

12.04 hrs.

### MOTION FOR ADJOURNMENT

#### ALLEGED POLICE EXCESSES AT NIPANI

**Mr. Speaker:** I have received notice of an adjournment motion from Shri Nath Pai and Shri Goray. Normally, this is a matter of law and order. Anyhow, it refers to a four-man Commission appointed by the Union Government. It reads thus:

"The police excesses at Nipani on November 27, 1961, when the four-man Commission appointed by the Union Government visited Nipani to report on the boundary dispute between Mysore and Maharashtra, wounding more than fifty people along with the Chairman of the Nipani Municipality and the President of the Merchants' Chamber".

What is the position?

**Shri Nath Pai (Rajapur):** I quite agree that normally such a subject does not come within the purview of this House. I have received a representation from an MLC who belongs to the Congress Party, Shri Dev Chandra Shah. They say in their telegram:

"Urgently request judicial inquiry into misbehaviour and police excesses. Deliberate unprovoked lathi charges on citizens including the Chairman of the Municipal Council. Not less than 50 persons were injured who had assembled to accord cordial reception to the Government of India Commission and to make representations to them . . ."

**Mr. Speaker:** Who sent the telegram?

**Shri Nath Pai:** This telegraph has been sent by an MLC of the Congress Party, Shri D. C. Shah. I have sheafs of papers with me. These are mostly from Congress-owned, directed or controlled dailies. There are two from the *Times of India*.

May I say that the Commission has been appointed by the Government of India to report on this unresolved dispute? Here they go to bear the people. But there is the police lathi charge on those who come to submit their claims and have their say.

**Mr. Speaker:** Has any member of the Commission sent a telegram or any such thing?

**Shri Nath Pai:** No, not yet. We may get it.

May I say that this is very regrettable? This is particularly so because right now we are threatened on every side. We cannot have such internal disputes among ourselves. Our efforts should be to see that there is no bitterness. Only a few miles from Nipani, the Portuguese are persecuting people and committing atrocities. The police excesses justify Mr. Justice Mulla's description of them. My submission is on the admissibility of the motion.

**Mr. Speaker:** If really, when the four-man Commission has been going there to conduct its inquiry, people are prevented from making representations or having their say, I would certainly take it up as a matter about which this House is entitled to find out. He need not elaborate on that.

**Shri Nath Pai:** There is one point. Inter-state disputes are entirely the responsibility of the Union Government.

**Mr. Speaker:** Who denies it?

**Shri Nath Pai:** This also arises out of maintenance of integration. The Police are interfering with it.

**Mr. Speaker:** The hon. Member has not heard me.

I take it that the Commission appointed by the Union Government has gone there to settle the inter-State dispute. All people who want

to make representations should be allowed free access, subject to regulations, order and other things by the police in order to avoid clashes between one party and the other. To that extent, they are entitled to maintain order. But otherwise, free access must be given to people to make their representations. That is admitted. I am not rejecting it on the ground of want of urgency or want of seriousness. I wanted to hear the hon. Minister.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** The Government of India have no information in this case. In fact, from the papers it becomes clear that the hon. Home Minister of the Mysore Government made a detailed statement on this very question in the Mysore Legislature only three or four days ago. Then I would also like to point out that so far as the Committee is concerned, it was appointed by an agreement between the two Governments, of Maharashtra and Mysore. That is the present position.

**Shri Nath Pai:** Such incidents have been occurring very often. They cause bitterness between two States. It is our responsibility to see that such bitterness is not caused and they do not quarrel among themselves. I know how the police behave. Last year, I had personal experience of that. But I do not go into that. I only say that till this festering wound is healed, the Government of India should send some observers who will be taking note of any complaints from either side as regards excesses. They should be there till this dispute is finally resolved. They will be watching the development of events there.

**Shri Datar:** This is not the proper time for making any suggestion. So far as the four-man Committee is concerned, it is seized of this affair. It is carrying on its work. Under these circumstances, I do not know how the Government of India would come into the picture. This is a law

and order matter. The position has been clarified by the Home Minister there.

**Shri Nath Pai:** They cannot carry on their work when people are not allowed to meet them (*Interruptions*).

**Some Hon. Members rose—**

**Mr. Speaker:** I will not allow more than one hon. Member to get up at a time.

The four-man Committee consists of two from each side. Two are appointed on the suggestion of the Mysore Government and two on that of the Maharashtra Government. We will assume that this law and order situation is in the hands of the Mysore Government for the present, until the matter is decided. The other two, that is, the representatives of the Maharashtra Government, are not a party to the improper conduct of the Mysore Government on account of their one-sidedness, as alleged by Shri Nath Pai, preventing people from seeing the Committee and closing their eyes to this. What do these two members do?

**Shri Goray (Poona):** Only the Mysore delegates were on tour. The Maharashtra delegates were not there at all.

**Shri Nath Pai:** It is therefore I said that the Government of India must intervene, because the committee could not even undertake a common tour.

**Mr. Speaker:** Why?

**Shri Nath Pai:** That is so.

**Mr. Speaker:** That is a different matter altogether.

**Shri Nath Pai:** First, the Maharashtra side went. Now the Kannada side is touring it. When these things go on, is it not the Government of India's responsibility to see that matters do not develop like this, at least that matters do not deteriorate by

[Shri Nath Pai]

this kind of incidents? Therefore, there should be some people to go there and investigate into this, whether these excesses are really being perpetrated.

**Shri Shankaraiya (Mysore):** Both the Mysore Members and the Maharashtra Members of this four-man committee, including Shri Pataskar, who is the Chairman, have been touring for the last six months or one year. There are touring as a body, as a committee. Sometimes the Maharashtra Members have toured by themselves, and the Mysore Members have toured by themselves, and they have received memoranda etc. Till now there has not been any trouble. Even here, in this particular incident there was not much disturbance or any such thing. They are deliberately carrying on propaganda by exaggerating it, and giving all sorts of rumours before the elections.

**Shri Khadilkar (Ahmednagar):** What my hon. friend said is not the truth, or the whole truth. The truth is that when Shri Pataskar tried to persuade the representatives from Mysore State on the committee to undertake a joint tour of the border, they declined to join. So, Shri Pataskar and Shri Bhatt, the two representatives of Maharashtra State, went round. Their cars were stoned.

**Mr. Speaker:** We are not going into all those matters.

**Shri Khadilkar:** Just a minute, Sir. I want to make it clear because the hon. Home Minister, unfortunately, is not giving all the facts, and when we are very much seized of national integration, these things must be taken very seriously.

Later on, two representatives of the Mysore Government have been touring the border area, and it is the right of the minority for the time being of the Marathi-speaking people to make representations. If they are prevented, it is a serious matter.

**Shri M. Rampure (Gulbarga):** My hon. friend, Shri Khadilkar, made a reference to the stoning of the car of the Maharashtra Members of the Committee when they were touring the border area. I was touring with them. The information that has been provided to my hon. friend is not correct. Nowhere were they stoned. I was there with them. I was touring on the border, because it is my constituency.

**Shri Goray:** Shri Pataskar has made a statement. He is a responsible person.

**Shri Mahagaonkar (Kolhapur):** I have got proof to show police atrocities. (*Interruptions*).

**Mr. Speaker:** Order, order.

**Shri Goray:** The complaints are from the Congress side.

**Shri T. B. Vittal Rao (Khammam):** Why don't you appoint a boundary commission and finish with it?

**Mr. Speaker:** I am really sorry that in this House also there seems to be a border dispute. I do not want hon. Members to lose their patience over this matter. Enough has been said.

All that I can submit is that, so far as this matter is concerned, of course it is a serious matter. When a joint committee is appointed with the consent and on the recommendation of both the States, the Union Government is interested in seeing that this matter is settled as amicably as possible. All opportunities must be allowed.

**Shri Datar:** May I make a slight correction, that the committee was appointed by the two States themselves, not by the Government of India?

**Shri Manay (Bombay City Central—Reserved—Sch. Castes):** How can the two States appoint a commission?

**Shri Nath Pai:** Earlier, there were efforts, during the time of the late

Pandit Gobind Ballabh Pant, to solve the dispute by mutual consultation. When these efforts failed, it was by the Union Government—we have it on the authority of the Prime Minister whom we had approached—that the committee was appointed. The two representatives are nominated by the two States at the instance of the Union Government.

**Shri Datar:** It was the good offices of the former Home Minister that had this committee appointed through the State Governments, not the Government of India.

**Shri D. A. Katti (Chikodi):** How can it be? It is a border dispute.

**Shri Achar (Mangalore):** There is no complaint by the members of the committee. Complaints, of course, we hear from the other people, but not from a single member of the committee.

**Shri Yadav Narayan Jadhav (Malegaon):** Shri Pataskar has issued a statement.

**Mr. Speaker:** I have heard sufficiently. In answer to what Shri Achar has said, I may point out that I put the question: when it concerns the representatives of both the States how does it happen then that the representative of Maharashtra has not complained? In answer I was informed that the two Members were not present,.....

**Shri Goray:** I take the responsibility for it.

**Mr. Speaker:**.....and that only members from Mysore State went there. And it is alleged that the police or some others prevented them from having access to these members. This matter was brought up in the Mysore legislature and an answer seems to have been given that no such obstruction had been caused.

Whether the Central Government directly appointed these four members or whether they used only the good offices of the former Home

Minister, I would only advise that even if we send observers from here, they would not be observers outside, but observers who tour along with the members of the committee. So why not they go and decide it as members of the committee itself? Therefore, I am not accepting it. A stranger may not be able to do as much as those who are interested.

I would only advise that instead of coming to this House from time to time, all the four members should go together wherever they go, in which case we will have a definite version from the other side also. They will be interested. Nobody could be browbeaten. Instead of coming to this House after the incidents, they will do well, having accepted the job, not to divide themselves into groups. At any rate, if only two can go, there be one from Mysore and one from Maharashtra, so that we may have both the sides represented.

I do not find it necessary to give my consent to this adjournment motion.

**Shri Manay:** Before you dispose of the point.....

**Mr. Speaker:** I have disposed of it.

**Shri Manay:**....we want to know whether it is a fact that the four-man committee has been appointed by the Government of India, or, as the hon. Minister has said, by the two States.

**Mr. Speaker:** Already enough has been said.

**Shri Punnoose (Ambalapuzha):** I have given notice of an adjournment motion, and you have given me the answer. It is a very important matter in which the Planning Commission has a direct voice, and they have a role to play. If an agrarian law is passed....

**Mr. Speaker:** I have held that adjournment motions which I have refused should not be brought up here. If he wants, he can tell me and

[Mr. Speaker]

I will call it on Monday. Let me be satisfied. I will certainly call it on Monday if I am satisfied.

12:16 hrs.

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**

**PROVISION OF A SPECIAL TRAIN TO HINDUSTAN MOTORS**

**Shri Tangamani (Madurai):** I beg to call the attention of the Minister of Railways to the Eastern Railway having provided a special train to Hindustan Motors from Howrah to Hind Motor Halt to take people for breaking the strike at their workshop.

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** Sir, on 17.11.61 an application was received from the Hindustan Motors to run a special train for 600 workers from Howrah to Hind Motor Halt on Monday the 20th November, 1961. Special train was arranged after recovery of full charges and the special train was arranged to leave Howrah at 00:30 hours on 20-11-61. A second application was received from the Hind Motors on 21-11-61 to arrange a special train for 500 Workers from Howrah Station on Wednesday the 22nd November, 1961. Accordingly, after realisation of full charges the special train left Howrah at 00:30 hours on 22-11-61.

2. The Railways do not and cannot exercise any check as to who travels by the special trains arranged at the request of the parties concerned.

**Shri Tangamani:** Was it not brought to the notice of the Ministry that a strike involving nearly 6,000 workers at Hindustan Motors had been going on for over two months, and that this request by the management was not a *bona fide* request?

**Mr. Speaker:** The hon. Member is a lawyer. No common carrier may refuse, whatever may be the intention of the persons who apply.

**Shri S. M. Banerjee (Kanpur):** May I say a word?

**Mr. Speaker:** No. I do not allow questions.

12:19 hrs.

**PAPERS LAID ON THE TABLE**

**ANNUAL REPORT OF INDIAN REFINERIES LIMITED AND REVIEW BY GOVERNMENT**

**The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha):** On behalf of Shri K. D. Malaviya, I beg to lay on the Table a copy each of the following papers:

- (i) Annual Report of the Indian Refineries Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government of the working of the above Company [Placed in Library, See No. LT-3379/61].

**ANNUAL REPORT OF THE NATIONAL INDUSTRIAL DEVELOPMENT CORPORATION LTD.**

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** Sir, on behalf of Shri Manubhai Shah I beg to lay on the Table a copy each of the following papers:—

- (i) Annual Report of the National Industrial Development Corporation Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.