

[Shri Datar]

Then the definition regarding penal provision in regard to assisting an internee have been made further clear. We had already a definition, but it has been made further clear in view of the present emergency.

"No person shall knowingly assist an internee or a person on parole to escape from custody or the place set apart for his residence, or knowingly harbour an escaped internee or person on parole or give an escaped internee or person on parole any assistance...."

In clause 4, arrangements have been made regarding access to such camps where these persons will have to be kept. This is only more or less by way of clarifying what has been done in the Ordinance. As you are aware, an Ordinance had to be issued in this respect, and the present Bill has been brought forward in accordance generally with the provisions of the Ordinance.

These are the provisions of the Bill, so far as the definition of the expression 'foreigner' is concerned, so far as the power to arrest, detain or confine a person is concerned; even those persons, of the category I have explained, will have to be confined, when it becomes necessary, in the interest of the security of India. For that purpose, they have to be treated on the same footing as foreigners.

I move.

Mr. Speaker: Motion moved:

"That the Bill to apply the Registration of Foreigners Act, 1939, and the Foreigners Act, 1946, to certain persons to whom they do not at present apply and further to amend the Foreigners Act, 1946, be taken into consideration".

12.19 hrs.

STATEMENT ON SITUATION IN NEFA AND LADAKH

Mr. Speaker: Here the Prime Minister might make the statement that he had to make independently of any notice that was received. But I have said that I will take up that notice also, so that statement might contain other facts also, not in response to this notice. Therefore, we will hear the Prime Minister and then I will take up this notice.

Shri Hari Vishnu Kamath: You said the notice had been admitted.

Mr. Speaker: I did not say it had not been allowed.

Shri Hari Vishnu Kamath : May I read the notice?

Mr. Speaker: Let the statement be made. I will take that up if something additional has to be got, because it is on specific points, and the Prime Minister wanted to make a statement independently of that.

The Prime Minister, Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): Mr. Speaker, Sir, I have to give grievous news to this House. Both Walong and the Sela ridge in NEFA have fallen to the enemy. In the Chushul area fighting is proceeding.

In Walong, the enemy attacked on the 15th/16th night. This was a two-pronged attack. The battle continued till the morning of the 17th. The enemy succeeded in shelling this air field, which was the only source of supply to our forces. In the 17th afternoon, our troops started withdrawing to defensive positions in the rear.

In the Jung area, the enemy attacked our positions on the 17th November. Their attack was repulsed four

times. Ultimately there was an attack in greater strength, and this Jung position had to be given up. Our troops fell back to the main position at Sela. In the meantime, the enemy bypassed our main post by a wide flanking movement between Sela and Bomdila. They attacked in the early hours of the 18th November, and cut the road between Sela and Bomdila. The infiltrators were forced to withdraw. They formed up again and renewed the attack. The situation is somewhat confused, and fighting is going on, but our Commander had to withdraw from Sela.

In the Chushul sector in Ladakh, heavy artillery attacks were made on the Chushul air field and the outposts. Our post at Rezang La was attacked on the 18th morning. After fierce fighting, this post was overwhelmed. A part of another post six miles east of Chushul was also attacked.

Other attacks in the Chushul area were repulsed. Fighting is still going on.

This is bad news. I cannot go into further details at this stage. I should like to add that in spite of the reverses suffered by us, we are determined not to give in in any way and we shall fight the enemy, however long it may take to repel him and drive him out of our country.

Shri Hari Vishnu Kamath: On a point of clarification.

Mr. Speaker: I have received, and probably the Prime Minister may have received, a call attention notice from several hon. Members. That was specific about the fall of Jung to the enemy, and the reportedly precarious position of Chushul. Would the Prime Minister like to say anything more?

Shri Jawaharlal Nehru: I would not like to say anything beyond what I have said. I have referred to both Jung and Chushul.

Shri Hari Vishnu Kamath (Hoshangabad): I am sure the House is distressed and shocked beyond measure to hear of this most calamitous reverse since October 20. Our gallant jawans are being killed and taken prisoner in their thousands.

The former Defence Minister, on the eve of his resignation, stated in Bombay or elsewhere, that the position was that we are not only outnumbered, but out-weaponed. May I ask the Prime Minister whether steps, and vigorous steps, are being taken now to obtain arms and equipment from all friendly nations on a massive scale and thus allay the widespread public apprehensions that our armed forces are not yet fully equipped to meet the enemy?

Shri Jawaharlal Nehru: As the House knows, every effort is being made to get arms and other equipment from foreign countries, and we have received some, and they have been immediately sent on to our forward posts.

Shri Priya Gupta (Katihar): May I know the extent to which foreign military aid is taken, and whether Government have a blueprint for further military aid to meet this crisis arising out of the fact that there is a reported mutual understanding between China and the Pakistan Government to the effect that China would help Pakistan to get Kashmir and West Bengal and Assam according to Group C proposal of the British Cabinet Mission?

Mr. Speaker: All this question is not relevant here.

श्री प्रिय गुप्त : हमारा जवान मर रहा है—

Mr. Speaker: I have said this question need not be answered; it cannot be answered.

Shri Priya Gupta: In what way shall I express my feeling Sir?

Mr. Speaker: I cannot enter into an argument. . . (Interruptions.)

Shri Priya Gupta: May I submit that the jawans are dying there.....

Mr. Speaker: Order, order. He should now resume his seat..... (Interruptions.) Dr. Singhvi has not given his name. I cannot change the procedure... (Interruptions.) Order, Order. We proceed with the motion made by Shri Datar.

Shri Hem Barua (Gauhati) rose.

Mr. Speaker: He was not in his seat.

Shri Hem Barua: We were told that the statement would be made at 12.30.

Mr. Speaker: There was an interval after the motion had been made and therefore, I thought that I may take it up.

श्री बागड़ी (हिसार) : मेरा नाम तो इस में है ।

अध्यक्ष महोदय : आपका नाम है और आप सवाल कर सकते हैं ।

श्री बागड़ी : प्रधान मंत्री जी ने जो स्टेटमेंट दिया उसमें यह तो बतलाया गया कि हमने अपनी फौजें पीछे हटा ली हैं । मैं जानना चाहूंगा कि बालोंग की आबादी का क्या हुआ, क्या उसको भी पीछे हटा लिया गया है या उसको चीनियों के हवाले कर दिया गया है । इस पर रोशनी डाली जाए ।

अध्यक्ष महोदय : हवाले करने का तो हवाल नहीं पैदा होता, पर यह सवाल ठीक है कि आबादी को पीछे हटाया गया या नहीं ।

श्री जवाहर लाल नेहरू : इसका जवाब मैं इस वक्त नहीं दे सकता क्योंकि पूरी इत्तला मेरे पास नहीं है (Interruptions.)

Mr. Speaker: Order, order. He has put a question and the Prime Minister has said that he has not this information with him; and that whenever it is got it would be supplied to the House. . . (Interruptions.)

श्री रामसेवक यादव : यह देश की सुरक्षा और आजादी का प्रश्न है . . .

श्री प्रिय गुप्त : इसका जवाब देना चाहिये . . .

अध्यक्ष महोदय : यह सवाल मैं एलाऊ कर रहा हूँ । लेकिन अगर चार चार आदमी एक साथ सवाल करेंगे तो जवाब कैसे दिया जा सकता है ।

Shri Hem Barua (Gauhati): In view of the fact that a very grave situation has emerged with the fall of Walong and Jang and Sela pass has also fallen according to my latest information . . . (Interruptions.) and the Chinese are making a headlong thrust into the heart of Assam, in this context may I know whether the Government proposes to go in for a total war with military aid in men and materials from our friendly countries or the Government proposes to go in for immediate negotiations for peace on the basis of cease-fire at whatever cost? These are the things that I want to know from the Prime Minister; the situation has become very serious.

Shri Jawaharlal Nehru: I have myself stated that it is a grave news and it creates a serious situation. Naturally our Armed Forces will do their utmost to meet it. It is all that I can say. I cannot go into details.

Shri Hem Barua: May I submit that there is no defence in Assam? What is the defence preparation. . . (Interruptions.)

Mr. Speaker: I will request hon. Members to resume their seats..... (Interruptions.)

श्री प्रिय गुप्त : भाषण में कोई भी विशेष चीज नहीं पाई

श्री बागड़ी : अध्यक्ष महोदय

Mr. Speaker: When I am standing, they should sit down.

अगर इस तरीके से बोलते चले जायेंगे और आप लोग खामोश नहीं होंगे तो मामला कैसे हल होगा ।

Shri Priya Gupta rose—

Mr. Speaker: Would he resume his seat.

Shri Priya Gupta: I will, with all humility. But I would ask the Prime Minister one thing. The Prime Minister is laughing. (Interruption).

Mr. Speaker: Order, order.

श्री प्रिय गुप्त : यह कैसी नौन एलाइनमेंट की पालिसी है . . .

Mr. Speaker: When I am standing, he should not stand.

Shri Hem Barua: We are having the same fate. First they said it was difficult terrain. I know that. But that argument does not apply now. (interruption).

Mr. Speaker: Order, order. I have allowed him to put questions.

Shri Hem Barua: My question was whether we are going to call an immediate cease fire and start negotiations and all that, or whether we are going to have a total war, with military aid from our friendly countries, with men and materials, to set out to fight. (Interruption).

Mr. Speaker: He has put the question.

Shri Hari Vishnu Kamath: Assam is exposed now; it is vulnerable.

Shri Priya Gupta: Aid from all our friends.

Mr. Speaker: We cannot continue the proceedings in this manner. I would request all hon. Members to resume their seats. Now, the hon. Member wants to know about the policy of the Government. He wants to know whether it is possible for the Government just to say at this moment whether the Government is going to ask for an all-out aid from the capitalist countries to meet this situation.

Shri Hari Vishnu Kamath: Aid from all friendly countries.

Shri Hem Barua: From friendly countries.

Mr. Speaker: I am sorry I made a mistake.

Shri Hem Barua: You put a twist to what I have said.

Mr. Speaker: If I had made a mistake, I corrected it.

Shri Hem Barua: If you have corrected it, I do not have any objection. (Interruption).

Mr. Speaker: Then, he should listen to it. I have corrected it. Even his colleagues know that I have corrected it.

Shri Hem Barua: I beg of you to understand our feelings, the feelings of this country, on this matter.

Mr. Speaker: I do. But you should also understand the difficulties. (Interruption.)

Shri Ranga: May I make a suggestion? Nothing could be heard now, and so, could you allow some time so that we can settle down? It looks as if there is a fracas between the Chair and some hon. Members of the House. It is not possible to have a talk. Therefore, kindly give us time to settle down.

Mr. Speaker: They should not talk simultaneously, of course. When I stand up, I only say that others should resume their seats. Then, I will sit down and any hon. Member might stand and speak. That is the only procedure we can adopt.

Shri Hari Vishnu Kamath (Hoshangabad): May I earnestly plead with you that on this particular occasion, you will kindly understand and appreciate how baffled, how distressed and how shocked we all are, and therefore, I would earnestly request you not to misunderstand when some of us get up and ask questions. I would only give the gist of what my hon. colleague asked. His question was that Assam which is his State and our State—India is one, we are all integrated into one nation—is now vulnerable and thoroughly exposed to the enemy, and so, what measures—virile, vigorous and strong measures—were taken, have been taken and are being taken, by arms, equipment and all that, to step up our preparations and stop the Chinese thrust southward and right into the heart of India. What measures have been taken?

Mr. Speaker: Shri Kamath and others who put the question should know that all of us are distressed. They must include me in that "us" as well as the Prime Minister. Everyone of us, wherever he might be sitting, and everyone in the whole country will certainly be distressed. But are we just going to face the issue just in this manner? He has put the question and I was putting it to the Prime Minister and then there was interruption. I was not allowed to repeat that question. That was my difficulty. How can I proceed in this manner if this method is adopted? I will ask the hon. Prime Minister.

Shri Hem Barua: May I put another question?

Mr. Speaker: Does he want the answer to the other question or not? (Interruptions.)

Shri Jawaharlal Nehru: As you have said, Sir, we are all deeply distressed at the turn of events, and I can very well understand our hon. friends from Assam should be even more deeply distressed. Of course, we are all distressed and there is no question of more distressed or less distressed. We should take every conceivable and possible measure to meet this emergency and this crisis, and we are trying to get all the possible help we can from friendly countries. There is not limitation about that of any kind. (Interruption).

Shri Priya Gupta: My question is regarding the reported agreement between China and Pakistan to hand over Kashmir, West Bengal and Assam to Pakistan. Does he know anything about it?

Mr. Speaker: How can the Government say anything about that?

Shri Priya Gupta rose—
(Interruption.)

Mr. Speaker: Order, order. He insists on his attitude and he goes on without having a pause or listening to anybody else.

Shri Ranga (Chittoor): I do not wish to come in the way of your enforcing the rule in the usual manner, but these are very important and critical days and, therefore, I would like you to show some latitude to us, and in the procedure also which you would be enforcing. The other day, my hon. friend Shri Kamath had suggested that Parliament should be given the opportunity of meeting at least once in every month, for a week, and now, we do not know anything at all as to what the Government wishes to do. Even on this occasion, my hon. friend, the Prime Minister, did not take the trouble, did not think it necessary, to go a little beyond than the ordinary answer that he has given to the Calling Attention Notice; we would like him to tell us a little more than what he has told us just now as to the steps that he

proposes to take, first, to keep the House in constant consultation and also the steps that he proposes to take to strengthen our defences. Otherwise, it would be very difficult for us merely to satisfy you and the House according to the rules and, at the same time, to play the role that we have to play here.

Mr. Speaker: I would request hon. Members that they should also appreciate the difficulties that the Government might be experiencing. I quite know and understand the feelings that we have got just at present. We cannot just express ourselves at this moment. Everybody is feeling like that.

So far as the session is concerned, I had advised Shri Kamath to take it up at the end when we are just going to adjourn. Then we will certainly discuss whether we should so decide. I will know what the attitude of the Government is by that time and then we can decide whether the Parliament has to meet more often and very soon. We will decide it certainly. I had told him that, and I had suggested that it might be taken up at the end. So, is there any necessity for the Prime Minister just to say anything about it now, or for anybody else also to say about it? We will take it up when we are going to adjourn—when we are going to meet again—and the Government's attitude also will be known by that time. If the Government has to make those arrangements, certainly, we shall have to leave to them also certain things. They cannot declare anything in detail here, on the floor of Parliament. If certain hon. Members want something more, they can go and meet the Prime Minister, sit with him, and know the position. The Government would not be able to disclose everything here, what action is being taken, what procedure is being adopted, what we are doing, etc. Certainly, there is anxiety. I would request hon. Members—two or three of them might go and sit with the Prime Minister. Probably he will be more communicative then, but

here, it is not possible to go into all the details. If the Members get impatient simply on that, namely, that the details are not given, we appreciate the difficulty, and we must appreciate the difficulty of those who have to administer or who have to go ahead with the matter. The information might be harmful to our country also. Therefore I thought we should proceed to other business now. I would advise those who feel so strongly about it—of course, everyone feels so strongly about it—that if they are so inclined, they might go and see the Prime Minister.

Shri Hari Vishnu Kamath: Sir before you pass on to other business, may I crave your indulgence a little more? The other day I made a request and I reiterate it today that as long as the House is in session the Prime Minister should daily make a statement on the war situation. Every day we open the papers and find that fierce fighting is going on. But the House is not told. I request the Prime Minister to make a statement every day on the war situation. I do not know what is the difficulty. When some calamity has occurred, he comes and makes a statement.

Shri Ranga: Three days after it has happened, he comes and tells us. The papers have stated on the authority of the External Affairs Ministry spokesmen or military spokesmen that Walong had fallen three days ago. But the information was given to the press yesterday and we come to know of it in the House only today. Would it not be possible for the Government to take the House into confidence and tell us? Certainly we are courageous enough to maintain our courage here in spite of some of these grievous losses.

Shri Jawaharlal Nehru: May I point out that Walong fell some time day before yesterday and Sela fell,

[Shri Jawaharlal Nehru]

to our knowledge, yesterday afternoon? The House was not sitting on Saturday and Sunday and I have taken the earliest opportunity to inform the House.

Shri Hem Barua: We got the news of the fall of Walong day before yesterday all right. (Interruptions).

Mr. Speaker: We shall now proceed with the motion moved by Shri Datar.

Shri Hari Vishnu Kamath: I made a request. That has not been replied to.

श्री बागड़ी : अध्यक्ष महोदय, मैं अर्ज करना चाहता हूँ कि .

अध्यक्ष महोदय : माननीय सदस्य ने अपना सवाल पूछ लिया है। इस वक्त और कोई इन्फॉर्मेशन नहीं है।

श्री बागड़ी : मैं अर्ज करना चाहता हूँ कि इससे ज्यादा ज़रूरी और ग्रहम बात देश के सामने कोई नहीं है। इसी के वास्ते इमर्जेंसी हालात में लोक सभा का इजलास रखा गया था। आज सारा देश इस बारे में उठा हुआ है। जब हम आगे की बात कह कर पीछे जाते हैं, तो देश की मानसिक वृत्ति को ठेस लगती है। इसका यह हल है कि आज नहीं तो कल, कल नहीं तो परसों, लोक सभा को साफ़ तरीके से अपना मन बना कर, अपना रास्ता बना कर चलना पड़ेगा। उस के लिए आप बहस के लिए एक और दिन रखें। जो नीति सरकार ने पहले सोची थी वह नीति फ़ेल हो चुकी है। जो बात हमने कही थी, वह गलत हो चुकी है। जो विश्वास हमने देश के सामने रखा था, वह पीछे जा चुका है। इस लिए यह ज़रूरी है कि दो-बारा इस बारे में बहस की जाये और नये सज़ेस्टियन्स देश के सामने रखे जायें, ताकि देश उठे और उस में कमजोरी न आए।

अध्यक्ष महोदय : अच्छा।

Shri Hari Vishnu Kamath: I understand the Prime Minister telling the House that the House did not sit on Saturday and Sunday. But on Friday morning, the papers carried the news that fierce fighting was going on in Walong and Jang, but no statement was made in the House.

Shri Jawaharlal Nehru: Fierce fighting was going on. It is always going on in various places. But Walong fell day before yesterday, on Saturday.

Mr. Speaker: The House will now proceed with the motion moved by Shri Datar.

12.45 hrs.

FOREIGNERS LAW (APPLICATION AND AMENDMENT) BILL—contd.

Shri Hari Vishnu Kamath: The House is no doubt in full agreement with the Minister that in this hour of grave national emergency, the executive should be armed with adequate powers to meet the needs of the situation in various spheres of their activity and to deal with foreigners and similar other individuals who may be considered to be security risks in the situation. I do not wish to make any elaborate speech on this occasion, but will only seek clarification on certain matters which are germane to the Bill and to the ordinance which is now being sought to be replaced by the Bill.

The first point I wish to make out is with regard to the Bill. It does not mention as to when it will actually come into force, whereas clause 1 of Ordinance No. 5 of 1962 says:

“It shall be deemed to have come into force on the 26th of October, 1962.”

This gives rise to a little doubt in my mind with regard to this particular