

ALLOTMENT OF TIME FOR CONSIDERATION OF THE CUSTOMS DUTIES AND CESSES (CONVERSION TO METRIC UNITS) BILL, 1960

MR. CHAIRMAN: I have to inform Members that under rule 162(2) of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I have allotted thirty minutes for the completion of all stages involved in the consideration and return of the Customs Duties and Cesses (Conversion to Metric Units) Bill, 1960, by the Rajya Sabha, including the consideration and passing of amendments, if any, to the Bill.

MOTION RE SITUATION IN ASSAM—continued

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT): Sir, I had the opportunity of listening with undivided and respectful attention to the speeches that were delivered in this House on the motion which I had moved on the 7th. Yesterday, all of us were shocked by sudden death of Feroze, one of the most popular and foremost Members of Parliament and a true patriot who laboured throughout his life for the service of the country and who, in his devotion to the cause which he loved, sacrificed himself. So, I am making a few remarks on the motion which I had moved, today.

In the beginning, Sir, I should like to express my appreciation of the restraint and sobriety with which the debate was conducted. The reputation of the House was fully maintained and, Sir, the advice given by you was kept in view by almost all the Members. The problem which is under consideration is a complex one. I think it is necessary to reiterate the basic facts of the situation.

Assam has, apart from the tribal people living in the autonomous hill districts, Bengali-speaking people in Cachar and also large numbers in the Assam valley. So, this question has to be examined from a short-range as well as from a long-range aspect. Today, Sir, we are concerned naturally with the tragic happenings which have shaken the country, and the comments have mostly been confined to matters arising out of and connected with the recent disturbances.

I have expressed my sorrow and anguish over it and so has the Government of Assam. We have to do all we possibly can in order to restore at least normalcy as it existed before this trouble began. To that end, everything feasible is being done, and the Government of Assam as well as the people living in the villages where most of the atrocities were committed are acting in an indefatigable manner. Many of the houses have been rebuilt by the villagers themselves and the material has been brought by them. Similarly, the Government of Assam has issued its policy statement and taken a number of steps in order to expedite the process of rehabilitation, to punish the guilty not only among the non-officials but also among the officials and to adopt all other feasible means regardless of any extraneous considerations, for restoring confidence and for enabling the refugees to come back to their homes from which they had been driven or which they had to leave in a state of panic and fear. But, Sir, when all this is done, we have all been told—and it is perhaps accepted by everyone—that though the immediate problem will thus be solved, yet there are deeper causes. On the one hand, there seems to be a feeling of frustration to which expression was given by Shrimati Pushpalata Das in a remarkable speech that she made, and there is also frustration between the two communities. The

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Bengalis do not feel quite at home, and the Assamese have a sort of a perpetual sense of sullenness and grievance. It is, therefore, essential to bring about a complete reconciliation. So, we have to see that all the twenty lakhs of Bengalis living in Assam and all the Assamese living in Assam may live together as neighbours and comrades and have complete confidence in each other. For that we will have to work after normalcy has been restored.

Some questions were raised here as to why the enquiry should not be held now about all the matters. So far as these disturbances are concerned, enquiries are being held and already High Court Judges have taken them up here and there. But a deeper probe is necessary so that the future progress and prosperity of the State of Assam which lies on the border may be fully reassured.

We were told that there were some disturbances, though not on a large scale, once or twice even in the past, and that certain remarks had been made by the Governor at one time. Well, all these indicate that there is a deep-seated malady and we have not only to sit down and start the process of healing which, I presume, has already been started but also to make a bigger enquiry. But that can be only I think when those who have to look into this matter can get the full co-operation of all sections of the people living in Assam. So, it is essential that normalcy of the type as it existed before the trouble began should be restored so that the bigger probe may yield the results which we all desire.

SHRI BHUPESH GUPTA (West Bengal): Dr. Roy says that the institution of a deeper probe will itself help normalcy. He is a very efficient administrator and what he says has to be taken into account. Witnesses may disappear; evidence may disappear. That is why with a view to

helping the Government, he has suggested this.

SHRI GOVIND BALLABH PANT: Well, I had no opportunity of discussing this matter with Dr. Roy. But I am not altogether without hope that if this aspect of the question were presented, perhaps he would consider it sympathetically and not reject it summarily as Mr. Bhupesh Gupta seems to have done.

SHRI BHUPESH GUPTA: I have not rejected anything. Dr. Roy has . . .

SHRI GOVIND BALLABH PANT: If you have not rejected, then that satisfies me.

SHRI BHUPESH GUPTA: I have moved an amendment myself. Why should I borrow from Dr. Roy? I am looking after myself.

SHRI GOVIND BALLABH PANT: Anyway, I need not enter into these talks. They do not help very much a matter which is of a solemn character, and it deserves full attention from everyone of us regardless of the party to which we may belong. The supreme objective of all should be the achievement of a spirit of mutual confidence and fellowship and co-operation between all sections of the people in Assam. No one should harbour any grievance and no one should have any lurking sense of fear anywhere in any part of Assam. That is the supreme purpose which we have to attain. For that, I submit, it is not necessary to bring out relics from the archives which have almost faded out from memory. About six lakhs of refugees had been accommodated in Assam after the remarks which had been attributed to the Governor, Sir, Akbar Hydari, had been made. That indicates that whatever might have been said then, there had been an improvement in the attitude of the Assamese people. It has also to be remembered that they have for the most part—I can

say perhaps with a certain amount of definiteness—in the rural areas in particular, atoned for any mistakes that might have been committed. And that is borne out also by the statement made by the leader of the Communist Party in Assam. He has, in fact, made a grievance of it that while the Assamese are doing all that they can in order to bring about better relations and put an end to the feeling of embitterment that had been generated some time ago, their efforts were not being appreciated.

So far as the mistake is concerned, it is to be set right and people have to realise that they had made a mistake and not only punishment but also remedial measures have to be taken. But in so far as there is an appreciation by those who had been in a way not associated with but who belonged to the aggressive parties and are making all these efforts, then we must make a dispassionate survey of the situation as it is available and hasten the process of the two parties coming closer to each other and not say or do anything that will make the gulf deeper or make the relations still more bitter and unhappy. We have to take up the question of a deeper probe, as I said, when we are able to get the co-operation of all sections who are living in Assam and among whom complete harmony has to be established.

Sir, I made these remarks just because I felt that the larger aspect of the problem was not placed as prominently before the hon. Members as it deserved to be. Perhaps I am to blame for it. But still I have atoned for it, I think, to some extent.

Sir, about the disturbances it has been said in the Parliamentary Delegations' report that the immediate cause was the linguistic agitation.

Well, so far as that agitation is concerned, it is to be remembered that the resolution passed by the Congress was more moderate than that passed by any other political party, and if the trouble occurred it was not because of the resolution or of the views expressed by the Congress organisation or the Chief Minister but because there were others who did not quite see eye to eye with what he had said.

So far as the official attitude was concerned, it was clearly stated by him I have the resolutions which were passed thereafter in recent weeks even after the disturbances in regard to this matter by other parties. "The Hindustan Times" of the 7th September, gives the resolution of the Communist Party of Assam State. It says:

"Assamese, being the language of the majority of the people of the State, should be the State language of Assam."

The council, which ended its two-day session at Gauhati yesterday, added in a resolution that:

"at the same time Bengali and the language or languages chosen by the hill's people should be given their rightful official status and used for such official purposes as would ensure the minorities due opportunity and rights in the cultural, administrative and other spheres of public life".

But the main part of the resolution says that Assamese being the language of the majority, should be the language of the State.

Then there was a resolution also passed by the P. S. P. of Assam some time ago in which they had said that although the Chief Minister had undertaken to introduce a Bill relating to the language question in Assam in the legislature, they issued a directive to the Leader of the Opposition

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on the 24th or the 25th of July to submit a Private Member's Bill in the next session recommending adoption of Assamese as the State language on the lines of the resolution adopted on April 10. They also said that the leaders would submit a Private Member's Bill providing for compulsory advertisement of vacancies in the public and private sectors with preference to the "sons of the soil". The executive was of the firm opinion that only those who had permanent residences in the State and retained no interest in any other State in the Union . . .

DR. R. B. GOUR: (Andhra Pradesh): What is he quoting from? Is it a police report?

MR. CHAIRMAN: Resolution of the Assam P. S. P.

SHRI GOVIND BALLABH PANT: I do not know if the hon. Member belongs to the P. S. P.

DR. R. B. GOUR: The P. S. P. belongs to the Opposition.

SHRI GOVIND BALLABH PANT: . . . no interest in any other State in the Union should qualify to be considered as sons of the soil. These resolutions were passed after the holocaust that had descended upon Assam.

Well, so far as the Parliamentary Delegation is concerned and, I think, so far as others connected with the Congress are concerned, they would very much like, and they held the view, that this matter should be settled by all the parties concerned, and nothing should be imposed on anyone, and that a round table conference should be held for that purpose as has been recommended by the Parliamentary Delegation. I am saying this as it was stated in the course of the discussion here as to why this language problem should have caused any such disturbances

after the Chief Minister had said that he would introduce a Bill himself.

The trouble arose because many were not satisfied with that statement and they held different views. This has been, to some extent, indicated by the resolutions that have been passed after they had gone through all that turmoil. In the circumstances, I really cannot imagine how anyone can hold the Congress responsible for what has happened.

DR. H. N. KUNZRU (Uttar Pradesh): I raised that question yesterday and the Home Minister said that it was because the parties were not satisfied with what was said by the Chief Minister that they passed the resolution that he has referred to, I want to know what the difference between those resolutions and the Chief Minister's statement is so far as the language question goes.

SHRI BHUPESH GUPTA: There was one set of statements in March and then there was the statement of 23rd July. They were at variance. One statement antagonised one section and the other antagonised another section and there was clash. The Congress factions fought in the clash against each other.

SHRI GOVIND BALLABH PANT: Anyway the statement that was originally made by the Chief Minister was to the effect that it was not a question of majority or minority. Later he was a party to the resolution in which it was said that Assamese might be recognised but it should be used for such purposes as might be notified and also that Cachar and the hill areas should not be brought within the scope of that resolution. The resolutions that were passed by others I have already read and I do not think I should go into these further. The previous resolutions of the different parties are given in the Parliamentary Delegation's report and one can compare them and see how

far they agree or disagree. The question of language is an important one and it has to be settled satisfactorily and the best method of doing it is through understanding.

PROF. M. B. LAL (Uttar Pradesh): Mr. H. Goswami, the leader of the P. S. P., who was responsible for introducing the Private Member's Bill in the Legislature told the Parliamentary Delegation that while he wants that at the State level Assamese should be the State official language, at the district level, Bengali should be the official language in Cachar and any language approved by the hills people in the hill area.

SHRI GOVIND BALLABH PANT: That means that so far as the district level was concerned, the Bengali language should be used in Cachar and in the hills, the languages that the hill people choose should be used at the district level but what about the state level? There it was said that the State language should be Assamese for all. So that is the point which deserves to be considered and so far as the districts are concerned, I do not think, there was any controversy at any time. One has to give thought to that part of the problem and I think it should be possible to evolve a solution that will be satisfactory to all. I am laying stress on the point that it is necessary for all to confer together and to co-operate so that a satisfactory solution may be evolved with the consent of all concerned and nothing may be imposed on anyone. I hope that this can be done and there is a feeling, I think, in Assam that it is essential for the maintenance of its integrity and its strength that they all should meet together in order to solve this problem.

There was also some reference to the disturbances. It was said that the Government had failed to take necessary steps. Well, it is admitted that in the course of the disturbances,

the local officers did not prove equal to the task at several places and it has also been, I think, frankly stated that the administrative apparatus in Assam has been rather weak and it needs toning up and it is essential that the entire Government machinery should be so remodelled that any situation of this character that may arise in the future may be suitably and effectively dealt with but I may submit that till about the 30th June nobody imagined, none of the political workers there or leaders of parties imagined, that such a serious situation was going to arise. Appeals were made jointly by the leaders of the political parties on or about the 23rd June when some petty incidents had occurred. Unfortunately such incidents do occur in the country but they do not necessarily indicate that something of the type that happened between the 4th and the 12th was in store for the unfortunate valley of Assam. The Leader of the Communist Party in Assam stated on the 31st July in a statement published by him in *The New Age* weekly:

"The statement of the Chief Minister made on the floor of the State Legislature, the firing upon the Cotton College Students in their hostel, killing and wounding some of them, on orders from the pampered police officers of the Government at a time when all the major political parties, namely, the Congress, the P. S. P. and the Communist Party had jointly and effectively launched the peace campaign—these are the main causes leading to this conflagration other-barbarism could not have been enacted."

This statement was issued on 31st July, long after the disturbances had come to an end and I think the Leader of the Party and others had occasion to survey and to review the situation. They are there at the

[Shri Govind Ballabh Pant.] spot. This indicates that the conflagration, according to him, was altogether unexpected. Also on the 3rd July, all parties had issued an appeal to the people to abjure violence. I may also say that some time, I think, on the 23rd or the 24th, a resolution was passed by the P. S. P. to the effect that the language agitation should be conducted in a peaceful manner, which indicates that no one thought that the situation was so bad that no agitation should be conducted. They were responsible people and they would not have done so if it had been otherwise.

Then, Sir, when the situation became somewhat serious at Gauhati on the 30th when curfew was imposed and then withdrawn the next day and the situation became somewhat worse there, we here alerted the Army and asked them to keep their forces ready to stand by there if necessary. And on the 4th, the Army reached Gauhati. I was asked, I think, by Dr. Kunzru as to when the Army reached there. I understand that two Companies reached there at 10.30 P.M. and the remainder of the battalions at 2.30 A.M. on the 5th. That is to say, they had the whole battalions there before 3 A.M. on the 5th. Then, wherever there was danger or signs of trouble, the Army was deployed. As many as five battalions were used and they went from place to place. In this case, these ravages, which mostly involved the burning of houses, were committed in a hit and run manner and before the Army could reach one place, the miscreants, the evil doers, had run away to another and the mob had dispersed from there altogether. Still, within eight days the situation was brought under control.

SHRI BHUPESH GUPTA: Sir, one thing I could not understand and I request the hon. Home Minister to kindly make that point clear. The Army was deployed from the 4th or the 5th and they went from place to place and Nowgong they reached on

the 10th or 11th. But it is exactly in this particular period that the disturbances reached their peak almost in all the places. How are we to reconcile the deployment of the Army and this rising tempo of the disturbances going together?

SHRI GOVIND BALLABH PANT: The deployment of the Army brought about the end of the disturbances on the 12th. Had the Army not been deployed, the disturbances would have continued much longer. Moreover, the area covered by the Army in Assam was pretty extensive.

SHRI JASWANT SINGH (Rajasthan): Why were not more battalions of the Army sent there to control the law and order situation there, if they were insufficient?

SHRI GOVIND BALLABH PANT: The force that was actually deployed, consisting of five battalions, was a considerable force but it took time to go from one place to another. You cannot cover every house, every village and every shop with sepoy. But these people worked and . . .

SHRI BHUPESH GUPTA: I heard from the local M.L.A. in Nowgong that it took three days for the Army that was there to come into the streets. I have heard that from the local M.L.A. personally.

SHRI GOVIND BALLABH PANT: Well, the Army does take a little time and the whole Army, these five battalions, were deployed and they were deployed, I think, at eight or ten places, from the 4th onwards.

DR. H. N. KUNZRU: What were the duties entrusted to the Army?

SHRI GOVIND BALLABH PANT: On the 4th they were at Gauhati and then they were at Shillong and then at some other place on the 7th and 8th.

DR. H. N. KUNZRU: What were the duties entrusted to the Army?

SHRI BHUPESH GUPTA: What was the Army asked to do? How was it functioning?

DR. H. N. KUNZRU: How is it that there is no reference made to the work of the Army, in the report of the Members of Parliament, to which reference has been made repeatedly by the Home Minister?

SHRI GOVIND BALLABH PANT: The Army was provided for the aid of the civil power and it was used for such purposes as might have been considered necessary . . .

DR. H. N. KUNZRU: But what were these purposes?

SHRI GOVIND BALLABH PANT: . . . with the result that in any case the disturbances did not recur at one place, I think, more than once or twice, and within a short time the whole situation was brought under control. I have had some experience of such riots and . . .

DR. H. N. KUNZRU: What did the Army do? What was the work assigned to the Army? The Home Minister has not answered that question.

SHRI BHUPESH GUPTA: Sir, there is this point. The Army can function either under Central direction in certain situations if the Constitutional provisions are invoked; or it can function under the Criminal Procedure Code, under the Civil authority or the local authority. The hon. the Prime Minister said in the other House that many magistrates completely failed to function in several districts there. Only the magistrate could authorise the Army. Who authorised then, when nobody was there, neither the Centre nor the magistrate?

SHRI GOVIND BALLABH PANT: The Governor has been taking great interest in the matter and . . .

SHRI P. RAMAMURTI (Madras): Can a single instance be given where

the civil authority used the military in their area to control the disturbance?

SHRI GOVIND BALLABH PANT: The Army was used by the civil authority.

SHRI BHUPESH GUPTA: But where and how?

SHRI GOVIND BALLABH PANT: Otherwise it would not have been deployed and sent to so many places and so successfully controlled and brought the disturbances to an end in all the places where it had gone. If it had not been effective, then these disturbances would have continued. It was utilised in such a manner as was considered necessary. It did prove successful and through its presence the law and order position was brought under control and I personally think that it did not take more time and it would not have been ordinarily possible to bring such a situation under control within less than eight days.

SHRI JASWANT SINGH: But the holocaust took place during this period.

SHRI BHUPESH GUPTA: Precisely, when the Army was functioning.

AN HON. MEMBER: This running argument I cannot understand.

THE PRIME MINISTER (SHRI JAWAHARLAL NEHRU): The hon. Member asks for one instance. I heard innumerable instances when I was there, of people coming and telling me and complaining of the Army taking action, interfering with them; all kinds of people whether they were ordinary peasants or others—saying that the Army had come here, there and taking possession of these areas, that they were a little afraid of going there to till their fields and so on. The Army was functioning there on different dates and in different places. When it is said eight days, it is only the aggregate. At Gauhati they were

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on the 4th, on the 6th at Shillong and on the 7th somewhere else and on the 8th somewhere else and so on. In these eight days wherever they went immediately the disturbances stopped. As soon as they were stationed at a place, in that area the disturbances stopped immediately. And also, when the Army functions, it does not function in small pockets. The Army is stationed and then they move in numbers. Either, of course, there are route marches, etc. or they take action, so that wherever they got, they took a day or two to get established, to control the area. They did control it within 24 hours or thereabout. And in all, they took eight days. In other areas they did not go, they expected somebody else to go.

SHRI JASPAT ROY KAPOOR (Uttar Pradesh): Sir, may we be permitted to hear the Home Minister uninterruptedly? I suggest these questions, may be put at the end of his reply.

MR. CHAIRMAN: If you have any questions, put them at the end.

DR. H. N. KUNZRU: May I ask the Prime Minister to kindly lay on the Table of the House the copy of the orders issued by the Government of Assam to the Army?

SHRI BHUPESH GUPTA: Yes, and by the magistrates.

MR. CHAIRMAN: Let us hear the Home Minister through.

SHRI JAWAHARLAL NEHRU: How can I lay on the Table a thing about which I know nothing? I have not seen them. I do not know what they are. The Home Minister might know.

DR. H. N. KUNZRU: Then, can the Home Minister lay those instructions on the Table?

SHRI GOVIND BALLABH PANT: The instructions given by the Assam authorities to the Army were entirely

within the jurisdiction of the Assam authorities, and they dealt with this matter in the manner they considered suitable. It is entirely a State affair, and I have not asked them to give me a copy of the instructions that they issued. As the Prime Minister has made it clear, and as I had tried to state, the Army was posted at different places from time to time, and as soon as it was posted, the situation was brought under control. It went from place to place. The unit in Gauhati remained there but other units were sent to other places. So, I do not understand what the difficulty is. The Army went to these places and it functioned there; wherever it went, the disturbances came to an end. That is proof positive and conclusive of the fact that the Army functioned effectively.

DR. H. N. KUNZRU: What I should like to know is this. There was a week, according to the Report of the Jain Committee, of uncontrolled mob fury. Was a single district made over to the Army to be controlled?

SHRI GOVIND BALLABH PANT: Wherever the Army went, mob frenzy was controlled and it came to an end. It did not continue after that.

MR. CHAIRMAN: Dr. Kunzru the way it has been put is this. Five companies, forming one battalion, reached that place and they could not be at all places at all times.

DR. H. N. KUNZRU: Not those, I agree.

MR. CHAIRMAN: They reached that place on the 4th, at 9-30 P.M. or so. The next morning they started moving. Another company came and joined. It takes some time for them to move from one place to another, but wherever they went they brought the disturbances under control.

DR. H. N. KUNZRU: No, Sir. The Committee says that there was a week of uncontrolled mob fury throughout Assam.

MR. CHAIRMAN: Allow him to have his full say. Then, at the end, you may raise those points.

SHRI GOVIND BALLABH PANT: They went to Shillong on the 6th, to the Darang district thereafter and then to Lakhimpur. They went to Tejpur on the 6th. The Army units sent to different places, I do not think, failed to perform their duty. They did not require orders to shoot down people who set fire to houses or who committed offences while the Army was posted there. That was their normal function; they were sent there for that purpose and naturally they must have done what was required of them. I do not think there could be any room for misunderstanding in this regard. We are grateful to the Army which brought the situation under control by the 12th, and since then, there have not been any major incidents. I may also state here another factor. It was said, by Dr. Kunzru perhaps, that the Finance Minister left Assam for Kashmir after the curfew had been imposed at Gauhati. There must be some misapprehension about it. The curfew was imposed on the 30th while he left for Kashmir on the 27th. The very fact that he went indicates that he felt that conditions were fairly good and that it was not necessary for him to be there. The position continued to be so till at least the 29th. Mr. Chaliha, the Chief Minister, was there, in whom people had full confidence, and when Mr. Chaliha fell ill about the 5th or the 6th, on the 5th evening, the Finance Minister had returned. He returned to Assam on the 5th. He saw me on the 4th and the Governor saw me on the 27th. I had also a talk with the Governor on the 7th or the 8th. He told me that he was confident that the situation would be brought under control within four or five days. I had his assistance from time to time, and he kept me informed of the situation from time to time. He was, as I said, closely associated with all that was done to maintain law and order in Assam. After his return to Assam,

the Finance Minister had been continually moving from place to place exerting himself actively and also seeking the assistance and co-operation of the people in creating a better atmosphere. He has been doing so to this day. The Assam Government have also issued their policy statement regarding this matter.

It was also raised here as to why President's rule was not introduced in Assam. Well, all the parties in Assam were opposed to President's rule; nobody wanted and nobody has sought it even to this day. If I may quote again from the statement made by the Leader of the Communist Party, he said:

"Those elements which have, out of vengeance taken to the devil's dance with the cries of 'President's rule' and 'military rule' in Assam to chastise the Assamese people have probably lost all sense of judgment. This will do no good to anyone. They have forgotten their glorious democratic traditions in the heat of the moment. We would like to tell these gentlemen and the Central Government as well that all conspiracy to paralyse democratic life in Assam under whatever plea that may be had will be resisted. We are strongly opposed to President's rule and our Party will fight against it."

That was the general attitude. I am not responsible for the language. It is couched in the form in which Mr. Bhupesh Gupta ordinarily speaks here, but it indicates . . .

SHRI BHUPESH GUPTA: But you seem to like it this time.

SHRI GOVIND BALLABH PANT: . . . the view in unmistakable terms. I have dealt with this matter of President's rule at great length in the other place, and I wonder if it is necessary for me to repeat all that I said there. The problem in Assam is how to bring

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 about conditions which would enable the people to settle their differences. One thing I would like to say. We were in constant touch with the Assam Government. We posted the Army there and we made arrangements even before a demand for it was made and we had been keeping, as I already said, ourselves constantly in touch with the authorities there. But then the weakness of the administrative apparatus could not be cured in a day. If disturbances broke out and we took over the administration at the top, we must have the co-operation of the people and we must also have the necessary apparatus to function effectively. When that is not readily available, we cannot improve matters by alienating the general mass of people in the State also. So in the circumstances the best thing that could be done was done. As I said, even if the President's rule had been introduced, it would not have taken less than the time, that is, eight days, for quelling these disturbances. The President could not have just used a magic wand to bring about an immediate change in the situation. So it was best to reinforce and strengthen the local Government so that they could deal with the situation in an effective manner and, as I said, the Finance Minister and other Ministers were exerting themselves to the utmost extent at least from the 6th onwards and their activities combined with the assistance of the Army and the local officers wherever they performed their duties in a satisfactory way, brought about a change in the situation from place to place and ultimately these disturbances were altogether got rid of on or about the 12th.

Sir, I was glad to hear the tribute that was paid to Dr. Roy. He is one of our trusted leaders and we have always admired his ability, his statesmanship and his administrative capacity and skill. I am really impres-

sed by the fact that Mr. Bhupesh Gupta too now realises that he possesses these qualities.

SHRI BHUPESH GUPTA: We are always fair. If you do good things, I will pay even greater tributes to you.

SHRI GOVIND BALLABH PANT: I hope he will not forget what he has said. He also referred to the Hooghly incidents.

SHRI BHUPESH GUPTA: Howrah.

SHRI GOVIND BALLABH PANT: Well, how did they arise? They were a sequel to a movement, I think, connected with food, as it was then called, which was organised by Mr. Bhupesh Gupta perhaps, and . . .

SHRI BHUPESH GUPTA: Communal riots were . . .

MR. CHAIRMAN: Let us get on with this.

SHRI GOVIND BALLABH PANT: . . . ultimately led to a situation which had to be handled with a great deal of firmness. So I wish that greater care be taken in launching these movements in future so that such developments may not take place.

Sir, great emphasis has been laid, and rightly too, on the spirit of nationalism being given the first place in all matters. I hope it will be realised that the security and integrity of States also depends ultimately on the security and integrity of the country and the borders of the country have to be protected and given the first place by everyone who is connected with public life so that the States too may enjoy their fundamental rights and there may be peace and also harmony in the country. Sir, the State of Assam has many problems and they can be settled only by a spirit of accommodation and of friendliness and goodwill. So I would submit that all should devote themselves to this task so that the main objective which we have in view may be achieved.

DR. H. N. KUNZRU: May I put him a question now?

SHRI GOVIND BALLABH PANT: Just one thing more. Something was said about the Commissioner of Linguistic Minorities. I have taken note of what has been said and I shall be meeting the Chief Ministers shortly and conveying to them the views that have been expressed here.

There was one other question, I think, put by Dr. Kunzru as to the recruitment of I.A.S. and I.P.S. Well, that recommendation of the States Re-organisation Commission has been fully accepted by Government and so far as Assam is concerned, I think only 50 per cent. of the residents of Assam have in any year been allotted to that State. The rest have been assigned from other parts of the country.

DR. H. N. KUNZRU: My question is this. The Jain Committee has told us that there was a week of uncontrolled mob fury after the 4th July in Assam and that the civil authorities had in its opinion collapsed. There being a vacuum, it had to be filled by some authority and the only organisation capable of filling this vacuum was the Army. Was any District made over to the Army that is, placed under martial law; if not, why not?

SHRI BHUPESH GUPTA: I have to ask a question connected with this same thing. According to our information which we have verified from various sources, it appeared that the Army was not called in most places in anticipation of the troubles and the result was that they could not play a preventive role as one would expect of the Army. In most places the Army went after arson and plunder had taken place. The civil authorities did not call in the Army before to deal with the situation and prevent things from happening. That is why we have the paradox of the Army being deployed and used on the one hand and on the other arson and

plunder being committed. Therefore, Sir, we want all the instructions under sections 129, 130 and 131 given by the civil authorities to the Army to be placed on the Table of the House so that we know how exactly the Army was used. Another question is connected with the amendments. He has said 'appropriate time'. May I know, Sir, exactly what factors will make the time appropriate? We want a definite idea as to when they will institute the enquiry. It is absolutely necessary, because it says: "Government should at an appropriate time . . ." Probably we are adjourning today, I think, and for two months we shall not be meeting. Who will decide it?

MR. CHAIRMAN: Government.

SHRI BHUPESH GUPTA: Government should know Parliament's mind about it, before Government decides it. Therefore, we want to give out our mind. Otherwise also, would they tell us what the conditions are that will make the situation appropriate as to attract the appointment of a Commission? Finally, may I know, Sir, whether they will consult the Opposition in preparing the terms of reference of the high-powered Judicial Commission for a deeper probe? That is also very important, because the Government is in the dock.

SHRI JASWANT SINGH: I have to ask one question. The Home Minister said that the Army was in full control of the position. I would like to know, if that was so, how many miscreants were shot down by the Army, when actually they were looting, and how many were apprehended actually during the misdeeds. If it was functioning, as it was said, it should have shot the people dead and it should have apprehended them. I would like to know how many of them were either shot down or apprehended.

MR. CHAIRMAN: No more questions.

SHRI GOVIND BALLABH PANT: No looting and no case of arson took place in the presence of the Army anywhere. The moment the Army reached the place, there was a complete cessation of the disturbance. As for any district being allotted to the Army, I do not think that the whole of a district from one end to another was affected or that every part in the village, every town, was affected for more than a day. Even those parts where the disturbances took place were disturbed only for a short time and when the Army reached there, then it came to an end and it did not recur after that. So, the Army served its purpose effectively. It was not to shoot people because there had been a disturbance before their arrival there.

DR. H. N. KUNZRU: May we expect the Home Minister to lay the instructions issued to the Army on the Table during the next session?

SHRI GOVIND BALLABH PANT: I cannot undertake it.

MR. CHAIRMAN: I shall put first Mr. Bhupesh Gupta's amendment to the House. The question is:

2. "That at the end of the motion, the following be added, namely:—

'and having considered the same, this House is of opinion that in view of the recent tragic happenings which have taken place in Assam and have created a sense of fear and insecurity in the minds of the minorities in Assam, a comprehensive enquiry by one or more Supreme Court Judges be instituted by October 15, 1960, to enquire into the disturbances and the circumstances leading up to them and suggest remedies for ensuring adequate protection and full enjoyment of their rights guaranteed under the

Constitution to all citizens and for preventing recurrence of such incidents in future.'"

The House divided.

MR. CHAIRMAN: Ayes—36; Noes—124.

AYES—36.

Ahmad, Dr. Z. A.
 Anand Chand, Shri.
 Ansari, Shri Faridul Haq.
 Basavapunnaiah, Shri M.
 Bose, Dr. A. N.
 Dave, Shri Rohit M.
 Desai, Shri D. B.
 Dwibedy, Shri Bairagi.
 Ghosh, Shri Sudhir.
 Gour, Dr. R. B.
 Gupta, Shri Bhupesh.
 Gupta, Shri Ramgopal.
 Gurupada Swamy, Shri M. S.
 Jahanara Jaipal Singh, Shrimati.
 Khobaragade, Shri B. D.
 Kunzru, Dr. H. N.
 Lal, Prof. M. B.
 Limaye, Shri S. K.
 Nair, Shri Govindan.
 Narasimham, Shri K. L.
 Panikkar, Shri K. M.
 Patel, Shri Dahyabhai V.
 Patel, Shri Harihar.
 Pendse, Shri Lalji.
 Pheruman, Sardar Darshan Singh.
 Ramamurti, Shri P.
 Rath, Shri Abhimanyu
 Reddy, Shri Mulka Govinda.
 Singh, Raja Ajit Pratap.
 Singh, Shri D. P.
 Singh, Shri Jaswant.
 Singh, Shri Niranjan.
 Sinha, Shri Ganga Sharan.
 Sinha, Shri Rajendra Pratap.
 Solomon, Shri P. A.
 Subba Rao, Dr. A.
 Abdul Rahim, Shri.

NOES—124.

Ahmad, Shri Ansaruddin.
 Ahmad Hussain, Kazi.
 Akhtar Husain, Shri.
 Ali, Shri Mohammad.
 Anis Kidwai, Shrimati.
 Annapurna Devi Thimmareddy,
 Shrimati.
 Arora, Shri Arjun.
 Bansi Lal, Shri.
 Barlingay, Dr. W. S.
 Barooah, Shri Lila Dhar.
 Basu, Shri Santosh Kumar.
 Bedavati Buragohain, Shrimati.
 Bhargava, Shri M. P.
 Bisht, Shri J. S.
 Chandravati Lakhanpal, Shrimati.
 Chatterji, Shri J. C.
 Chauhan, Shri Nawab Singh.
 Chettiar, Shri T. S. Avinashilingam.
 Chavda, Shri K. S.
 Das, Shri N. K.
 Deb, Shri S. C.
 Deogirikar, Shri T. R.
 Deokinandan Narayan, Shri.
 Desai, Shri Janardhan Rao.
 Desai, Shri Khandubhai K.
 Deshmukh, Shri R. M.
 Doogar, Shri R. S.
 Dutta, Shri Trilochan.
 Ghose, Shri Surenda Mohan.
 Gupta, Shri Maithilisharan.
 Gurudev, Shri.
 Hardiker, Dr. N. S.
 Iyer, Shri N. Ramakrishna.
 Jairamdas Daulatram, Shri.
 Jalali, Aga S. M.
 Joshi, Shri J. H.
 Jugal Kishore, Shri.
 Kapoor, Shri Jaspal Roy.
 Khan, Shri Akbar Ali.
 Khan, Shri Pir Mohammed.
 Khanna, Shri Mehr Chand.

Kishori Ram, Shri.
 Krishna Kumari, Shrimati.
 Kulkarni, Shri G. R.
 Kumbha Ram, Shri.
 Kurre, Shri Dayaldas.
 Lakshmi Menon, Shrimati.
 Latif, Shri Abdul.
 Lila Devi, Shrimati.
 Lingam, Shri N. M.
 Mahapatra, Shri Bhagirathi.
 Mahesh Saran, Shri.
 Malkani, Shri N. R.
 Malviya, Shri Ratanlal Kishorilal.
 Mathen, Shri Joseph.
 Maya Devi Chetty, Shrimati.
 Mazhar Imam, Syed.
 Misra, Shri Bibudhendra.
 Misra, Shri S. D.
 Mitra, Shri P. C.
 Modi, Shri J. K.
 Nafisul Hasan, Shri.
 Nagpure, Shri V. T.
 Naik, Shri Maheswar
 Nair, Shri K. P. Madhavan.
 Nallamuthu Ramamurti, Shrimati T
 Narasimha Rao, Dr. K. L.
 Neki Ram, Shri.
 Paliwal, Shri Tikaram.
 Panjhzari, Sardar Raghbir Singh.
 Pant, Shri Govind Ballabh.
 Parmanand, Dr. Shrimati Seeta.
 Patil, Shri Sonusing Dhansing.
 Pattabiraman, Shri T. S.
 Punnaiah, Shri Kota.
 Pushpalata Das, Shrimati.
 Raghbir Sinh, Dr.
 Rajabhoj, Shri P. N.
 Rao, Shri D. Ramanuja.
 Rao, Shri S. V. Krishnamoorthy.
 Rao, Shri V. C. Kesava.
 Ray, Dr. Nihar Ranjan.
 Reddi, Dr. B. Gopala.
 Reddi, Shri J. C. Nagi.

Reddy, Shri N. Sri Rama.
 Reddy, Shri S. Channa.
 Reddy, Shri M. Govinda.
 Sahai, Shri Ram.
 Saksena, Shri Mohan Lal.
 Samuel, Shri M. H.
 Santhanam, Shri K.
 Sapru, Shri P. N.
 Savitry Devi Nigam, Shrimati.
 Savnekar, Shri Baba Saheb.
 Seeta Yudhvir, Shrimati.
 Shakoor, Moulana Abdul.
 Shanta Vasisht, Kumari.
 Sharda Bhargava, Shrimati.
 Sharma, Shri L. Lalit Madhob.
 Sharma, Shri Madho Ram.
 Sharma, Shri Purna Chandra
 Shetty, Shri B. P. Basappa.
 Singh, Thakur Bhanu Pratap.
 Singh, Sardar Budh.
 Singh, Shri Mohan.
 Singh, Shri Ram Kripal.
 Singh, Shri Vijay.
 Singh, Giani Zail.
 Sinha, Shri Awadeshwar Prasad.
 Sinha, Shri B. K. P.
 Sinha, Shri R. B.
 Sinha, Shri R. P. N.
 Sur, Shri M. M.
 Tankha, Pandit, S. S. N.
 Tayyebulla, Maulana M.
 Tripathi, Shri H. V.
 Tumpalliwar, Shri M. D.
 Valiulla, Shri M.
 Venkataraman, Shri S.
 Violet Alva, Shrimati.
 Vyas, Shri Jai Narain.
 Yajee, Shri Sheel Bhadra.
 Yashoda Reddy, Shrimati.

The motion was negatived.

Mr. CHAIRMAN: The question is:

3. "That at the end of the motion, the following be added, namely:—

'and having considered the same, this House recommends:—

(i) that a comprehensive enquiry into the happenings in Assam by a high-powered Commission be instituted with a view to allay misunderstandings, expose abuses that need to be corrected, and make recommendations with a view to prevent their occurrence in future; and

(ii) that representatives of the Union Government should be posted in Assam to assist in the process of rehabilitation.'"

The House divided.

Mr. CHAIRMAN: Ayes—38; Noes—118.

AYES—38

Ahmad, Dr. Z. A.
 Anand Chand, Shri.
 Ansari, Shri Faridul Haq.
 Basavapunnaiiah, Shri M.
 Bose, Dr. A. N.
 Dave, Shri Rohit M.
 Desai, Shri D. B.
 Dwibedy, Shri Bairagi.
 Ghosh, Shri Sudhir.
 Gour, Dr. R. B.
 Gupta, Shri Bhupesh.
 Gupta, Shri Ramgopal.
 Gurupada Swamy, Shri M. S.
 Jahañara Jaipal Singh, Shrimati.
 Khobaragade, Shri B. D.
 Kunzru, Dr. H. N.
 Lal, Prof. M. B.
 Limaye, Shri S. K.
 Mahesh Saran, Shri.
 Nair, Shri Govindan.
 Narasimham, Shri K. L.
 Panikkar, Shri K. M.
 Patel, Shri Dahyabhai V.
 Patel, Shri Harihar.

Pendse, Shri Lalji.
 Pheruman, Sardar Darshan Singh.
 Ramamurti, Shri P.
 Rath, Shri Abhimanyu.
 Reddy, Shri Mulka Govinda.
 Singh, Raja Ajit Pratap.
 Singh, Shri D. P.
 Singh, Shri Jaswant.
 Singh, Shri Kamta.
 Singh, Shri Niranjana.
Sinha, Shri Ganga Sharan.
Sinha, Shri Rajendra Pratap.
 Solomon, Shri P. A.
 Subba Rao, Dr. A.

NOES—118

Abdul Rahim, Shri.
 Ahmad Hussain, Kazi.
 Akhtar Husain, Shri.
 Ali, Shri Mohammad.
 Anis Kidwai, Shrimati.
 Arora, Shri Arjun.
 Bansi Lal, Shri.
 Barlingay, Dr. W. S.
 Barooah, Shri Lila Dhar.
 Basu, Shri Santosh Kumar.
 Badavati Buragohain, Shrimati.
 Bhargava, Shri M. P.
 Bisht, Shri J. S.
 Chandravati Lakhanpal, Shrimati.
 Chatterji, Shri J. C.
 Chauhan, Shri Nawab Singh.
 Chettiar, Shri T. S. Avinashilingam.
 Das, Shri N. K.
 Deb, Shri S. C.
 Deogirikar, Shri T. R.
 Deokinandan Narayan, Shri.
 Desai, Shri Janardhan Rao.
 Desai, Shri Khandubhai K.
 Deshmukh, Shri R. M.
 Doogar, Shri R. S.
 Dutta, Shri Trilochan.
 Ghose, Shri Surendra Mohan.
 Gurudev, Shri.

Hardiker, Dr. N. S.
 Iyer, Shri N. Ramakrishna.
 Jairamdas Daulatram, Shri.
 Jalali, Aga S. M.
 Joshi, Shri J. H.
 Jugal Kishore, Shri.
 Kapoor, Shri Jaspat Roy.
 Khan, Shri Akbar Ali.
 Khan, Shri Pir Mohammed.
 Khanna, Shri Mehr Chand.
 Kishori Ram, Shri.
 Krishna Kumari, Shrimati.
 Kulkarni, Shri G. R.
 Kumbha Ram, Shri.
 Kurre, Shri Dayaldas.
 Lakshmi Menon, Shrimati.
 Latif, Shri Abdul.
 Lila Devi, Shrimati.
 Lingam, Shri N. M.
 Mahapatra, Shri Bhagirathi.
 Malkani, Shri N. R.
 Malviya, Shri Ratanlal Kishorilal.
 Mathen, Shri Joseph.
 Maya Devi Chetty, Shrimati.
 Mazhar Imam, Syed.
 Misra, Shri Bibudhendra.
 Misra, Shri S. D.
 Mitra, Shri P. C.
 Modi, Shri J. K.
 Nafisul Hasan, Shri.
 Nagpure, Shri V. T.
 Naik, Shri Maheswar.
 Nair, Shri K. P. Madhavan.
 Nallamuthu Ramamurti, Shrimati T.
 Narasimha Rao, Dr. K. L.
 Neki Ram, Shri.
 Paliwal, Shri Tikaram.
 Panjhzari, Sardar Raghbir Singh.
 Pant, Shri Govind Ballabh.
 Parmanand, Dr. Shrimati Seeta.
 Patil, Shri Sonusing Dhansing.
 Pattabiraman, Shri T. S.
 Punnaiah, Shri Kota.

Pushpalata Das, Shrimati.
 Raghbir Sinh, Dr.
 Rajabhoj, Shri P. N.
 Rajagopalan, Shri G.
 Rao, Shri D. Ramanuja.
 Rao, Shri S. V. Krishnamoorthy.
 Rao, Shri V. C. Kesava.
 Ray, Dr. Nihar Ranjan.
 Reddi, Dr. B. Gopala.
 Reddi, Shri J. C. Nagi.
 Reddy, Shri N. Sri Rama.
 Reddy, Shri S. Channa.
 Reddy, Shri M. Govinda.
 Sahai, Shri Ram.
 Samuel, Shri M. H.
 Santhanam, Shri K.
 Sapru, Shri P. N.
 Savitry Devi Nigam, Shrimati.
 Savnekar, Shri Baba Saheb.
 Seeta Yudhvir, Shrimati.
 Shakoor, Moulana Abdul.
 Shanta Vasisht, Kumari.
 Sharda Bhargava, Shrimati.
 Sharma, Shri L. Lalit Madhob.
 Sharma, Shri Madho Ram.
 Sharma, Shri Purna Chandra.
 Shetty, Shri B. P. Basappa.
 Singh, Thakur Bhanu Pratap.
 Singh, Sardar Budh.
 Singh, Shri Mohan.
 Singh, Shri Ram Kripal.
 Singh, Shri Vijay.
 Singh, Giani Zail.
 Sinha, Shri Awadeshwar Prasad.
 Sinha, Shri B. K. P.
 Sinha, Shri R. B.
 Sur, Shri M. M.
 Tankha, Pandit, S. S. N.
 Tayyebulla, Maulana M.
 Tripathi, Shri H. V.

Tumpalliwar, Shri M. D.
 Valiulla, Shri M.
 Venkataraman, Shri S.
 Violet Alva, Shrimati.
 Vyas, Shri Jai Narain.
 Yajee, Shri Sheel Bhadra.
 Yashoda Reddy, Shrimati.

The motion was negatived.

MR. CHAIRMAN: The question is:

1. "That at the end of the Motion, the following be added, namely:—

'and having considered the same, this House recommends that Government should at an appropriate time set up a judicial enquiry to enquire into the circumstances resulting in the disturbances in the State of Assam in the month of July and to suggest steps necessary to prevent the recurrence of such disturbances in the future.'

The motion was adopted.

MR. CHAIRMAN: I will now put the amended motion to the vote. The question is:

"That the situation in Assam and the Report of the Parliamentary Delegation thereon, laid on the Table of the Rajya Sabha on the 30th August, 1960, be taken into consideration and having considered the same, this House recommends that Government should at an appropriate time set up a judicial enquiry to enquire into the circumstances resulting in the disturbances in the State of Assam in the month of July and to suggest steps necessary to prevent the recurrence of such disturbances in the future."

The motion was adopted.