

## NOES

Alvarez, Shri  
Aney, Dr. M.S.  
Bade, Shri  
Bagri, Shri  
Barua, Shri Hem  
Basant Kunwari, Shrimati  
Bhattacharya, Shri Dinen  
Bhecl, Shri P.H.  
Biren Dutta, Shri  
Brij Raj Singh, Shri  
Buta Singh, Shri  
Chakravarty, Shrimati Renu  
Chatterjee, Shri H.P.  
Chaudhuri, Shri Tridib Kumar  
Dasaratha Deb, Shri  
Deo, Shri P.K.  
Dwivedy, Shri Surendranath  
Gopalan, Shri A.K.  
Gupta, Shri Indrait  
Gupta, Shri Kashi Ram  
Gupta, Shri Priya

Imbichibava, Shri  
Kakkar, Shri Gauri Shanker  
Kamath, Shri Hari Vish n  
Kar, Shri Prabhat  
Kripalani, Shri J.B.  
Kumaran, Shri M.K.  
Kunhan, Shri P.  
Laxmi Dass, Shri  
Limaye, Shri Madhu  
Lohia, Dr. Ram Manohar  
Mahananda, Shri  
Mahato, Shri Bhajahari  
Manoharan, Shri  
Masani, Shri M.R.  
Mate, Shri  
Misra, Dr. U.  
Mukerjee, Shri H.N.  
Murmu, Shri Sarkar  
Muzaftar Husain, Shri  
Nair, Shri N. Sreekantan  
Nair, Shri Vasudevan

Omkar Singh, Shri  
Pandey, Shri Sarjoo  
Patsayak, Shri Kiaben  
Porttekkatt, Shri  
Raghavan, Shri A.V.  
Ram Singh, Shri  
Ramabadran, Shri  
Ranga, Shri  
Reddy, Shri R.N.  
Reddy, Shri Eswara  
Sen, Dr. Ranen  
Sezhivan, Shri  
Shastri, Shri Prakash Vir  
Singh, Shri Y.D.  
Sivasankaran, Shri  
Swamy, Shri M.V.  
Umanath, Shri  
Venkaiah, Shri Kolla  
Vimla Devi, Shrimati  
Yashpal Singh, Shri  
Yudhvir Singh Shri

**Mr. Speaker:** The result of the division is: Ayes 213†; Noes 63. The Ayes have it. Leave is granted.

*The motion was adopted.*

**Shri Nanda:** I introduce the Bill.

13 hrs.

STATEMENT RE. UNLAWFUL  
ACTIVITIES (PREVENTION)  
ORDINANCE, 1966

**The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi):** I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Unlawful Activities (Prevention) Ordinance, 1966, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-6586/66].

13.01 hrs.

DEFENCE OF INDIA (AMENDMENT) BILL\*

**The Minister of Home Affairs (Shri Nanda):** I beg to move for leave to

introduce a Bill further to amend the Defence of India Act, 1962.

श्री बागड़ी (हिंसार) मेरा एक यवस्था का प्रश्न है। सरकार के खिलाफ प्रतिस्वास आया हुआ है। जब तक उसका निर्णय नहीं हो जाता तब तक इस तरहके बिल को इंट्रोड्यूस नहीं कि जा सकता है।

अध्यक्ष महोदय : यह कोई बात नहीं है कि बिल भी इंट्रोड्यूस नहीं हो सकता है।

श्री बागड़ी : इनको इसका अधिकार नहीं है।

अध्यक्ष महोदय : नन्दा साहब इसका भी कुछ थोड़ा सा एक्सप्लेनेशन दे दें क्योंकि इसका भी मुझे नोटिस मिल है श्री टी० के० चौधरी की तरफ से कि वह इसको भी अग्रोज करते हैं।

**Shri Nanda:** I thought that what I was doing was in line with the wishes expressed by the House generally. There were discussions on this subject and at a certain stage—it was on the 27th April—I

Shri H. C. Soy also wanted to vote for "Ayes" vide his intimationship.

\*Published in Gazette of India, Extraordinary, Part II, section 2, dated 1-8-66.

[Shri Nanda]

made a statement in the course of which I announced the decision to restrict the application of this Act to certain border States and territories and for certain purposes connected with defence. On the 18th May, I made a further statement in which I explained how the matter was going to be dealt with. It is in pursuance of that and on the basis of the thing which I had announced that this Bill has been framed. I do not know what precisely is going to be the objection. I heard that there was something here—it was asked whether we can apply it to some parts of the country or not, when there is an emergency. We have taken the opinion of legal experts and their opinion is that it is quite open to us and it is valid for us to do that. I do not see what objection is there.

**Shri Tridib Kumar Chaudhuri** (Berhampur): I hardly have anything to add to what I had stated in connection with the other Bill, except this: when the Home Minister made his statement with regard to the modification of the Defence of India Act, we made it very clear from the Opposition side—we had consultations and in the course of the consultations also we made it very clear—that we are not agreeable to the decision of the Government with regard to the Defence of India Act. So far as we are concerned, we want that the whole Act should be scrapped and the emergency proclamation should be revoked immediately and forthwith. So long as it is not done, we are bound to oppose this Bill in principle.

**Shrimati Benu Chakravarty** (Barrackpore): I should like to add one point. I entirely agree with the hon. Member that as far as our party is concerned, we are against the Defence of India Act and we want the emergency to be scrapped. Now, while bringing forward this Bill, they ostensibly told us that they are restricting its provisions only to border

areas. But, from what we see in the Statement of Objects and Reasons appended to the Bill, they are seeking to have wider powers under the Defence of India Act. It is not restricted in the sense that they want to show it to the world that they are restricting the application of this Act to border areas only. There is nothing in the Bill to say that they are restricting it to the border areas. On the other hand, this Bill is going to give the Government wider powers under the Defence of India Act and the Rules. So, even by the objectives of this Bill, we cannot support it.

**डा० राम मनोहर लोहिया** : (फर्रुखाबाद)

एक वाक्य मैं भी . . .

**अध्यक्ष महोदय** : एक ही को मैं इजाजत दे सकता था . . .

**डा० राम मनोहर लोहिया** : सब संविधान के खिलाफ कार्यवाही हो रही है।

**अध्यक्ष महोदय** : संविधान के खिलाफ अगर है तो इस वक्त उमे नहीं लिखा जा सकता है।

**डा० राम मनोहर लोहिया** : अदालत में जाय तो पचास तरह के प्रगड़े हैं।

**अध्यक्ष महोदय** : इंट्रोडक्शन नहीं हो सकता है संविधान के खिलाफ।

**श्री मधु लिमये** (मुंगेर) : कृपलानी जी भी कुछ ना चाहते हैं।

**Mr. Speaker**: The question is:

"That leave be granted to introduce a Bill further to amend the Defence of India Act, 1962."

*The motion was adopted.*

**Shri Nanda**: I introduce the Bill.