all these things when they are happening? No. I do not say that the Cabinet would be impervious. The cabinet shall have to take notice of it. Even members would be interested in it. But if something wrong has been done, whatever it may be—as I said, one side must be wrong—if that wrong has been done there by somebody, then certainly we should not reply wrong remedies here also. So far as these adjournment motions are concerned, they are not the proper method to have a discussion on them.

श्री जाधव (मालेगांव): इसकी जो जड़ है वह खत्म करनी चाहिए।

उपाध्यक्ष महोदय: हां जी, वह आप जानते हैं कि किस तरह से हो सकता है। इस तरह से तो नहीं हो सकता कि एडजर्नमेंट मोशन लाये जायें। क्या इससे जड़ चली जायेगी?

श्री जाधव: हां।

Mr. Deputy-Speaker: I was just putting it to the House that this is not the correct method. Therefore, so far as these adjournment motions are concerned, I am clear in my mind that they pertain to law and order and they cannot be discussed here in this form. Therefore, I refuse to give my consent, so far as these adjournment motions are concerned. (*Interruptions*)

Raja Mahendra Pratap: There was mismanagement.

Mr. Deputy-Speaker: Now, the hon. Member should not add to that mismanagement.

Shri S. A. Dange: My sympathies go to the victims of the firing and my tributes to the martyrs. To express that sorrow I would like to withdraw from the House.

(*Shri Dange and some other hon. Members then left the House*)

12.27 hrs.

PAPERS LAID ON THE TABLE
ANNUAL REPORT OF NATIONAL COAL DEVELOPMENT CORPORATION (P) LTD.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): I beg to lay on the Table a copy of each of the following papers:—

- (1) First Annual Report of the National Coal Development Corporation (Private) Ltd., for the period 5th September,