

THE

Dated 25/1/2014

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

1571

1572

HOUSE OF THE PEOPLE

Monday, 9th March, 1953

The House met at Two of the Clock
[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

2-42 P.M.

ARREST OF THREE MEMBERS

Mr. Deputy-Speaker: I have to inform the House that I have received the following communication from the District Magistrate, Delhi:

"District Magistrate's House,
Delhi.

March 6, 1953.

Dear Mr. Speaker,

I have to inform you that I have found it my duty to arrest the following Members of the House of the People under section 188 I.P.C. for deliberate defiance of my order banning meetings and processions, passed under section 6 of the Punjab Security of State Act 1951, as extended to Delhi State. These gentlemen were taken into custody this evening at about 6-45 P.M. and have been lodged in the District Jail, Delhi.

- (1) Shri S. P. Mookerjee, M.P.
- (2) Shri N. C. Chatterji, M.P.
- (3) Shri Nand Lal Sharma, M.P.

Yours sincerely,
Sd./- Satish Chandra,
District Magistrate,
Delhi."

Shri S. S. More (Sholapur): What is the date of the communication?

Mr. Deputy-Speaker: 6th March 1953, the very day of the arrest. I have also received the following letter from Dr. S. P. Mookerjee, Shri N. C. Chatterjee and Shri Nand Lal Sharma:

"District Jail,
Delhi,
The 8th March, 1953.

To
The Speaker,
The House of the People,

Dear Sir,

We, three Members of the House of the People, feel it our duty to inform you and the House as to why we cannot attend Parliament now in session.

We have been illegally and constitutionally detained in this jail in violation of the mandatory provisions of article 22 of the Constitution of India.

We were arrested at Delhi on the 6th instant at about 6-30 P.M. and have since been detained in custody. Yet we have not been produced before any Magistrate in contravention of article 22, although more than 24 hours have expired since our arrest.

We are amazed to read a report in some newspapers supplied to us by the jail authorities. That report alleges that we were produced before a Magistrate on Friday last who remanded us to judicial custody for four days.

This statement is absolutely unfounded. We were not produced before any Magistrate after our arrest nor any order of remand was applied for by the Police or made or pronounced by any Magistrate in our presence.

Yours truly,

Sd. Syama Prasad Mookerjee,
Sd. N. C. Chatterjee,
Sd. Nand Lal Sharma."

[Mr. Deputy-Speaker]

I have received notice of the following adjournment motion. (*Interruption*).

Shri V. G. Deshpande (Guna): This involves a privilege of the Members of this House. Against the provisions of the Constitution, they have been illegally detained in custody, and that is why they cannot attend the House. I therefore request that the Chair may kindly direct the Privileges Committee to take up this matter.

Mr. Deputy-Speaker: If any hon. Member who thinks that it is a breach of privilege raises the matter in the proper manner as provided for by the rules, I will consider the same.

MOTIONS FOR ADJOURNMENT

FIRING ON REFUGEES AT YOLE CAMP

Mr. Deputy-Speaker: I have received notice of the following motion for adjournment from Shri Hiren Mukerjee, namely, to discuss the situation arising out of the police firing on refugees at the Yole Camp, Dharmasala, Kangra district, Punjab (India), which resulted in the death of eight persons and serious injuries to twenty-two persons.

May I know from the hon. Minister what the situation is?

The Minister of Rehabilitation (Shri A. P. Jain): On the 3rd instant, the Joint Secretary of my Ministry, accompanied by the Additional Secretary of the Food and Agriculture Ministry went to the Yole Camp to work out a scheme for the rehabilitation of the refugees living there. They received seven deputations of the refugees who were proposed to be settled in different places. It is incorrect to say that these officers refused to receive any deputation. When the last deputation came, it consisted of some agriculturists, who insisted that they were not prepared to go and settle in Jammu, but on the other hand they would settle only in some part of India like PEPSU or the Uttar Pradesh. There is no land available for settlement of agriculturists in either of these provinces or in any other place. They were therefore told that land was available in Jammu and they must settle there. They refused to do it, whereupon they were informed that those of them who refused to go and settle will no longer be kept on doles. When these officers came out, about a thousand displaced persons gathered round the jeep, did some injury to the jeep and also assaulted some of

the persons sitting in or near the jeep. These officers could come out of the crowd, and they informed the Deputy Commissioner about the incident. A proper report was also lodged in the Police Station. Police investigations were started, and the Police arrested one person on the 5th instant. That person was taken to the Police Station, which is situated at some distance from the Yole Camp. A mob consisting of about 4000 strong surrounded the Police Station and some firearm was used, by which the Deputy Superintendent of Police and a Head Constable were injured. Thereafter, perhaps previously as well, there was plenty of stone-throwing, with the result that eight other policemen also received injuries. Then fire was opened by the police and three persons were killed on the spot and ten persons were injured. These ten persons were taken to the hospital where subsequently two of them died. The Deputy Superintendent of Police also succumbed to his injuries. Thus, there have been altogether six deaths—one of the Deputy Superintendent of Police and five of the displaced persons.

It will be seen that the matter is purely one of law and order. The State Government has already ordered a magisterial enquiry which is being held. Important officials of the State Government have visited the place and everything is being done to look into the matter. I submit that so far as Parliament is concerned, the adjournment motion is out of order, because law and order is a State subject.

Shri H. N. Mukerjee (Calcutta North-East) rose—

Mr. Deputy-Speaker: I have seen the explanatory memorandum sufficiently.

Shri H. N. Mukerjee: May I submit a few points which arise out of the statement made by the hon. Minister?

The hon. Minister has admitted that the Central Government officers who went to this particular refugee camp had made certain suggestions regarding the rehabilitation of the refugees concerned. From the side of the refugees we get reports that those suggestions were not thrown over board by the refugees just like that. They merely said that they do not want to be sent back to a dangerous area in Jammu very near the frontier of Pakistan, but were willing to be rehabilitated in other areas of Jammu. Anyhow the matter is under dispute. Since the whole incident arose out of the action