

Mr. Speaker: It has become the usual practice here now when statements are made to put questions.

Shri Harish Chandra Mathur: This information would be of no use to us if it is not stated what the reasons were for this abnormal rise.

Mr. Speaker: I am not going to allow it. Statements in reply to Calling Attention notices should not be treated as questions. When an adjournment motion was tabled, I treated it as a Calling Attention notice. The hon. Minister has now stated that it is a State matter and is not within his jurisdiction. All the same, to inform the House and the country that the Centre is always ready and willing to come to the help and rescue of any State in cases of emergency, this elaborate statement has been made. If more information is wanted, hon. Members will table questions. I do not want to allow this practice of asking questions in reply to a statement on calling attention notice.

An Hon. Member: People are dying.

Mr. Speaker: If people are dying the hon. Member will go and relieve their suffering.

Shri Braj Raj Singh (Ferozabad): With respect to the Union Territory of Delhi it is the direct responsibility of the Centre.

Mr. Speaker: I know it. The hon. Minister has answered that also. I want to inform all hon. Members who table Call Attention notices that no question is allowed except in rare cases. In this case I am satisfied that there has been a sufficiently long statement full of details. Therefore I am not going to allow any more questions.

Shri Vajpayee (Balrampur): A short notice question may be allowed.

Mr. Speaker: Let us see.

12.11 hrs.

STATEMENT RE: DETENTION OF
A MEMBER

The Minister of Home Affairs (Shri G. B. Pant): Sir, while disallowing the adjournment motion relating to the detention of Shri Prabhu Narain Singh by the Uttar Pradesh Government you were pleased to direct me to ascertain the necessary facts from the State Government and to place them before the House. I am doing so accordingly.

In furtherance of the organised movement for committing breaches of the law Shri Prabhu Narain Singh held public and private meetings at various places in which he exhorted and incited people to enlist as volunteers and contribute funds in support of a movement for defiance of the law and disturbance of public order in Varanasi District and in other ways also. He incited people to cut down trees in the Naugarh and Chakia forests and to occupy land forcibly. He was also exhorting people to picket tehsil and other public offices, make breaches in canals, forcibly occupy parti land in the Bhoka Dam area, pull alarm chains of trains and also otherwise defy the law. Shri Prabhu Narain Singh was, therefore, detained on the 2nd May, 1960, under the Preventive Detention Act in pursuance of an order dated the 29th April, 1960, made by the District Magistrate of Varanasi to prevent him from acting in a manner prejudicial to the maintenance of public order. As required by section 9 of the Preventive Detention Act, Shri Prabhu Narain Singh's case was referred to an advisory board consisting of Justice Bhargava and Justice Nigam of the Allahabad High Court and Shri Sharma, District Judge, Lucknow. Shri Prabhu Narain Singh submitted a representation which was duly passed on to the advisory board. He also appeared before the Board personally on the 4th July and was examined by the Board and made such

[Shri G. B. Pant]

representations as he considered necessary. Taking into consideration all the relevant material, the Board came to the conclusion that there was sufficient cause for his detention. It was accordingly ordered under sub-section (2) of section 11 of the Preventive Detention Act that Shri Prabhu Narain Singh shall continue to be detained until further orders but not beyond twelve months from the date of detention.

In this connection I should like to refer to a statement which was made here. It was mentioned that since the Preventive Detention Act expires on the 31st December this year no order of detention could be made which extends beyond that date. This is not the correct position. Though the life of the Act expires at the end of the year, any order of detention made and confirmed by the advisory board before that date can take effect for a full year. Sub-section (3) of section 1 of the Act puts this matter beyond any doubt. The sub-section provides that the Act shall cease to have effect on the 31st day of December, 1960 save as respects things done or omitted to be done before that date. An order of detention validly made before the expiry of the Preventive Detention Act will, therefore, continue to remain in force even after the expiry of the Act. The fact of the expiry of the Act will only be that no further action can be taken under it, that is, no order of detention can be made or confirmed after its expiry. But so far as orders already made and put into execution are concerned, they will take effect according to their tenor.

Shri Braj Raj Singh (Firozabad)
May I ask a question?

Mr. Speaker: All right, one question may be asked by him.

Shri Braj Raj Singh: The statement made by the hon. Minister reveals

that there is no specific period for which Shri Prabhu Narain Singh has been detained. I do not find any provision under the law according to which, without mentioning the period of detention, a person can be detained.

Further, may I know whether the Union Government would take advantage of the provision under sub-section (b) of section 13 and do something in view of the special circumstances in which Shri Prabhu Narain Singh was arrested? That day I had mentioned in this House that Shri Prabhu Narain Singh has been elected from the same constituency from which Shri Kamalapati Tripathi, the Home Minister of Uttar Pradesh has been elected. The strange thing is that on the 30th April he was here in Delhi and the District Magistrate of Varanasi was pleased to order on the 29th April the detention of Shri Prabhu Narain Singh. This explains the circumstances in which the Parliament in its wisdom was pleased to say that the Central Government could also intervene. This is under sub-section (b) of section 13. So, I want to know whether the Union Government is in a mood to intervene in this matter because the circumstances that exist are very special.

Shri G. B. Pant: The Government is fully satisfied that the detention was not only advisable but absolutely necessary. From the 1st May a movement had been launched there and more than 2,000 persons have been arrested so far. I was really sorry—I did not want to refer to that that the hon. Member should have made statements which are not borne out in the least by facts and which have been virtually, I think to an extent, conceded even by the person detained. So, to attribute any *mala fides* to the Home Minister of UP in the circumstances is, I submit, absolutely unjustified and open to grave objection.

Shri Braj Raj Singh: Will he place the proceedings on the Table of the House as, of course, they are not secret?

Shri G. B. Pant: I do not know whether it will be for his benefit. I can place the entire order that was issued—that perhaps I cannot—I could place he order that was served on Shri Prabhu Narain Singh. But I think I need not expose him . . . (*An Hon. Member:* Expose!) to all that is contained there, because it is almost perhaps a confidential proceedings which is not to be published. That is my feeling. But I can assure the hon. Member that he would not benefit by the exposure.

Shri S. M. Banerjee (Kanpur): Since the movement of the Socialist Party was not initiated only by Shri Prabhu Narain Singh, I want to know why the U.P. Government has specially detained him under the PDA and has not given him an opportunity . . .

Mr. Speaker: Does the hon. Member mean to suggest that others also may be arrested?

Shri S. M. Banerjee: Why was he not tried in a court of law?

Mr. Speaker: That is a suggestion for action.

Shri S. M. Banerjee: Why should he be detained like this?

Mr. Speaker: Hon. Minister may take note of this.

Shri G. B. Pant: I need not conclude from the question that it is necessary or that it was necessary for the U.P. Government to detain some others also.

Shri Braj Raj Singh: Why should they not try him in a court of law?

Shri S. M. Banerjee: He should have been tried in a court of law.

श्री जगदीश अ.स्थी (विल्हौर) :
श्रीमन्, मैं भी एक प्रश्न पूछना चाहता हूँ। क्या श्री प्रभु नारायण सिंह के साथ किसी अन्य सज्जन को भी इस एक्ट के अन्तर्गत पकड़ा गया था और उनको छोड़ दिया गया था ?

Mr. Speaker: Shri Jagjivan Ram.

Shri Jagdish Awasthi: Sir, my question has not been answered.

Mr. Speaker: It won't be answered. Shri Jagjivan Ram to make a statement.

12-20 hrs.

STATEMENT RE: BREACHES ON SOUTH-EASTERN RAILWAY

The Minister of Railways (Shri Jagjivan Ram): Sir, at about 8:00 hrs. on 15-8 60, Bridge No. 239, consisting of 4 x 40' spans and lying between Rupsa-Basta stations on the Kharagpur-Rupsa section (East Coast-line) of the South-Eastern Railway was partly washed away due to an abnormally heavy flow of water, resulting in complete interruption to traffic on the section. The two central spans were carried about 200 downstream of the bridge and two piers have completely collapsed. The remaining pier as well as the embankment at the Kharagpur end of the bridge were also damaged.

Reports show that water was flowing about 10' over the Highest Flood Level recorded at the bridge site. This unprecedented flood is understood to be due to the bursting of the bund of a reservoir in Mayurbhanj about 15 miles upstream of the bridge. The Chief Engineer reached the site early on the 16th morning and is directing the restoration work. The General Manager also arrived there this morning.

It is proposed to erect two 60 ft. temporary girders on sleeper cribs to restore communication over this bridge. As a lot of water is still flowing in the bridge opening and