

claims to Indian varieties including the traditional ones to ensure the benefits accruing to us. An authority at the national level has been proposed to lay down procedures to conduct plant variety protection and also to deal with the policy to ensure a smooth functioning of the system. As per the agreed provisions of GATT, India was required to do the following in the area of Intellectual Property Rights:

1. Provision of pipe line protection by December 1996 was required.—Although an ordinance was issued, the Bill could not be passed; as I have already said, it has been referred to Committee of this House.

2. Under TRIPS, India is to pass an Act by December, 1999.—This is required through a *sui generis* system, a system of its own kind befitting the national requirements.

Although the draft was prepared in 1994, we have not been able to put the Bill before Parliament. Unless we have the instrument in place, how can we protect our plant varieties? Obviously, countries like USA and Australia are getting protection on many of our original varieties, such as Taxamati, which is actually Basmati and it has been got patented by USA. Another variety which is also purely an Indian gram, and is also called as Bengal Gram, has already been patented by Australia under the name Chickpa.

Therefore, gradually, all the other countries are taking advantage and are pirating our own products causing a very serious harm to this country, particularly to the farmers of this country.

I have already pointed out that India has an Act—1970 Patents Act—which protects only processing but not the final product. Therefore, what is required is that this Parliament should pass the Bill on Patent Products,

which is pending in this House. It should be done without delay. Whatever harm has been caused, it is for the Government of India to look into. The new Government which has come into being, should take up this issue without any further delay.

Large-scale violation of Labour laws by Industrialists

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, I seek your kind indulgence to draw the attention of the entire House to the peculiar situation that is prevailing in and around Delhi, including Haryana. I seek your indulgence to say that in this country, a State Government is refusing to carry out the opinion expressed by the investigating officials of the Human Rights Commission. The Government is Haryana and its Chief Minister is Mr. Bansi Lal.

SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh): Why name Say only Haryana Chief Minister.

SHRI GURUDAS DAS GUPTA: Sir, I have never alleged anything against Mr. Bansi Lal. I am only saying who the Chief Minister is.

SHRI TRILOKI NATH CHATURVEDI: At least everyone has the knowledge about his name.

SHRI GURDAS DAS GUPTA: Sir, I understand where the shoe pinches. Anyway...

SHRI TRILOKI NATH CHATURVEDI: Have your bartered your shoes?

SHRI GURDAS DAS GUPTA: Sir, let us not speak of shoes in this august House.

Sir, the position is that there was and there is still a widespread violation of labour laws in Delhi, Haryana, some parts of UP and some parts of Rajasthan. The minimum Wages Act is being violated, unions are not being allowed to be registered, union officials are being

charge-sheeted, suspended and retrenched; and whenever a voice of protest is sought to be raised, it is sought to be drowned by letting loose the police in collusion with the management and the assistance and help of the people in power. I do not name any person in particular. There is a mill in Haryana, not very far off from Delhi. There was a firing there on the 19th evening. The firing took place on peaceful workers who were agitating for a revision of their wages. Suddenly, the police were called in. The police after firing in the air, resorted to wanton firing on the mob resulting in the death of six persons and also causing injury to more than 100 persons. It was on the 19th February when a different Government was in power. On the very next day, not being satisfied with the death of six people, the police ransacked the entire neighbouring areas, broke open the doors, tortured the people, injured the workers and rounded them up.

Sir, this matter was brought to my notice. On the 27th I had visited that place. On the 27th I met the Honourable Rashtrapatiji, handed over to him a memorandum suggesting an immediate judicial enquiry. I met the outgoing Honourable Prime Minister, Shri Gujral. I understand that the Government of India has called for a report. I met the outgoing Home Minister. I understand that he has suggested that there should be a judicial enquiry. Since nothing has happened, since Parliament was not in session, I had to knock at your door and at the door of the Human Rights Commission. I met the Chairman of the Human Rights Commission on the 6th of this month. On the 9th of this month an investigation team was deputed led by the director General of Investigation, Human Rights Commission. They looked into the matter. They met the workers. They spoke to the people, officials and the police. I understand that the investigating team led by the Director General of Investigation has submitted the report to

the Commission for consideration. I understand that the investigating team has found that the Magistrate who has ordered for firing did not order for firing on the workers, but merely asked the firing to be done in the air to scare away the mob. But this order of the Magistrate was carried out by the police officials, instead the police fired on the workers, resulting in the death of six people and injuries to a hundred people. I understand that the report of the investigating team has found the police at fault. I understand that the report of the investigating team found the police at fault in carrying out atrocities in the whole neighbouring area. I understand that the investigating team has suggested that a judicial enquiry should be ordered in order to find out how the police in collusion with the management has committed the wanton atrocity. I understand that the views of the investigating team have been made known to the highest officials of the Haryana State Government. I cannot mention the name of the hon. Chief Minister of Haryana because my honourable friends feel that I should not name him....

SHRI TRILOKI NATH CHATURVEDI: That is the propriety of the House. That is all.

SHRI GURUDAS DAS GUPTA: Since my honourable friends feel that naming a Chief Minister is the violation of propriety,

I am not naming him. Since the Chief Minister was not available for any communication to the officials of the Home Ministry, it was made known to the Chief Secretary that a judicial enquiry should be ordered. I met the outgoing Prime Minister. I met the Honourable Rashtrapatiji. I also had an occasion to meet the Chairman of the Human Rights Commission. Since no action has been taken in the matter yet, I take recourse to raising this issue in this House. I seek the indulgence of the House as the Parliament has made laws for the

workers. It is being violated. Is the Parliament so weak, so meek as not to intervene when its own laws are being violated by a State which is so near to the citadel of power? I would like to know from the Parliament, if the coterie of rulers in a particular State of the country or in a particular State defy the suggestion or opinion expressed by an investigating team of the Human Rights Commission, whether we should sit silent. The question is it is a law and order problem. The question is it may be thinking that the Central Government has no Constitutional power. I would like to know whether the Central Government has the Constitutional power or not. Is there a political responsibility of the present Government which is there in power along with Mr. Bansi Lal and his party? Is there a moral compulsion when you speak of ruling by consensus? Do you have your conscience pricking because some of your colleagues, who are helping you to run the Government, do not obey the rule of the country and thus seek to defy the position taken by the officials of the Human Rights Commission? This is what pains me. Is Parliament so painfully weak and meek? Is the Government without a conscience to say something? Will the present Government take the responsibility of bringing the former Defence Minister of the country, who had earned notoriety during the Emergency, to his sense? Will you take that responsibility?

Sir, this is a human issue. Human rights have been violated. It has been corroborated by the findings of the investigating team. I appeal to the hon. Chairman of the House, who is known for his statesmanship, to kindly direct the Government to inform the House before the House adjourns during this Session to let us know what is going to happen to the people who have been killed by the police of the Haryana Government for which there can be no rhyme or reason. I am sure the House would rise to the occasion well beyonds party limits and join me in condemning what is happening

there in Haryana and asking the Government to make its view clear before the House.

SHRI S.S. SURJEWALA (Haryana): Sir, I would like to associate myself. (Interruptions).

MR. CHAIRMAN: This is a special mention. Those who have been permitted are making their mention. (Interruptions). No. This is a special mention. Those who have been permitted are making a mention. Others cannot do that. Mr. Virendra Kataria.

SHRI GURUDAS DAS GUPTA: Sir, may I seek your indulgence? I do not want to take the time of the House. Since this is a basic human issue, will you kindly ask the Government to take note of it? The hon. Leader of the House, while he was seated on the other side, had always been charging everybody to ask the Government to make its position clear. Has the change of position changed the man?

SHRI S.S. SURJEWALA: I am associating myself....

MR. CHAIRMAN: No. (Interruptions). You have already associated... (Interruptions). Mr. Virendra Kataria.

सदन के नेता (श्री सिकन्दर बाख्त): सदर साहब, अपने साथियों की बहुत ही जज्बाली तक्रार मैंने सुनी। अन-फा चुनेटली मेरे पास तो कोई फैक्ट्स नहीं हैं जो मैं यहाँ रख सकता, लेकिन मैंने सुना और उसे नोट किया है।

صاحب - اپنے ساتھیوں کی بہت ہی جزیباتی تکرار میں نے سنی ان فارچیمونٹیلی میں پاس تو توئی فیکٹس نہیں ہے جو میں یہاں رکھ سکتا۔ لیکن میں نے سنا اور اسے نوٹ کیا ہے۔

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