

Report and Accounts (1978-79, 1979-80 and 1980-81) of the Institute for Post Graduate Teaching and Research, Gujarat Ayurved University Jamnagar and related papers..

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (MISS KUMUDBEN M. JOSHI): Sir, I beg to lay on the Table a copy each (in English and Hindi) of the following papers:—

(a) Annual Report and Accounts of the Institute for Post Graduate Teaching and Research, Gujarat Ayurved University, Jamnagar, for the year 1978-79, and the Auditors' Report on the Accounts.

(b) Annual Report and Accounts of the Institute for Post Graduate Teaching and Research, Gujarat Ayurved University, Jamnagar, for the year 1979-80, and the Auditors' Report on the Accounts.

(c) Annual Report and Accounts of the Institute for Post Graduate Teaching and Research, Gujarat Ayurved University, Jamnagar, for the year 1980-81, and the Auditors' Report on the Accounts.

(d) Statement giving reasons for the delay in laying the papers mentioned at (a) to (c) above.

[Placed in Library. See No. LT—4103/82 for (a) to (d)].

Export Inspection Agency (Recruitment) Amendment Rules, 1982.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI P. A SANGMA): Sir, I beg to lay on the Table, under sub-section 3 of section 17 of the Export (Quality Control and Inspection) Act, 1963, a copy (in English and Hindi) of the Ministry of Commerce Notification G.S.R. No. 402, dated the 24th April, 1982, publishing the Export Inspection Agency (Recruitment) Amendment Rules, 1982.

[Placed in Library, See No. LT—4104/82].

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported Lynching to death of seventeen Anand Margis in Calcutta, on April 30, in 1982

MR. DEPUTY CHAIRMAN: Now we take up the Calling Attention, (*Interruptions*).

SHRI KALYAN ROY (West Bengal): Sir, I have got a very serious point of order about the admissibility of this Calling Attention.

MR. DEPUTY CHAIRMAN: The Calling attention has been admitted.

SHRI KALYAN ROY: I want to draw your attention to the Rules of Procedure of the Rajya Sabha in this connection. If you please look at Rule 47, sub-section (viii), it says:

"It shall not relate to a matter which is not primarily the concern of the Government of India."

Then, Sir, sub-section (xviii) says:

"It shall not raise matters under the control of bodies or persons not primarily responsible to the Government of India."

Further, Sir, sub-section (xix) says:

"It shall not ask for information on a matter which is under adjudication by a court of law having jurisdiction in any part of India."

Again, Sir, if you look at section 48 it says:

"In matters which are or have been the subject of correspondence between the Government of India and the Government of a State, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact."

Sir, this particular Calling Attention attracts all the clauses as mentioned in Rules 47 and 48. It is totally a subject of law and order, which is absolutely a matter

for the Government of West Bengal and the Government of India does not come in. Then, Sir, the Government of India has nothing to do with State subjects. Further, Sir, it is concerning information on a matter which is under adjudication of a court of law. Again, it has come in the Press and admitted both by the Home Minister and the Chief Minister of West Bengal that the Government of India and the Government of West Bengal are in correspondence about this ghastly incident which took place in Calcutta on the 30th April. So, under all these Rules it cannot be admitted. (Interruptions) We had raised the matter about the massacre of the landless labourers in Madhubani, the massacre of share-croppers of Harijans in Bihar, the murder of innocent persons and dacoits in various parts of Uttar Pradesh. We were not permitted, except in relation to the atrocities on the Harijans because we were told that. . .

SHRI J. K. JAIN (Madhya Pradesh): Sir, is it a point of order? Or is it a speech? (Interruptions) I want to know: is it a point of order or he has the permission to make a speech? (Interruptions)

SHRI KALYAN ROY: I have only to make the submission that it does not concern the Government of India. It is under correspondence between the Government of West Bengal. . .

MR. DEPUTY CHAIRMAN: Your point is clear. (Interruptions) One by one, please. (Interruptions). You address the Chair. Mr. Kalyan Roy.

SHRI KALYAN ROY: We condemn this ghastly incident. (Interruptions).

SHRIMATI SAROJ KHAPARDE (Maharashtra): What is the connection this ghastly incident. (Interruptions).

SHRI KALYAN ROY: What has she learnt in the USA for three months there?

I want her only to learn some of the Rules of Procedure. (Interruptions) Under the Rules of Procedure, this particular Calling Attention cannot be admitted, particularly in view of the fact that the Chief Minister of West Bengal has announced

that a judicial inquiry is going to be held. After that, how can this particular Calling Attention be admitted? If it is admitted, it will open flood-gates, which will definitely not be advantageous to the ruling party. (Interruptions)

श्री सदाशिव वागईतकर (महाराष्ट्र) : श्रीमन्, मेरा निवेदन है कि बंगाल की सरकार ने जब इस पर जुडिशियल इन्क्वायरी बैठाने का एलान किया है और कल रात ही हमने इसको सुना है तो मेरा व्यवस्था का प्रश्न यह है कि जब इस मामले पर जुडिशियल इन्क्वायरी होने जा रही है तो कालिंग एटेंशन मोशन के रूप में इस सदन में इसको पेश करे और आप इसका स्टेट और सेंटर के मामले के रूप में कुछ भा इन्टरप्रेशन करें, लेकिन जब जुडिशियल इन्क्वायरी बैठी है और वह कायम को गई है तो मैं नहीं समझता कि इस पर बहस करना उचित होगा।

श्री जे० के० जैन : श्रीमन्, यह बड़े दुख की बात है कि हत्यारों का हिमायत करने वाले इस सदन के अन्दर बैठे हुए हैं और सारे विश्व को यह जता रहे हैं... (व्यवधान) बिहार के अन्दर जो कुछ हुआ था वह मामला यहां पर सदन में उठाया गया था... (व्यवधान)।

MR. DEPUTY CHAIRMAN: Please take your seat. Don't take down anything.

SHRI J. K. JAIN:*

MR. DEPUTY CHAIRMAN: I will call one by one. (Interruptions) Mr. Jain, you can speak later on. will call one by one. (Interruptions).

डा० भाई महावीर (मध्य प्रदेश) : श्रीमान, मेरे मित्र श्री कल्याण राय जी ने यह आपत्ति उठाई है कि जो मामला

[डा० भाई महावीर]

स्टेट के अधिकार क्षेत्र का है उस पर ध्यानाकर्षण प्रस्ताव यहां पर कैसे आया ? खास करके जब उसके बारे में... (व्यवधान)। अगर कुछ धीरज हो तो मैं वही बात कहने जा रहा हूँ जो उनको अच्छी लगेगा। ऐसे भी मामले होते हैं जो सिर्फ कानूनी नुक्ते नजर से नहीं आते हैं। यहां पर कई बार इस तरह के सवाल उठे हैं जो बिल्कुल कठोरता से देखा जाये तो पता चलेगा कि केन्द्रीय सरकार के संबंध के नहीं थे। उनमें राज्यों की सरकारों का दखल था। लेकिन यह इस तरह का मामला है जिसने देश की अन्तरात्मा को झिझोड़ा है, देश के प्रत्येक मानव के मन में दुख की अनुमति पैदा की है। इस वास्ते मैं समझता हूँ कि इसमें हम मर्यादा के साथ बात करें, यह तो बहुत जरूरी है और यह हर समय जरूरी होता है। किन्तु इस पर चर्चा न करें तो हम देश की भावनाओं को बिल्कुल उपेक्षा की दृष्टि से देख रहे हैं, यह साबित करेगा। चारों तरफ इस बारे में जो दुख है और रोष और पीड़ा अनुभव की जा रही है वह इस सदन में अभिव्यक्त न हो, यह अच्छा उदाहरण नहीं होगा। इसलिये श्री कल्याण राय अपनी इस तकनीकी आपत्ति पर जोर न दें और सदन में इस के ऊपर मर्यादित चर्चा होने दें।

श्री जे० के० जैन : उपसभापति महोदय, यह बड़े दुख की बात है कि हत्यारों के हिमायती यहां पर इस तरह से चर्चा कर रहे हैं। मुझे इस बात का बड़ा दुख है....। (व्यवधान)।

डा० भाई महावीर : हत्यारों का हिमायती कोई नहीं है... (व्यवधान)

SHRI SADASHIV BAGAIKAR: Sir, I strongly object to this. This cannot go on record.

श्री जे० के० जैन : यह हत्यारों की हिमायत नहीं है तो क्या है ?

श्री साशिव बागईतकर : ये ऐसा कैसे एलेज कर सकते हैं ?... (व्यवधान)

श्री जे० के० जैन : श्रीमान् जिस तरह की तकनीकी नुक्ताचीनी की जा रही है कि बंगाल में जो कुछ हुआ उसकी यहां पर चर्चा न हो और वह मामला यहां पर न उठाया जा सके, यह ठीक नहीं है। यह ऐसा जघन्य कार्य है जिसकी सब को निन्दा करनी चाहिये। हमारे श्री कल्याण राय जी को और श्री बागईतकर जी को यहां पर उठ कर यह कहना चाहिये था कि कलकत्ता के अन्दर जिस प्रकार से ये हत्याएँ हुई हैं उनकी यहां पर चर्चा होनी चाहिये और हमको सब को मिल कर बंगाल की सरकार को डिसमिस करने की मांग करनी चाहिये (व्यवधान)

SHRI KALYAN ROY: Sir, now the cat is out of the bag.

MR. DEPUTY CHAIRMAN: Now, Mr. Maurya.

SHRI KALYAN ROY: Please allow him, Sir. Why do you stop?

MR. DEPUTY CHAIRMAN: He has finished. Mr. Maurya, Please. (Interruptions).

SHRI KALYAN ROY: Let the clown go on clowning, Sir, We are enjoying it. (Interruptions).

श्री बुद्ध प्रिय मौर्य (अंध प्रदेश) : माननीय उपसभापति जी, यह कालिंग अटेंशन मोशन आपने बहुत सच्चे सिद्धांत के आधार पर स्वीकार किया है। मुझे ताज्जुब हुआ जब कि माननीय सदस्य श्री कल्याण राय ने यहां पर एक व्यवस्था का प्रश्न उठाया डम संबंध में। पहले तो

मैं इसमें इस बात को मानता हूँ कि विशेष मत के लोग चाहे उस मत से मैं सहमत हूँ या नहीं, उस मत के लोग बड़ी संख्या में मारे गये और उस मत के लोग चाहे थोड़ी संख्या में हों लेकिन देश में अलग-अलग कोनों में जो वे बसते हैं, उनकी भावनाओं को ध्यान में रखते हुए इस पर विचार किया जाना चाहिये। ये लोग बड़ी संख्या में कलकत्ता में मारे गये हैं।

श्री उपसभापति : ठीक है :

श्री बुद्ध प्रिय भोंय : पहले तो उस मत के लोग देश में चाहे कम ही तादाद में हों, देश के अन्य कोनों में भी हैं और दूसरे वे अलग-अलग प्रान्तों के रहने वाले हैं। इन दो नुक्तों को लेते हुए सरकार ने इसको स्वीकार किया है, ठीक ढंग से स्वीकार किया है। मैं केवल इतना ही कहना चाहता हूँ कि ला एंड आर्डर आदि के मामले मध्य प्रदेश के यहां उठाये गये हैं, राजस्थान के उठाये गये हैं, उत्तर प्रदेश के यहां उठाये गये हैं तो फिर बंगाल का मामला यहां क्यों न उठाया जाये ?

श्री शिव चन्द्र झा (बिहार) : उप-सभापति महोदय, मेरा तो निश्चित मत है कि काश्मीर से कन्याकुमारी तक और ओखा से मणीपुर, इस बीच में जितनी भी घटनायें होती हैं जिसका असर किसी न किसी रूप में पूरे देश पर पड़ता है, उसको जरूर यहां उठाया जाये। लेकिन जब यहां पर बात आती है प्रोसीजर की, प्रक्रिया की तो आप देखें कि बहुत से स्टेट के मामले यहां उठे हैं। इसका दूसरा मतलब यह होता है कि यह एक ऐसा विषय है जो निविवाद है और सारा सदन उसको चाहे जिससे आपको किसी झमेले में न पड़ना पड़े। जैसे विदेशी मामलों को ले लीजिये।

श्री उपसभापति : आप विषय से बाहर जा रहे हैं।

श्री शिव चन्द्र झा : पाकिस्तान गिलगिट पर क्लेम कर रहा है, इसके मुतालिक फॉकलैंड की बात खत्म हो रही है, ऐसे बहुत से मामले जो हैं जो निविवाद है...

MR. DEPUTY CHAIRMAN: Don't canvass other points.

श्री शिव चन्द्र झा : मैं यह कहना चाहता हूँ कि अगर ऐसे मामले देश के अन्दर हैं जिनसे भारत की इमेज पर आंच आती हो, किसी न किसी रूप में, ला एंड आर्डर के रूप में और चाहे जिस किसी रूप में भी हो, उस पर चर्चा जरूर होनी चाहिये। याद रखें कि जब हरिजनों पर जुल्म हो तो उसको भी आप यहां पर उठायें। मैं देखता हूँ कि जो कालिग अटेंशन होता है चैंपरिंग की कसौटी पर होता है, चैंपरिंग का पालन न हो वह उसकी इम्पार्टेंस पर हो। यही मैं आपसे कहना चाहता हूँ।

SHRI ARVIND GANESH KULKARNI (Maharashtra): Mr. Deputy Chairman, Sir, I have got nothing much to add now since many of the party Members have expressed their opinion. I am only to uphold a convention in this House that such discussions do take place. Now that a judicial inquiry has been ordered, one has to limit the questions to the extent that is possible. But, Sir, when seventeen people are lynched and it is a very ghastly crime against humanity, in that perspective we should discuss this matter. No political motives should be attributed. It is not necessary. I think, my young friend, Mr. Jain, having come from Haryana, he is bulldozing the problem. He was in the habit of addressing lectures there. In the same mood he has entered here. As a young man, we should discuss this problem, that is what I would tell him.

MR. DEPUTY CHAIRMAN: I think the House has almost agreed that we should discuss this matter and the point that Shri Kalyan Roy has raised may not be pressed. At least, I would welcome personally if the House and the hon. Members would agree to the suggestion that he has made. (*Interruptions*). On the principle, we have not been able to follow this principle which you have just now mentioned. On several occasions in the past we have discussed State subjects. We have not followed that line strictly. As Dr. Bhai Mahavir said, we can discuss this problem.

श्री जगदम्बी प्रसाद यादव (बिहार) : श्रीमान्, एक समस्या रह गई है।

श्री उपसभापति : समस्या खत्म हो गई, कालिग अटेंशन लेने दीजिये।

श्री जगदम्बी प्रसाद यादव : यह समस्या इसके साथ इंटर-लिंक है।

श्री उपसभापति : वह समस्या बाद में कहिये।

श्री जगदम्बी प्रसाद यादव : बाद की बात नहीं है।

श्री हुस्मदेव नारायण यादव (बिहार) : बिहार में हरिजन मारे गये हैं, क्या इसको नहीं लिया जायेगा।

श्री उपसभापति : आप दे दीजिये उसको।

श्री हुस्मदेव नारायण यादव : नक्स-लाइट्स के नाम पर... (*व्यवधान*) एंटी सोशल के नाम पर नक्सलाइट्स के नाम पर हरिजनों को बिहार में गोली से दागा जा रहा है क्या यह नहीं लिया जायेगा हरिजन जिदा जला दिये जायेंगे, वह नहीं आयेगा लेकिन कहीं कोई मारा गया, अब आनन्द मार्ग के लोग मारे गये आप चर्चा करिये मुझे कोई आपत्ति नहीं हो सकती

लेकिन जो सैकड़ों लोग बिहार में मारे जा रहे हैं, नक्सलाइट के नाम पर और एंटी सोशल एलीमेंट के नाम पर पुलिस की गोलियों से मारे जा रहे हैं रोज इनको हम लोग उठाने को बात करेंगे तो... (*व्यवधान*)

श्री उपसभापति : फाइनैस बिल चल रहा है, उस पर आप बोलिये, उस पर क्यों नहीं बोलते हैं।

श्री हुस्मदेव नारायण यादव : हरिजन जिदा जलाये गये... (*व्यवधान*) दो तरह की बात इस सदन में कैसे चलेगी, एक नियम चलाईये। डबल स्टैंडर्ड चलाईयेगा तो कैसे चलेगा (*व्यवधान*) आप यहीं करते हैं, सदन में दो नीति चलेंगी ईमानदारी से सदन को नहीं चलाईयेगा तो मेरे जैसे... (*व्यवधान*) आप इसका फैसला करिये... (*व्यवधान*)

श्री जगदम्बी प्रसाद यादव : उपसभापति जी...

श्री उपसभापति : जगदम्बी प्रसाद जी सुनिये, सदन की कार्यवाही कल समाप्त हो जायेगी अब लिहाजा समय नहीं है कि आपके कालिग अटेंशन को हम लें। अगले सेशन में आप इस प्रश्न को उठाईयेगा, इसको अगले सेशन के लिये रखिये... (*व्यवधान*)

श्री जगदम्बी प्रसाद यादव : इससे पहले कालिग अटेंशन दिया था। बिहार के इलाके जहानाबाद में पांच हरिजन... (*व्यवधान*) यह पहले उठाया हुआ था... (*व्यवधान*)

श्री उपसभापति : अब समय नहीं है उसको उठाने का... (*व्यवधान*)

श्री हुस्मदेव नारायण यादव : यह दो तरह का नियम नहीं चलेगा. (*व्यवधान*)

श्रीमती सरोज खांबा : उनको बिठाइये।

श्री उपसभापति : आप जानते हैं सदन की कार्यवाही कल समाप्त हो जायेगी, अब समय कहा है कि कालिग अटेंशन लिया जाये बैठिये... (व्यवधान)

श्री जगदम्बी प्रसाद यादव : कांग्रेस सरकार होने के कारण आपने यह किया... (व्यवधान) यह तो साफ लगता है...

उपसभापति : चलने दीजिये कार्यवाही ।

श्री हुक्मदेव नारायण यादव : यह जुल्म है, इस अन्याय को, पक्षपात को हम बर्दाश्त करने वाले नहीं हैं... (व्यवधान) इस अन्याय और जुल्म के विरोध में मैं सदन का त्याग करता हूँ...

(At this stage, the hon. Member left the Chamber).

SHRIMATI MONIKA DAS (Karnataka): Sir, I beg to call...

श्री जगदम्बी प्रसाद यादव : यह अन्याय ठीक नहीं है । दो बहुत घातक प्वाइंट हैं...

श्री जे० के० बॅन : इनसे एक्सप्ले-नेशन काल... (व्यवधान) तो इनको भी श्री हुक्मदेव नारायण यादव जी के साथ वाक आउट करने दीजिये... (व्यवधान)

SHRI AMARPROSAD CHAKRABORTY (West Bengal): Is it proper to discuss it when a judicial inquiry has been ordered?

MR. DEPUTY CHAIRMAN: All right, you raise the objection and I will over-rule it. That point has not been accepted. Let us proceed. You can raise the point when you speak.

अब कृपा करके चलने दीजिये ।

श्री जगदम्बी प्रसाद यादव : दो बातों का जवाब चाहिये । आपने पश्चिम बंगाल के खिलाफ कालिग अटेंशन स्वीकार

कर लिया, लेकिन जब यह पहले हमने दिया, हम लोगों ने कल लिख कर दिया... (व्यवधान) जब हरिजन मारे जाते हैं और वहां कांग्रेस सरकार है तो आप स्वीकार नहीं करते हैं । हमने यह कालिग अटेंशन पहले दिया था... आप तुरन्त इसको स्वीकार करिये, यह अन्याय ठीक नहीं है ।

श्री उपसभापति : ठीक है, अब समय नहीं है... (व्यवधान)

आप लोग तो एकदम कन्फ्लिक्टिंग आरग्यूमेंट देते हैं । कृपा कर आप वह कहिये जो सदन में चल सकता हो । अगर आप उस पर कालिग अटेंशन चाहते हैं तो वह कल हो जाये, आप करप्शन चाहते हैं तो वह हो जाये... (व्यवधान) सदन की कार्यवाही में एक दिन का समय है, क्या-क्या बहस होगी... कब नहीं इस सदन में काल अटेंशन एडमिट किये गये हैं । रोज एडमिट होते हैं ऐसा तो नहीं है... (व्यवधान) बिहार के बारे में भी हुए हैं... (व्यवधान) इसलिये कैसे आप आरोप लगाते हैं, आपकी यादाश्त बहुत कमजोर है (व्यवधान) अब समय नहीं है । अब फाइनल बिल पेश है, तो आप उस पर कह सकते हैं (व्यवधान) जब समय नहीं है (व्यवधान) दूसरे प्रश्न जो हैं...

श्री जगदम्बी प्रसाद यादव : आप इस पर कालिग अटेंशन स्वीकार कर लीजिये (व्यवधान) कालिग अटेंशन पर थोड़ा समय दे दीजिये फिर उसके बाद करप्शन पर (व्यवधान)

श्री उपसभापति : आप अपने लीडर से कह दें ऐसा कर दें तो हम कर सकते हैं (व्यवधान) करप्शन पर भी बहस हो और कालिग अटेंशन भी आप चाहते हैं, तो समय... (व्यवधान)

[श्री उपसभापति]

आप दोनों में से फैसला कर लीजिये, आप से मैं कहता हूँ (व्यवधान)

श्री जगदम्बी प्रसाद यादव : यह सरकार की जिम्मेदारी नहीं है, कालिंग अटेंशन स्वीकार करने की, यह जिम्मेदारी आपकी है (व्यवधान)

श्री उपसभापति : आप बहस कर लें, मुझे कोई आपत्ति नहीं है लेकिन समय का प्रश्न है (व्यवधान) कालिंग अटेंशन पर भी डिसकशन हो, करप्शन पर भी (व्यवधान) आप बिला वजह चिन्तित हैं कि मुझे बिहार सरकार की या किसी की चिन्ता है। आप उस अन्देश में परेशान मत होइये। किसी भी प्रदेश की सरकार वहाँ की जनता के समर्थन पर और वहाँ की सरकार के समर्थन पर चलने वाली है, मेरे समर्थन पर नहीं चलने वाली है। आप किस भ्रम में पड़े हुए हैं। आप चाहते हैं तो बहस कर लीजिये, मुझे आपत्ति क्या है। आप उसी पर बहस कर लीजिये। पहले आप इस पर सहमत हों, तभी हो सकता है। इतना समय हमारे पास नहीं है। मैं कहता हूँ हमारे पास समय नहीं है, तो कहाँ मे लायें। आप समय दे दीजिये। (व्यवधान)

डा० भाई महावीर : श्रीमन्, आपने सही कहा। मैं समझ रहा हूँ। जो माननीय सदस्यों ने कहा है किसी को यह भाव नहीं मिलना चाहिये कि किसी राज्य सरकार के प्रति सहानुभूति विशेष और किसी के ऊपर (व्यवधान)

श्री उपसभापति : यह भाव मिलता नहीं है यह भाव आप खुद पैदा करते हैं। मिलता कहाँ है ?

श्री जगदम्बी प्रसाद यादव : तो इसमें आपत्ति क्या है ? (व्यवधान)

डा० भाई महावीर : आज पहली बार आपको जवाब देने की जरूरत क्यों पड़ी कि कालिंग अटेंशन हो सकता है या नहीं हो सकता है ? कालिंग अटेंशन पर फैसला तो सभापति जी करते हैं। अगर अभी भी सभापति जी के सामने कोई गुंजाइश हो...

श्री उपसभापति : देखिये, डा० भाई महावीर जी, आप जो तथ्य हैं, उस पर बहस करिये (व्यवधान) समय कहाँ है कि कालिंग अटेंशन पर भी बहस हो ? आप समय बताइये, तो हम कर सकते हैं। हमने कब कहा कि नहीं हो सकती है, अगर समय हो तो हो भी सकता है अगर... (व्यवधान)

डा० भाई महावीर : चेयरमैन के हाथ में यह निश्चित रहा है कि कालिंग अटेंशन का फैसला करें, जब समय समय नहीं है तो उस वजह से काम न हो सके... (व्यवधान)

श्री उपसभापति : वही तो मैं कह रहा हूँ।

डा० भाई महावीर : लेकिन किसी मित्र को यह नहीं लगना चाहिये (व्यवधान) बिहार सरकार के खिलाफ हो (व्यवधान) आपने सही कहा मैं यह कह रहा हूँ, आपको यह जवाब देने की जरूरत क्यों पड़ी कि कालिंग अटेंशन नहीं हो सकता है (व्यवधान) यहाँ पर सारी समय की पाबन्दी... (व्यवधान)

श्री उपसभापति : डा० भाई महावीर जी मेरी बातों को समझते हैं, उसको तोड़-मरोड़ कर रहे हैं। मैंने यह नहीं कहा कि नहीं हो सकती है, बहस हो

सकती है, एडमिट हो सकता है लेकिन मैंने यह बात कही। आप रिकार्ड देख लीजिए लेकिन समय हो, तब तो... (व्यवधान)

श्री जगदम्बी प्रसाद यादव : मेरी बात भी सुनी जाये। (व्यवधान)

श्री रामानन्द यादव (बिहार) : आप उनको देखते हैं (व्यवधान)

श्रीमती सरोज खाण्डे : आप उनको देखते हैं... (व्यवधान)

श्री उपसभापति : आपको भी देखता हूँ (व्यवधान)

SHRI DINESH GOSWAMI (Assam): Sir, I would appeal to the Opposition. You have already allowed today's Calling Attention Motion to be moved. And you have also overruled the points of order which have been raised. Now, the other day, an appeal was made by the Opposition leaders that we should finish all Business by 3 P.M. tomorrow so that we can take up the corruption issue. But at the same time, if we go on agitating on other issues like this, this will come in the way of the discussion on corruption issue. There cannot be two yardsticks. On the one hand, we are saying that the corruption issue should be discussed at 3 P.M. tomorrow and that we should finish all other Business by that time. But if we go on quarreling like this, and tomorrow, if the Leader of the House says that the corruption issue cannot be discussed, then, I do not think we will be in a position to blame him because we will be told that it is we who have wasted the time of the House. That is why, I would say that we should go ahead with this Calling Attention now. I do not think there will be time to take up another Calling Attention tomorrow. If we take up another Calling Attention, then, let us take it

that the corruption issue cannot be discussed, we will not be able to discuss the corruption issue.

MR. DEPUTY CHAIRMAN: That is the point. This can be discussed in the next Session also. We have discussed this several times. We can discuss it again. Nothing will be lost.

श्री जगदम्बी प्रसाद यादव : श्रीमन्, बिहार में जो हो रहा है, बिहार की जो सरकार है।

श्री रामानन्द यादव : आप उनको बोलने देते हैं (व्यवधान)

श्री उपसभापति : देखिये, फाइनल बिल पेश हो रहा है बिहार सरकार के बारे में जो आपको कहना हो, कह लीजिये।

श्री रामानन्द यादव : आपने उनको किस आधार पर बोलने की इजाजत दी है।

श्रीमती सरोज खाण्डे : उपसभापति जी, आप इधर भी देखिये, किस आधार पर... (व्यवधान)

श्री जगदम्बी प्रसाद यादव : मैंने वहाँ जा कर देखा है। बुढ़िया... (व्यवधान) उसके बच्चे... इतना बड़ा सीरियस मैटर है, इस पर मैंने कल लिख कर कालिंग मटेशन के लिये भेजा था... (व्यवधान)

श्री उपसभापति : आप बैठ जाइये। सुनिये। अगर आप इतना इनसिस्ट करते हैं then I shall bring it to the notice of the Chairman. (Interruptions) Please hear me.

श्री जगदम्बी प्रसाद यादव : बिहार के बारे में... (व्यवधान)

MR. DEPUTY CHAIRMAN: If you are so serious about Bihar, I will request the Chairman to admit the Calling Attention on that. But I do

[Mr. Deputy Chairman]

not know what will happen to your Motion on corruption. I do not know; I cannot guarantee. You consult your leaders. I can convey it to the Chairman and the Calling Attention can be admitted. Many Members may not be interested in a discussion on your motion. Hardly there will be any time, as Shri Dinesh Goswami, has said You just... (Interruptions) No, no, that cannot be done. Yes, Mr. Minister.

SHRIMATI MONIKA DAS: Sir, I beg to call the attention of the Minister of Home Affairs to the reported lynching to death of seventeen Anand Margis in Calcutta on April 30, 1982.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR): Mr. Deputy Chairman. Sir, according to the information received from the Government of West Bengal, on the morning of 30th April, 1982, some Anand Margis were proceeding to Tiljala, Global Jagriti of Anand Marg. When their vehicles reached Bijon Setu and Bondal Road Gate, agitated mobs of local people pulled them out of their vehicles and assaulted them. In another incident, some Anand Margis were also assaulted at Ballygunge Railway Station. Some of them received burn injuries when kerosene or petrol was poured over their bodies and set afire. In all, 17 Anand Margis, including two women, were killed; 14 others were injured, of whom 6 had to be hospitalised. Two of these persons are said to be in a critical condition.

The local police reached the spot on receipt of information, but found themselves outnumbered by the mob. They opened fire to disperse the crowds at Bijon Setu and Bondal Road Gate. No person was injured in the firing. 12 persons, including 9 women Anand Margis, were rescued from the mob. Senior Police officials and District Magistrate, visited the places of incidents immediately thereafter. Prohibitory orders under section 144 Cr. P.C. were promulgated in the affected areas

and heavy police arrangements were made. Criminal cases were registered and are being investigated by the State police. 106 persons were arrested of whom 54 were released after interrogation. The State Government are maintaining utmost vigilance. The allegations of child lifting and kidnapping made against the Anand Margis on 28th April and also on 30th April are being looked into by the State Government.

State Government have ordered a judicial enquiry into these incidents.

SHRIMATI MONIKA DAS: Mr. Deputy Chairman, Sir, from the newspaper reports it is learnt that on 30. April, 1982, in Kasba area of South Calcutta, 17 Anand Margis were lynched and their bodies were burnt.

SHRI KALYAN ROY: Let it be laid on the Table of the House.

SHRIMATI MONIKA DAS: First you listen; then I can lay it on the Table of the House.

MR. DEPUTY CHAIRMAN: You go on. Don't reply to him.

SHRIMATI MONIKA DAS: The suspicion for this has fallen on the CPM activists as instigators in causing this massacre, according to the newspaper reports. It is also a slur on the law and order situation in West Bengal where 17 people were beaten to death and many were injured in broad daylight, not in the night time. Murders and lawlessness have become a common thing not only in West Bengal but wherever the CPM Government is there. Once, twice or three times at any time of the day this is going on. It is not in hundreds. So we are raising this matter in the House today. I would like to tell you that I have recently been to Tripura where also there is a CPM Government. The same thing is happening there.

It is suspected that the Government of West Bengal is very lukewarm in taking stern action against the culprits, as the CPM workers are responsible for this kind of crimes. They are themselves encouraging and doing these things. It is the duty of every Government and citizen of the country to protect the people. I am not saying this to the CPI(M) Government alone. Everybody has got certain duties, every Government has got certain duties; I am not saying this Government or that Government. It is our duty. Everybody has a certain duty to look after the citizens. But why the CPI(M) Government is doing like this and what is behind this I want to know.

(Interruptions)

SHRI KALYAN ROY: Sir, protect us. The way she is gesturing, we are getting frightened.

AN HON. MEMBER: He is scared...
(Interruptions)...

SHRIMATI MONIKA DAS: As the State Governments are solely responsible for maintaining the law and order situation in their respective States, the Government of West Bengal should be condemned for their failure in curbing such anti-social elements and murders.

My request to the hon. Home Minister is to find out the truth and take certain steps to rectify this kind of a worsening law and order situation in West Bengal.

Sir, the gruesome killing of seventeen or more Anand Margis including two women is shocking beyond words. The Calcutta killings will shake up the most jaded sensibilities. The CPI (M) Government of West Bengal may be trying to play down these incidents in view of the impending May 19 Assembly elections. That is the main reason because they are afraid that the verdict of the people of West Bengal may go against them if the real truth is known, and that

is why they are doing all those things. We know what our Congress Government is doing. And we also know what the CPI (M) Government is doing... *(Interruptions)* ... Sit down. 'Apnee Boshoon'... *(Interruptions)* ... I have seen West Bengal; I have seen Tripura also. The Tripura Government has killed a fourteen year old girl. My request to the hon. Home Minister is to hold an impartial judicial inquiry, to appoint a commission to inquire into this matter. After the inquiry is over, when the truth comes out, I hope the Government will take strong action against those who were behind these killings and for giving encouragement to those people to do all those things.

(Interruptions)

SHRI NIHAR RANJAN LASKAR: Sir, whatever information we have received from the State Government so far, I have given it in my statement. The entire picture is not very clear to us because in the statement we got only the nature of the incident is given, but how it all happened and all the details have not been sent to us and so we have no information regarding that. So the picture is a little bit unclear to all of us. But the only thing is, they have ordered a judicial inquiry into it and I hope things will come out only after the inquiry is over.

SHRI ARVIND GANESH KULKARNI: Mrs. Das, you forget one point. You forgot to ask them to dismiss the CPI (M) Government there. Why don't you ask them to dismiss the Government there? That is the main point.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): She does not require your prompting.

SHRIMATI MONIKA DAS: We are not like the CPI (M). Last time we have seen it in West Bengal.

MR. DEPUTY CHAIRMAN: Mr. Dinesh Goswami.

SHRI DINESH GOSWAMI: Sir, Mr Kulkarni can't help it. Sir, the problem is Mr. Kulkarni can't help it, unless he draws the attention of the ladies...

MR. DEPUTY CHAIRMAN: Mr. Kulkarni, please don't provoke.

SHRI ARVIND GANESH KULKARNI: I am not provoking, Sir. This is an important question for which this Call-Attention was admitted. Otherwise, how could it even be admitted?

SHRI DINESH GOSWAMI: Mr. Deputy Chairman, Sir, if I have given notice of this Calling Attention, it is not with the intention of trying to achieve any political advantage because I have none, nor with the interest of encroaching on the arena of a State subject because I am conscious that we are not to discuss law and order here. But I feel that an incident of such a nature where 17 people were lynched on the streets should be discussed in the Council of States. I am aware that on many occasions suddenly mob frenzy takes place and people are killed. After all, human beings do not behave absolutely rationally in moments of tension and sentiments. But here in this incident there are certain important things. The first is that I could have understood it if the incident had taken place at one place and some people were killed. For example, when a bus passes by without stopping, it creates anger among the people and they damage properties and all that. But here it took place at three spots on a one-mile stretch and it appears that there was no provocation whatsoever for the incident to take place. As I gather from the newspaper reports, for example, in the first case a group of some people were there at the station with some children and they were moving with the children and suddenly they were

attacked. In another case, another group of Anand Margis was coming in two taxis and those people were stabbed, dragged out and beaten mercilessly, even their eyes came out and then petrol was put upon them and they were burnt. That those people who created this incident had petrol with them, shows that there was some pre-planning about the entire matter.

I know that this is a State matter and that it is the subject-matter of a judicial inquiry and details will come out in the judicial inquiry. But what worries us is that this is not the first incident where clashes have taken place between the Anand Margis and the people of West Bengal. Even the Chief Minister is reported to have said that on earlier occasions also, not in Calcutta but I think in the rural areas, clashes took place between the Anand Margis and the people of that locality. Now some time back, as the newspaper reports again say, there was commotion and people were very much agitated because of some stories of school children being lifted. But I have seen from the editorials of the Bengali newspapers saying that there was no such lifting which had come to the notice of the police. It appears that some kind of an emotional atmosphere was created on the ground that they were lifting children. Undoubtedly there are speculations and counter-speculations. For example, it has been said that it has been done with the connivance of the West Bengal Government. I do not think this is the forum where we should discuss it. I would like to know from the hon. Minister one thing. You had arrested 106 persons and you have released 54, which means that 52 persons are still under custody of the State Government. Therefore, I would like to know whether you have any information who these persons are. Do they have any political affiliations or are they anti-social elements? If we know the persons who were arrested, why they had been arrested, whether they are anti-social elements, their complicity in the matter could

be brought out. If you have any information on these things, I would like to have it.

The second point which has been made by some newspapers is that this incident took place almost in the vicinity of Kasba police station and that the Kasba police people took undoubtedly a long time to come to the rescue of these persons. I would like to know the time when the incident took place—because it cannot be just in a minute—and how long the police took to arrive at the spot so as to know the time gap.

Third, it has come in the newspaper that there was a helicopter hovering over the headquarters of the Anand Margis at Piljala, I think, the day after the incident or may be two days after the incident. After all, I do not think many private individuals have got helicopters. Obviously, this is a serious matter that a helicopter was hovering. Is this news true, was a helicopter hovering? If so, if the helicopter was hovering, obviously, the Government of India cannot say that it is a State subject. Has the Government of India got any information whatsoever about whose helicopter it was? And what is the Government of India regarding this incident of hovering of the helicopter over the headquarters of the Anand Margis? These are the specific questions I would like him to answer.

SHRI NIHAR RANJAN LASKAR: The last point, I would like to take first. There is the Press report that a helicopter was hovering over that place. We have tried to ascertain this fact from the Government of West Bengal. They have not confirmed it. This is like that.

SHRI DINESH GOSWAMI: Did they deny it or did they admit it? Or has the Government of West Bengal no information?

SHRI NIHAR RANJAN LASKAR: They say they have not got it confirmed.

Regarding the political affiliation of these people, I cannot, at the moment, it is not possible for me to give an information to the House because no information is with us.

Regarding the exact timings, only it has been stated that it was in the morning hours. The timing, between which period to which period, was not given to us. These are things which will, I think, come in the enquiry.

One thing which the hon. Member was stressing, on which I also agree, is that the tension was brewing there. It appears that more could have been done by the police to check this sort of incident.

SHRI V. GOPALSAMY (Tamil Nadu): Mr. Deputy Chairman, Sir, I vehemently condemn this ghastly, barbarous, savage killing of the Anand Margis. What is most painful and distressing is that the land of Tagore who gave the gospel of love and affection, who gave the message of the universal brotherhood, has witnessed such a holocaust.

As far as the hon. Chief Minister of West Bengal, Mr. Jyoti Bosu, is concerned, he was second to none in condemning these atrocities. Even, of course, the Government has come forward to conduct prompt action. They have appointed a judicial enquiry also. If somebody says that when such things happen the Governments should be dismissed, that argument would boomerang also. I would not like to go into that aspect.

But the concern of the Government and also other political parties is the pattern, the system, in which in three places the attack took place. That creates the impression that the attack was pre-planned and deliberate. The people who have done such an act, who tried to burn those persons, do not deserve to live in a civilised human society. They deserve to live in the jungles. But one thing, Sir, I

[Shri V. Gopalsamy]

strongly condemn the activities of those persons who tried to kill, who tried to burn, the Anand Margis.

At the same time, the impression about the Anand Margis in the country is somewhat disturbing, because even Mr. Jyoti Bosu stated that when the Prime Minister had visited Calcutta, the State Government was alerted about the movements of the Anand Margis. So, some impression has been created that these people are after violence. So, I would like to appeal to the leaders of the Anand Margis to clearly vindicate their views and their philosophy, and also they should remove the impression, they should establish that they are not after violence.

And regarding the attack, we condemn the attack. I would like to appeal to the State Government, through this august forum, to alert the police force and to take prompt action to see that such ghastly crimes are not repeated.

SHRI NIHAR RANJAN LASKAR: Sir, we are all agreeable to what the hon. Member has said. He has said that this sort of ghastly incident, murdering in broad daylight and killing people like this, should be condemned. Everybody should condemn this sort of incident wherever it occurs. About the other thing, about the Anand Margis and their organisation, people have doubts—it is a fact—because of their activities and other things. The Government is also watching their activities. He has made a suggestion to the State Government that they have to see that their police are more active in such cases. This is to be done in any State to keep peace in the area.

SHRI KRISHNA CHANDRA PANT (Uttar Pradesh): Sir, the activities and the ideology of the Anand Marg are not really the question here. One need not agree with them. The rule of law must prevail. In fact, for many years the leader of the Anand

Margis was prosecuted by the Government. So that is not the question here. The question is that an incident has taken place which shocks one. It is so foreign to normal behaviour that one is really shocked. According to the West Bengal Government's report which the Minister read out, some people, some Anand Margis, were going in a taxi and they were dragged out. So there is no evidence of provocation. They were dragged out and kerosene was poured over them and they were burnt. I am not going into the newspaper reports. I am only going by the authentic West Bengal Government's report. Now 17 people were killed. This, as my friends have said, is a ghastly affair. It is gruesome; it is horrible. And I do not think that we could have ignored this kind of an incident. I entirely agree that other incidents in other parts of the country, atrocities on Harijans, for instance, or any other incidents, must find a reflection in this House because this House should be sensitive to all issues which affect any section of society, which arouse public opinion, public conscience and which ultimately affect the course of politics in this country, the course that society takes, the humaneness of our society, its philosophy, its cultural values. Everything is affected when incidents like this take place. There is a certain coarsening of our entire behaviour and of our way of thinking if we ignore lynching of this kind. It is in that spirit that one must condemn it as strongly as one can, regardless of the ideology of the people concerned. That is not the issue. In our country people can hold different ideologies. If it is a wrong ideology, the rule of law will take action.

Now, Sir, the Home Minister has said—and this is the most important statement he has made—in answer to an earlier question that in view of the tension, more could have been done by the police to prevent the incident. This is a very important statement. I should like to know for how

long this tension was known to the Government? For how long had this been going on? Could this incident have been anticipated? And when he says more could have been done, does it mean that the police strength was low? Does it mean that the police were not warned? Does it mean that the State Government could have activated its police much more? What exactly does he mean when he says that more could have been done?

Because, what is involved 1 P.M. here apart from this particular incident, is the fact that elections are going to take place in that State, and the atmosphere of violence which must be avoided at all times, must be avoided all the more just before the elections, because the atmosphere of violence would create many difficulties in Bengal. We all know that. It is no use going into any other incident in this matter. But it is extremely important that the West Bengal Government must not allow an impression to go round that its capacity to maintain law and order is eroded in any manner, and such incidents of violence certainly erode the confidence of the people at large. So this is what is significant in this particular incident in relation to the elections that are going to take place. That is why the statement of the Home Minister which I just read out, becomes important. Now, the incident has taken place in the morning. I do not know at what time, because he has not mentioned the exact time. He only said it took place in the morning. Therefore, it took place presumably in broad day light and presumably in the presence of many persons. So it should be quite possible to take quick action in this. Now criminal cases have also been initiated and a judicial inquiry has also been ordered. My only request is that since the judicial inquiry is likely to take long, and in this matter it is very necessary to restore confidence quickly, the other proceedings should also proceed and should not be held up till the judicial inquiry is completed, and since already so many people have been

arrested—presumably the State Government has in its custody at least some persons who were directly concerned, who were there on the spot,—this quick action would mean quick prosecution. While I appreciate the fact that the West Bengal Government has announced a judicial inquiry—I appreciate the fact—but I know from experience that judicial inquiries tend to take rather long. Now about the judicial inquiry I would like to ask one or two questions. The first one is whether the judge will be a sitting or a retired judge, because in a judicial inquiry also in a matter like this in which the Anand Margis, rightly or wrongly, —I will not comment on them—have said that the CPI-M was involved—as I said, again I am not commenting on this because this is the subject-matter of the judicial inquiry and I certainly will not come to a conclusion in a partisan manner, but they have said this—therefore it is very important that the judge who is appointed, is not only impartial but is known to be impartial and has no kind of links with any political party, and whose judgement will inspire confidence in everybody in West Bengal and outside...

SHRI AMARPROSAD CHAKRABORTY (West Bengal): How do you presume that the judges will be partial?

SHRI KRISHNA CHANDRA PANT: I do not presume, and, therefore, I make the statement quite clearly, because I think it will be a bold man who will say that no judge can be partial, and I have heard many speeches in this House many times questioning the partiality or the impartiality of judges. This is not the first time. I am not, in fact, questioning the impartiality of judges. But I think my friend from West Bengal knows that there are retired judges who are known to have leanings with one party or another. Does he want me to name them? The question again

[Shri Krishna Chandra Pant]

I want to ask whether this will be an inquiry under the Commissions of Inquiry Act, whether it will be an open inquiry, what kind of an inquiry this will be. Lastly, I want to know whether the Central Government has received any report from the Governor or from its own sources, and whether it can take this House into confidence on anything concerning this incident on the basis of information received directly by it.

SHRI NIHAR RANJAN LASKAR:

I was telling the House that the police could have taken more precaution. This is based on certain facts, because the Government of West Bengal itself was telling us that during the entire last week of April—this incident occurred on 30th April—reports of a general nature of kidnapping of children and child-lifting had come to the notice of the Government not only in Calcutta but other areas also. There were also some public meetings organised by the CPM Party people in those areas focussing activities of the Anand Margis. So, there was some kind of tension and it was known to the Government and to the Police. They have themselves admitted in the information they have sent to us that the local police reached the spot on receipt of information, but found themselves outnumbered by the mob. Therefore I said they could have taken more precaution on this.

About the proceedings of the House, I think the State Government will take note of what we speak and accordingly they will take steps. I have the information that the State Government, particularly the Chief Minister of West Bengal, is looking for a Judge. I do not know whether he is a retired Judge or a sitting Judge.

SHRI SANKAR PRASAD MITRA
(West Bengal): Mr. Deputy Chair-
man, since I am a permanent resident
of the city of Calcutta, I hope you

will give me a little more time because I want to make certain specific suggestions to the hon. Home Minister.

I am not a supporter of Anand Margis, nor do I subscribe to their views or ideas. But as a believer in democracy and in the freedom of the individual. I emphatically condemn the brutal atrocities that have taken place in broad day light on the streets of Calcutta a few days ago.

Reading the reports of these incidents in the newspapers, it seems to me that the police forces had either disappeared out of fear or had been rendered completely inactive. Newspaper reports say that mob violence continued for about an hour and a half and the guardians of law and order were conspicuously absent. It appears that the law and order situation in Calcutta has deteriorated to such an extent that gruesome murders, unprecedented in the city, were perpetrated almost simultaneously at three spots along a crowded one kilometer stretch bordering Ballygunge. I do not know who the perpetrators of the crimes are. The Anand Margis have made allegations against CPM workers and a CPM MLA. But until these allegations are proved, according to law, no conclusion can be reached. If Anand Margis are anti-national, let them be banned as the Dal Khalsa has been banned in the Punjab. Other stringent measures may also be taken against them. But I cannot in the wildest of dreams think of physical extermination of enemies.

I am constrained to make a few observations against the State Government, particularly in the context of the judicial enquiry that they propose to hold. In the last five years in West Bengal we have had the experience of a Government which has used the State machinery to serve its political purposes to the maximum extent possible. It did not even hesitate to politicise the entire educational system

by grabbing schools, colleges, libraries, universities and also the syllabi of studies. It has paid no attention whatsoever to what those who were opposed to it had to say. That is why, Sir, I intend to make the following proposals.

SHRI HARKISHAN SINGH SURJEET (Punjab): Sir, is this a speech on the Calling-Attention Motion or a speech on the working of the West Bengal Government? (*Interruptions*).

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIMENTARY AFFAIRS (SHRI KALP NATH RAI): Please let him speak. (*Interruptions*).

SHRI HARKISHAN SINGH SURJEET: I am only asking the Deputy Chairman whether it is a discussion on the working of the Left Front Government in West Bengal. (*Interruptions*).

SHRI KALP NATH RAI: Please wait. (*Interruptions*). Why are you interrupting? Let him speak.

SHRI HARKISHAN SINGH SURJEET: I am not saying anything. I am only asking whether this is a discussion on the Calling-Attention Motion or on the working of the West Bengal Ministry. (*Interruptions*)

MR. DEPUTY CHAIRMAN: Silence, please.

SHRI AMARPROSAD CHAKRABORTY: Sir, this is not a political speech. On a Calling-Attention Motion, how do these things come in? You don't allow others to mention such things. But you are allowing him.

MR. DEPUTY CHAIRMAN: You will have your chance.

SHRI AMARPROSAD CHAKRABORTY: I should also be given a chance.

SHRI KALYAN ROY: Sir, I must also be given a chance. (*Interruptions*). He has been allowed to mention these things. I should also be given a chance, we should also be given a chance, to reply to all the atrocious and baseless allegations that he is making.

MR. DEPUTY CHAIRMAN: You will have your chance.

SHRI SANKAR PRASAD MITRA: Sir, the relevance of my observations would be seen from the proposals that I am going to make to the honourable Home Minister through you for his consideration. Sir, these are my proposals:

(1) Arrangements for a judicial inquiry under the Commissions of Inquiry Act should be made immediately.

SHRI KALYAN ROY: These are all questions or proposals?

SHRI SANKAR PRASAD MITRA: Sir, my next proposal is this:

(2) The Commission of Inquiry should be appointed by the State Government, but by the Central Government... (*Interruptions*)... under the provisions of section 3(1), read with section 2(a) (i), of the Commissions of Inquiry Act, 1952, as the Central Government has got the right under this Act to appoint such a Commission.

(3) The Central Government should ensure the safety and security of the witnesses as well as the Judge who holds the inquiry.

Sir, I am talking about this matter of security of the witnesses and the Judge because, in 1970-71, a Commission of Inquiry was appointed to inquire into the Sainbari murder case and Mr. Justice Tarapada Mukherjee,

[Shri Sankar Prasad Mitra]

a retired Judge of the Calcutta High Court was the one-man Commission. A witness was fatally assaulted outside the court room and the day after the Judge submitted his report to the State Secretariat, two assailants tried to kill him while he was taking his morning walk and he was hovering between life and death at the S.S.K.M. Hospital in Calcutta for several days.

(4) The Commission should be requested to conclude its deliberations expeditiously.

(5) The report of the Commission should be publicised as widely as possible to enable the persons affected to take appropriate legal steps against those who are found to be guilty.

(6) The terms of reference should include the role of the Calcutta police in this massacre.

Sir, it seems to me from the Home Minister's reply that perhaps the Central Government has decided to leave the matter to the State Government. If that decision has been taken, I would request the Home Minister to ensure that the Judge who is appointed for this inquiry is nominated, not by the Chief Minister, but by the Chief Justice of the Calcutta High Court in his sole and absolute discretion.

SHRI NIHAR RANJAN LASKAR: Sir, the hon. Member is from West Bengal and he has direct knowledge of the situation and other affairs of West Bengal, and whatever he has

said may be within his knowledge. But he has put forward some suggestions. In one of them he said that the Commission of Inquiry should be appointed in consultation with the Chief Justice of Calcutta High Court. I think, naturally any Government which has to function will... (Interruptions)

SOME HON. MEMBERS: No. no.

SHRI NIHAR RANJAN LASKAR: This part of the suggestion, we will try to see that it is possible for the Chief Minister to consult the Chief Justice of the Calcutta High Court before appointing the Judge in this connections. (Interruptions). That we will look after. (Interruptions)

SHRI SANKAR PRASAD MITRA: I did not speak about consultation. I have said it should be dominated by the Chief Justice of the Calcutta High Court in his sole and absolute discretion. (Interruptions).

SHRI NIHAR RANJAN LASKAR: We have information also now that the Chief Minister has approached the Chief Justice of the Calcutta High Court... (Interruptions)

MR. DEPUTY CHAIRMAN: This is not proper. Hear him what he is saying. Just have patience to hear him. (Interruptions).

SHRI NIHAR RANJAN LASKAR: I was just telling that any Government has to consult the Chief Justice of that particular High Court before appointing the Judge. In this case

also, we hope that he will consult the Chief Justice. (*Interruptions*). We will see to it that the Chief Minister of West Bengal consults the Chief Justice. We will see to it.

SHRI SANKAR PRASAD MITRA: I was Chief Justice for seven years and five months and no Commission of Inquiry was appointed in consultation with me. (*Interruptions*)

SHRI KALYAN ROY: Seventy thousand to eighty thousand cases were pending then. (*Interruptions*).

SHRI SANKAR PRASAD MITRA: That is also wrong. (*Interruptions*)

SHRI NIHAR RANJAN LASKAR: I was just telling that I will see that before a Judge is appointed for this the Chief Minister consults the Chief Justice of the Calcutta High Court. (*Interruptions*).

श्री उपसभापति : सदन की कार्यवाही सवा दो बजे तक स्थगित की जाती है ।

The House then adjourned for lunch at eighteen minutes past two of the clock.

The House re-assembled after lunch at seventeen minutes past two of the clock, Mr. Deputy Chairman in the Chair.

श्री शिवचन्द्र झा : उपसभापति जी, उस दिन अमृतसर पर अब कालिंग अटेंशन की चर्चा हुई थी तो मैंने भी उसमें भाग लिया था, लेकिन मैं चला गया था, दूसरे दिन अखबार में मैंने देखा कि एक सुझाव आया कालिंग अटेंशन पर चर्चा करने वालों से कि ऐसी घटना जो अमृतसर में हुई, दोषियों को कोड़ों से मारा जाये, चाबुक से उनको

पब्लिकली मारा जाये, गधे पर बैठाया जाये... (ब्यवधान) मैंने अखबार में यह भी देखा कि मंत्री महोदय ने कहा कि हम इस पर विचार करेंगे । यह बहुत ही इरिस्पॉन्सिबिल रिस्पॉन्स आन द पार्ट आफ गवर्नमेंट और शासन है । इसलिये मैं कहता हूं कि यहां पर जिनके हाथ में वागडोर है उनको बहुत संजीदगी से बोलना चाहिये, क्योंकि इसके बहुत ही रिपरकशन्स होते हैं । पुराना इतिहास यदि आपको बता दूं, तो नेता जी को एक आवाज पर इस देश में क्या से क्या नहीं हुआ । मैं राष्ट्रीय आन्दोलन के वक्त की बात पर नहीं जाना चाहता हूं लेकिन एक बात कहना चाहता हूं कि अभी ईरान में क्या हो रहा है । ईरान में क्विक जस्टिस है, इंस्टेंट जस्टिस आया, पकड़ा, गवाही हुई और जब फैसला हो गया कि शूट कर दो या चाबुक लगा दो, क्या हम इसको एप्रूव करते हैं, क्या मानव समाज इसको स्वीकार करेगा । हिटलर ने लाखों यहूदियों को गैस चैम्बर में शॉक दिया था, क्या मानव समाज उसको एप्रूव करेगा और जिस आदमी ने शॉक, उसको भी बाद में पकड़कर मानव समाज में ड्यू प्रोसेस से ली से उसका 15 साल का ट्रायल किया गया, आईखमैन का, तब उसको हेंग किया गया । मानव समाज आज उस स्टेज तक आ गया है कि आई फार आई, टूथ फार टूथ जिसको कहते हैं, उस स्टैंडर्ड से ऊपर आ गया है ।

[श्री शिव चन्द्र झा]

यदि कोई दोषी भी है, खराब से खराब कुकर्म भी है तो सजा देने का मानव समाज का तरीका दूसरा हो गया है। बिल्ला और रंगा ने बहुत खराब काम किया था, वही चर्चा हुई थी।

लेकिन भारत के समाज और कानून ने जब फैसला किया, तो तरीके से किया है। तो कहने का मतलब कि कोई संस्था हो, कोई व्यक्ति हो, कितना भी खराब हो, उसको जब कानून के प्रहरी ढील करेंगे, तो सोच-समझ करके उनको करना चाहिये और ड्यू प्रासेस आफ ला जिसके लिए है, उसके मुताबिक करना चाहिये और यदि कोई कहता है कि मारो चाबुक पब्लिकली, चाहे जोश में या अपनी बुद्धिमत्ता से, तो मंत्री महादय यदि सब्टल रूप से कह देते हैं कि इस पर विचार करेंगे, तो उसका रिप्रेजेंटेशन समाज पर खराब होता है।

मैं यह नहीं कहता हूँ कि यह जो घटना 30 तारीख को हुई है कलकत्ता में, इनकी इस स्टेटमेंट का सम्बन्ध उससे है, लेकिन यदि सोशियोलोजिकली स्टडी की जाएगी, तो सम्बन्ध जोड़ा जा सकता है कि यह सब बातें समाज में चलती थीं, इसलिए यह घटना सोशियोलोजी में यह बात आ सकती है। इसलिए यह बहुत इर्रेस्पॉसिबल स्टेटमेंट हुई थी।

मैं एक उदाहरण देना चाहता हूँ। अभी पन्त जी बोल रहे थे। एक वक्त था कि यह खुद मिनिस्टर थे और अभी मैं उनकी याददाश्त ताजा करना चाहता हूँ। मेरी जेम्स टेलर ब्रिटिश लड़की जो हजारी बाग जेल में चार साल तक थी, बाद में छूट करके इंग्लैण्ड में उसने किताब लिखी है, उसके मुतल्लिक लोक सभा में फॉर्लिग अटेंशन आया था, जब

श्री के सी पन्त जी होम मिनिस्टर थे, बातें उठीं और ऐसी बातें काफी उठीं। उन्होंने बहुत सुन्दर ढंग से कहा था कि यदि स्टेटमेंटस हम लोग इस सदन में देते हैं, तो उसका असर बाहर खराब होता है। ऐसी घटनायें जब होती हैं, तो हमको जरा विचार करके, चाहे रूलिंग वाले हों, चाहे विरोध वाले हों, जरा सोच समझकर कहना चाहिये। नहीं तो उसका दूसरा ही असर होता है।

तो यही मुझे कहना है कि मंत्री जब खुद कहता है कि हम कोड़े मारने पर विचार करेंगे, तो मंत्री यदि इस्टीमेट नहीं करता है, तो हवा बनाता है कि यदि कोई हो, तो ऐसा करो ठोक है। तो मैं कहता हूँ कि यह गैर-जिम्मेदार स्टेटमेंट है।

अब मेरा सवाल है कि आनन्दमार्गी लोगों के विचार दूसरे हैं, बहुतां के विचार हैं, आपके भी विचार मेरे से भिन्न हैं, मैं भी आपसे असहमत रहता हूँ। तो इसका मतलब यह नहीं है कि कोई कूड़ तरीके अख्तियार किये जाएं। मीसा में हम लोग भी बन्द थे, इमरजेंसी में आनन्दमार्गी भी बन्द थे, एक ही जेल में—यह बात नहीं है कि कोई छुआछूत थी हमारे साथ, बिहार शरीफ में भी थे और जगह भी थे, शाम को जब टहलते थे, तो बातें भी होती थीं। हम लोगों का दूसरा दृष्टिकोण होता था, उनका दूसरा, वह भी सुन लेते थे और हम भी सुन लेते थे और चले जाते थे। सरकार ने मीसा में उनको बन्द किया और अभी भी बहुतां को बन्द किये हुये हैं।

तो मैं जानना चाहता हूँ कि कितने आनन्दमार्गी देश में अभी हैं और कितने गिरफ्तार हैं। खास करके वेस्ट बंगाल में हैं, या नहीं हैं। ताकि उससे हमको यह

भी अंदाजा लगेगा कि सरकार का क्या रुख है ?

दूसरी बात कि बहुत बातें आती हैं कि इनका बाहर से सम्बन्ध है, आनन्दमार्गियों को बाहर की एजेन्सीज से पैसा मिलता है। हथ-अप करने की बात नहीं है। तो क्या सरकार को यह भी पता है कि इनका बाहर की संस्था से भी सम्बन्ध है और बाहर से भी इस संस्था को पैसे आते हैं ?

मेरा तीसरा सवाल है कि क्या यह बात सही है कि बहुत से आनन्दमार्गी दिल्ली आते हैं और मंत्रियों से बात करके जाते हैं ? यह बात ठीक है कि बाहर कोई दूसरी है, लेकिन केन्द्रीय मंत्री से बात करते हैं और बात करके जाते हैं, सम्बन्ध किसी न किसी रूप में, जैसे स्वामियों के साथ सम्बन्ध हैं, बहुत से स्वामी हैं, तांत्रिक हैं जो हम अखबार में देखते हैं कि उनका सबसे सम्बन्ध है, तो इनके साथ भी सम्बन्ध है, और केन्द्रीय मंत्री से बातें की हैं, या नहीं की हैं ?

अब जो वहां आपने जूडिशियल इन्क्वायरी के लिए कहा, यह बात सही है कि जो जज बिठाये, केन्द्रीय जज के मातहत या चीफ जस्टिस, कलकत्ता हाई कोर्ट उसको बहाल करें। या केन्द्र खुद करे, वह ज्यादा अच्छा होगा, सारे जिम्मेवारी लेकर करे। हमें मालूम हों इसके पीछे क्या बात है। तो आपके जाटर्म्स आफ रेफरेंस हैं, उसको जरा बताये ताकि हमको पता चले कि इस तरह की घटनाओं को कितनी दूर तक आप पकड़ लेंगे और कब तक यह रफट आ जायेगी। कहा गया है कि रफट आने में देर हो सकती है लेकिन आने निमित्त

समय कब तक निर्धारित किया है— एक महीने में, दो महीने में तीन महीने में—कब तक रफट आ जाएगी ? और आखिर में सवाल है कि कितने लोग गिरफ्तार हुए हैं ? स्टेटमेंट में आपने बताया है उनमें से 54 को छोड़ भी दिया गया है। तो इन लोगों को क्या बैकग्राउण्ड है, एन्टीसिडेंट्स क्या हैं उसके बारे में क्या आपको पता है ?

श्री उपसभापति : वह जवाब दे दिया है अभी पता नहीं चला इसके बारे में। मंत्री जी।

SHRI NIHAR RANJAN LASKAR: Most of the points I have already answered. Regarding party affiliations of those people who have been arrested. ...

MR. DEPUTY CHAIRMAN: Don't repeat that.

SHRI NIHAR RANJAN LASKAR: ...I have already answered. About terms of reference of the judicial inquiry that it is to be set up yet, we do not have the details with us. When the judicial inquiry is set up as early as possible, we hope that this will be published. With regard to Anand Marg, we are not discussing that here. People know about their activities at least the Government knows about it and as I stated earlier, we are watching their activities and also their movements. It is also reported that they are getting money from outside.

श्री शिव चन्द्र झा : कितने गिरफ्तार हैं ?

श्री उपसभापति : इसके बारे में बता तो दिया है स्टेटमेंट में।

श्री शिव चन्द्र झा : कितने आनन्दमार्गी अभी हैं बंगाल में या देश में गिरफ्तार हुये . . .

श्री उपसभापति : वह फिगर कहां से आएगा।

श्री शिव चन्द्र झा : आप ही जवाब
दे दीजिए उनकी जगह पर ।

श्री उपसभापति : मैं कहां से
दूंगा । मेरे पास तो वह भी सूचना
नहीं है ।

DR. BHAI MAHAVIR: Sir, the incidents are so ghastly and so outrageous that one cannot find words to condemn them, and that these things should happen, is something which makes us hang our heads in ashame. Any Government should be ashamed of it—the Government which is voted to power for protecting the lives of innocent citizens. No Government can justify what has happened. That Sir, is a damning enough commentary on the present. West Bengal Government manned by the Leftist front. I do not know how anybody can accept this position and try to find scapegoats here or there, or try to find some political conspiracy behind it. As far as any independent observer will be able to judge this only points to the fact that there is no respect for law and order and the Government has virtually ceased to function. This is something which I am saying with pain, with regret, because I do not know what to ask. If I ask that the Government be dismissed, there are similar examples in other States and I do not know if the party that side can offer something better than we have here. But, Sir, there are 2 or 3 specific points which I wish to ask, for the hon. Minister for Home Affairs for whatever light he can throw on them. One is, that the chief Secretary is reported to have said that there was a pattern behind the outrage. What do you make of this observation? If there is a pattern, what is the nature of that pattern? What are the dimensions of that pattern? Do you think there is a political conspiracy to bring a bad name to

the Government there because the victims, the Anand Margis have raised an accusing finger unmistakably towards CPM Party? How far do you believe in that accusation? Do you think such a thing is possible? Much has been said about rumours of child-lifting. Have you any information of any incidents of child-lifting having been reported in any police stations near about in recent days or weeks, because of which a scare could have been created which led to this ghastly, inhuman, crime? If no such incidents have been reported, then, there is naturally something more than that meets the eye in this particular outrageous drama. The third thing which I wish to ask is, in line with what our former Chief Justice of the Calcutta High Court has said what is the nature of the enquiry? The Chief Minister is on record having said that he would nominate a judge, after he returns from his Kerala tour, to hold the enquiry. What is the process? What is the procedure? How are things done? Is it only the Chief Minister's pleasure to nominate any judge and ask him to do this job, to hold this type of enquiry? What we understand is that, Chief Ministers, wherever such occasions arise, request the Chief Justice of the concerned High Court and take his advice and then whichever judge can be spared for the purpose is usually nominated. But I was personally flabbergasted to hear from my friend, Mr. Mitra, that when he was the Chief Justice for seven long years, never was he consulted in the matter of appointment of a judge for such an enquiry. If this is the situation, well, it is a very unfortunate situation and I do not know how the Government or the people have been tolerating this type of situation where the Chief Minister is the person who nominates a person, a judge for this purpose. This is particularly important because of the recent trends which we have unfortunately observed in the treasury benches of induct-

ing an element of pressure on the judges' appointment policy, asking them to sign some form or the other because of which there have been fears, genuine fears, that the independence of the judiciary may be eroded. That is why I would like to ask, if he would enlighten us on this point, as to what the procedure usually is and what the procedure in this case is likely to be. I would like to ask this, particularly, because, in today's newspapers, in today's 'Statesman', there is a report that the Central Government may accede to the Anand Margis' demand for the appointment of an independent judicial enquiry. Now, the qualifying word is 'independent'. In the best of situations, every judicial enquiry should be independent presumably and we have taken the judiciary to be so entrenched that we think that all judicial enquiries are, by and large, independent. But here in this case, the Anand Margis have somehow, rightly or wrongly, got into their way of thinking that they would not get justice if the judge is appointed in the manner in which Mr. Jyoti Basu has promised to appoint. Then, in today's newspapers, it has also been reported that the Central Government is likely to agree to the appointment in such a way that the blame which is being placed at the door of the CPI(M) could also be washed away. From that angle, I hope, the Chief Minister should be happy to have a judge being appointed by the Central Government because this would bring a greater clearance, a more valuable clearance, to the name of the party which is ruling in West Bengal.

Lastly, if you permit me. Sir, I would like to quote from newspaper reports as to what they say on this point. It has been stated here 'The Central Government, in all likelihood, will agree to the appointment of an independent judicial enquiry because it would be better for the CPI(M) to come clean out of the charges. A delegation of Anand Margis is reported to have met the Prime Minister and the Prime Minister is reported to be

going to West Bengal. It is also likely that she will discuss the matter with the Chief Minister. The last point which I would like to know therefore is,—this has been referred to by Mr. Mitra also—about the nature of the work of the Anand Margis. They are a rather strange type of creatures. Personally, I do not understand how they work and what their nature of work is. But that is no reason for this treatment being accorded to them in a democratic set-up. If anybody is doing something against the law, let him be proceeded against according to law. Unfortunately, a bad name has wilfully been given to the Anand Margis and without substantial grounds. During the emergency, they were banned and a torrent of propaganda was carried on against them. There were skulls found in their possession and we were made to believe that those skulls were of their victims. I have never heard of somebody killing somebody and then preserving his skull for the purpose of doing some ceremony. But if that was a fact, the Government should have told us. It was observed that if there was anything against them, let them be banned. I only wish to say that they were under a ban; during that period of ban did you find anything to justify their prosecution or the long incarceration of their leader? If there was anything, the country should be taken into confidence. If you found a foreign hand—this Government sees a foreign hand in everything that they do not like—the House should be taken into confidence on that also.

SHRI NIHAR RANJAN LASKAR:

About the first point of the hon. Member, which he made in the beginning of his speech, I have already said that we do not agree to this type of killing of people in broad day-light. We have already condemned it; the entire House has condemned this incident.

Regarding the second question, whether it was pre-planned or not...

DR. BHAI MAHAVIR: No, what type of pattern is there.

SHRI NIHAR RANJAN LASKAR: Just listen please. You asked whether there is any planning behind it. I have said that the Enquiry Commission has been set up. Naturally everything will come out when this Enquiry Commission looks into this matter.

About child-lifting I have already mentioned in my main statement that on 28th of April, there was a report of child-lifting and kidnapping. There was some report of child-lifting and the State Government was making enquiries.

DR. BHAI MAHAVIR: I asked whether these reports had been lodged with the police, or they are just accusations in the press.

SHRI NIHAR RANJAN LASKAR: When I say there was some report and the State Government is looking into this, at least it has gone to the police and it is being looked into.

About the appointment of a judge, they have asked for my assurance whether the Chief Minister will consult the Chief Justice of Calcutta High Court. I have said: "Yes, he should". I think the Chief Minister of West Bengal—at least I feel—should consult the Chief Justice.

DR. BHAI MAHAVIR: No, I asked something different. The press report is that the Central Government is likely to prevail upon the Chief Minister, or is likely to agree to the appointment of an independent judicial enquiry. "Independent" means which the Anand Margis also would accept as "independent". What is your view on this?

SHRI NIHAR RANJAN LASKAR: The only thing I can say is when the Enquiry Commission Judge is to be appointed, the Chief Minister will consult the Chief Justice of Calcutta High

Court. So far there is no thinking on the part of the Government to have any independent enquiry into this incident.

DR. BHAI MAHAVIR: Is this the usual practice? Mr. Mitra has said that he had never been consulted. What is usually done?

And the last thing I asked was, whether there are any facts against the Anand Margis in the Possession of the Government because of which they were banned earlier.

MR. DEPUTY CHAIRMAN: That is a different matter. Shri Surjeet.

SHRI HARKISHAN SINGH SURJEET: Mr. Deputy Chairman, Sir, in the beginning, I also share the feelings of all members in condemning this ghastly incident where so many lives were lost. Immediately the next day, the Chief Minister of West Bengal as well as the Left Front and our party condemned this incident. Even in today's paper, the wording which is quoted by 'the Indian Express' when the Chief Minister announced the judicial enquiry is:

"Briefing newsmen after the last cabinet meeting of the Left Front Government before the Assembly election, the Chief Minister said: 'It was so vicious a crime that not even an enemy can be dealt with in this manner. This is a serious matter not only because of its viciousness but also because the incident has taken place just before the election. We will have to find out whether there is a conspiracy in it and who are the people behind it', Mr. Basu said."

Then he announced about the inquiry. I was in Calcutta on 1st May, immediately after the incident. I tried to find out how this had happened. You can understand that when the elections are on and when the Government there is sure to get a very clear majority, the Government there will

not indulge in and will not encourage any such act which will create a law and order problem.

What happened, Sir, is that I see a lot of difference even in the Home Minister's answers. When he comes to the question of dealing with a Congress (I)-led State, his voice and arguments are different but here, even the facts supplied by the State Government are not being stated categorically. Dr. Bhai Mahavir has got a lot of sympathy for the Ananda Marg but, perhaps, he reads all papers. *"The Times of India"* had editorially commented about the Ananda Margis. There were reports with the police about child lifting and that was the basis of this. I don't want to take up the time of the House by reading all this. *"The Times of India"* argued there that there was a genuine suspicion about all these things. What happened on the 28th was, two Ananda Margi women were carrying two children with them. Immediately there was a scare and one thousand people gathered. It is our party's people who protected them, stopped the people, took them to the police station and gave them protection. On 30th April the incident took place at three places. Does not the Home Minister know where it happened? Even *"The Statesman"* has said that on the one hand you are demanding enquiry and on the other hand you are categorically stating that the CPI (M) is responsible for it. You have come to the immediate conclusion that people should be protected and on the 30th you have come to the conclusion that the CPI (M) is responsible for it. What is the inquiry you wanted? Dr. Bhai Mahavir wants to be assured that the inquiry will be such as will vindicate you.

DR. BHAI MAHAVIR: I never said it.

SHRI HARKISHAN SINGH SURJEET : One can understand it because of the elections. One can understand friendship between them and you....

(Interruption)...The normal practice is, the inquiry commission is appointed in consultation with the Chief Justice. I also know that in this House it took us one month to pressurise the Government to appoint an inquiry commission about the Chowk Mehta incident where many people were killed by the police. Even then it was not provided. I know of incidents where it took more than one month on the issue of molestation of Women and so much of discussion to institute an inquiry. But here the West Bengal Government comes in three day's time to institute an inquiry, and a judicial inquiry at that.

Now what is the question here? Dr. Bhai Mahavir asked about a foreign hand in the situation. Who does not know about the Ananda Margis? Here, who attacked the Chief Justice of the Supreme Court? Who attacked Mr. Jyoti Basu and wanted to kill him? Who made open threats at the Melbourne Conference and every where in the foreign countries? A statement was made in the House by the Government itself saying yes, they are doing it and all the embassies in the foreign countries had to be warned. I am not saying it. I don't believe in the methods indulged in by Dal Khalsa or Ananda Marg or Jamait-e-Islam. I believe in fighting politically and not by terroristic methods. This is my faith. But now the situation in the country is very bad. Foreign hands are there everywhere and they want to destabilise the country. If you want to utilise such incidence for petty, small partisan things, it will recoil on you. There is nothing going to harm us because we are clear and the judicial inquiry will reveal who is behind it. Here I am reminded of one incident. In the 1971 elections, a great leader, Hemanta Kumar Basu, was killed. And then, immediately—you can go through the records—the Congress (I) leaders and every body blamed that the CPI (M) had done it. All were shouting about it and it was utilised in the elections against us. But ultimately it came to be known

[Shri Harkishan Singh Surjeet]

by everybody and it vindicated our position that it was not the CPI (M) but somebody else who was behind it. So you also know in relation to West Bengal what conspiracies went on to see that the elections are not held, people are not allowed to take part in the elections and give their verdict, what methods were used. Now also instead of going through the case and bringing the culprits to book, this is what you are doing. Let all people unite to defeat the game of divisive forces not only there but in all parts of the country. In Punjab, we know what the situation is. Even today the situation in Bengal is much better than what it is in the rest of the Country. The situation in Punjab is much worse. I am very much concerned about it, being a Punjabi, because the people are getting divided into Hindus and Sikhs, which has never happened in my life-time.

I want to ask some questions from the Minister. Is he not aware—I want a categorical answer—that there were reports about the activities of the Anand Margis, about child lifting, and that there were reports with the police that they had written letter to the parents to hand over one child to them. Was it not there? Is the Minister not aware that on the 28th two women were carrying two children with them and they were surrounded by 1000 people and they were protected at the intervention of our party, to the police station and protected and nothing was allowed to happen. And then, Sir, I want also to ask him what the Anand Margis doing because now all sympathy goes for them and there is unity of B.J.P. Congress (I) and Anand Margis. So far as we are concerned, we are not going to tolerate such activities. We condemn this method; we will not allow this method of using terroristic means to deal with the political opponents. We want to deal it politically. Even with the Naxalities we have dealt in this way. We released those

people who killed our people and politically we fought them. We do not believe in fake encounters and telling people that they were killed, that they died in the encounters.

DR. BHAI MAHAVIR: Only in Kerala, you do it.

SHRI HARKISHAN SINGH SURJEET: In Kerala also, we see what the RSS has done. We know what the RSS is doing and what the position is. What the RSS has done, we know that. We also know what the RSS is doing in the whole country. (Interruptions). There is no difference between RSS and you.

श्री (मौलाना) असरारुल हक (राजस्थान) : बंगाल में कांग्रेस के लोगों को आप मार रहे हैं। आज अखबार में भी आया है . . . (व्यवधान)

[شروی (مولانا) اسرارالحق]
(راجستھان) : ہنگال میں کانگریس کے لوگوں کو آپ مار رہے ہیں۔ آج اخبار میں بھی آیا ہے . . . (مدخلات)

श्री हरकिशन सिंह सुरजीत : आप मौलाना अपनी बात कीजिए। आपको बचाने वाले हम ही हैं . . . (व्यवधान) :

Maulana, so far as the issue of communalism is concerned, we can claim of having strengthened secularism; no other party can claim it. (Interruptions). We want to give protection to the Muslim minorities also. I know in 1947 when the Moslem Congress had become the victims, what you had done. I know that (Interruptions) I want to ask the Minister one thing. After all that has happened, I want to know whether they have changed their opinion, whether, after all the persuasion, the Anand Marg has changed its

† [] Transliteration in Arabic Script.

position in relation to various issues. Let him explain it so that the real culprits are found out and the misunderstanding is removed from the minds of the Members. This is all I want to say.

श्री (मौजाना) असगरखल हक :
आप हमें कल कर रहे हैं . . . (व्यवधान) हरगिज नहीं होता है । (व्यवधान) आनन्दमागियों को छोड़िये आप तो कांग्रेस लोगों को मार रहे हैं । हम प्रूफ देने के लिए तैयार हैं । (व्यवधान) शिवपुरी में मारा गया है और दूसरी जगह मारा गया है . . . (व्यवधान)

†[شہزی (مولانا) اسرارالحق : آپ
 ہمیں قتل کر رہے ہیں... (مداخلت)
 ہرگز نہیں ہوتا ہے (مداخلت) آنند
 مارکھوں کو چھوڑیئے آپ تو کانگریس
 لوگوں کو مار رہے ہیں - ہم پروف
 دینے کے لئے تیار ہیں -]

श्रीमती सरोज खापड़ें : सुरजीत जी मिनिस्टर साहब बोल रहे हैं। आपको सुनाई नहीं दे रहा है। (व्यवधान)

SHRI HAREKRUSHNA MALLICK
(Orissa): Sir, this is how the Government works, and wrongly so. (*Interruptions*)

MR. DEPUTY CHAIRMAN: Please allow him to speak. Yes.

SHRI NIHAR RANJAN LASKAR: Only one question that was directly put to me is whether there was a case of child-lifting and whether it has been reported or not. I have already seen the case. On the 28th of January there was a case of child-lifting. Two Anand Margis ladies were taken to the police station along with two children. They were taken

†[] Transliteration in Arabic Script.

to the police station which was reported. And then they were released. I think this is the report with us. There was a case, and there was a rumour of child -lifting in those areas, especially in the place where the incident occurred and also throughout Calcutta. It was a fact. About the Anand Margis and other things, I have already said.

SHRI KALYAN ROY: Sir, so far as the incident is concerned, both sides have firmly, unequivocally and totally condemned the inhuman killing, the shameful killing. Sir, what is more shameful is the exploitation of the incident to malign the Communist Party of India (Marxist) and to demand dismissal of the Government, which Mr. Jain from the ruling party demanded.

SHRIMATI PRATIBHA SINGH
(Bihar): We are not demanding.

SHRI KALYAN ROY: I am not mentioning you. Mr. Jain mentioned it. I am mentioning him. As a matter of fact, Sir, I am surprised . . . (*Interruptions*)

MR. DEPUTY CHAIRMAN: Please let me say. Why do you disturb unnecessarily? Yes, Mr. Kalyan Roy, please go on.

SHRI KALYAN ROY: As a matter of fact, Sir, I am surprised that today. Sir, the demand for dismissal has come not only from Mr. Jain of the Ruling party but it has also come from the Amra Bengali, the most chauvinistic group in West Bengal and the Anand Margis. Sir, I see a strange unity among the BJP, the Amra Bengali and the Anand Margis. This is a strange thing, Sir. But what is more strange and highly objectionable is the certain statements of the hon. Home Minister. When he already has announced that the Government of West Bengal had decided to have an enquiry, a judicial enquiry, within 48 hours time, he has passed some strictures on the police, which he had no business to do when the whole matter was pending before the judicial enquiry. I am very much pained Mr. Lasker, of course, just joined the Home Ministry after doing a very very successful work in the Health Ministry to commit this lapse.

[Shri Kalyan Roy.]

But, Sir, I am confining to only one point, about law and order. Law and order is pretty bad throughout the country. The "INDIA TODAY" which is neither a CPI(M) magazine nor a CPI magazine has stated on April 15, 1982:

"The criminals murder 70 people and loot over 800 houses daily in the nation's 400 towns. The Hindi belt comprising Uttar Pradesh, Bihar, Haryana, Punjab, Rajasthan, Madhya Pradesh, Himachal Pradesh and Delhi account for over 80 per cent of the murders, dacoities and robberies."

SOME HON. MEMBERS: Except West Bengal. (Interruptions)

SHRI KALYAN ROY: I have short time. Please do not disturb me.

I do not think I am reading a Communist Party paper. This paper stated in its editorial on the 4th of May, 1982 that this unfortunate incident happened in—

"the capital of a State whose Government has prided itself, not without justification, on having a better record, in the matter of maintaining law and order than most other state administrations can claim."

This is the "TIMES OF INDIA" editorial of the 4th of May, 1982. Definitely this is an anti-communist, anti-CPI(M) paper.

But we are not discussing law and order today. Today we are discussing particularly the ghastly incident which has shaken the whole nation and which has shaken the parties of the Left Front. We are more disturbed by the incident than you people. That is why, tell me which other Government has set up an enquiry in 48 hours? (Interruptions).

Sir, will you please ask them to sit down? Sir, I am only pointing out to you that the unfortunate incident took place a few days back when the most respected revolutionary leader and Secretary of the Communist Party of U.P. (Interruptions) What is this? Is he not understanding what I am saying?

श्री (मौलाना) असरारुल हक : अगर खराब है तो सरकार को बरखास्त कर दो। . . . (व्यवधान) . . अभी इलैक्शन नहीं हुआ है। वहाँ पर कलेआम हो रहा है कांग्रेस (आई), बी० जे० पी० और लोकदल इन पार्टियों के लोगों को मारा गया है . . (व्यवधान)

†[شری (مولانا) اسرارالحق : اگر خراب ہے تو سرکار کو برخاست کر دو - (مداخلت) ابھی الیکشن نہیں ہوا ہے - وہاں پر قتل عام ہو رہا ہے - کانگریس (آئی) بی - جے - پی - اور لوک دل ان پارٹیوں کے لوگوں کو مارا گیا ہے - (مداخلت) —]

श्री उपसभापति : उनको सवाल पूछने दीजिए, आप क्यों परेशान होते हैं . . . (व्यवधान) . . आप क्यों खड़े हो जाते हो ?

श्री (मौलाना) असरारुल हक : वहाँ का सरकार को बरखास्त किया जाय (व्यवधान)

†[شری (مولانا) اسرارالحق : وہاں کی سرکار کو برخاست کیا جائے — (انٹروپشن) —]

SHRI KALYAN ROY: Sir, there is a recent movie. "The Crazy Man". I think the hon. Member should have a look at it. He is better than the movie. Only a few

†[] Transliteration in Arabic Script.

days back, the Secretary of the Communist Party of U.P., Mr. Sarjoo Pande and other leaders of the Communist Party of India were badly beaten up in jail in U.P. There was firing in the Tata Fertilizer which resulted in the death of 30 workers. The entire opposition demanded only a judicial enquiry. Till today the U.P. Government has not conceded any judicial enquiry. And you are comparing that Government with a Government which has conceded a judicial enquiry within 48 hours. At least give some credit. Is it not a fact—it has appeared in the "Times of India"—that nobody was allowed to enter into this centre of the Anand Margis—they call it the World Jagriti Centre—at Kasba-Tiljala? And how does the centre look? I am reading from the "Times of India" of the 2nd May:

"The complex on the city's newly completed eastern by-pass to allow vehicular traffic from the airport to the southern parts of the city, consists of a massive five-storey building, surrounded by peep-holes and observation posts, including a fair measure of fortification."

Very innocent Margis, I must say! And as it appeared in the "Times of India" of the 2nd May,

"The only time the authorities had any access into the complex was towards the end of last year. . . .

Mr. Laskar must be very well aware of it.

"...when a police party had gone therein connection with the alleged kidnapping of two children who were rescued from there."

In December last year the police had to enter the complex on complaints from people and they found two kidnapped children kept in a dungeon there. Is he not aware of it? If he is aware of it, why is he suppressing it? Why this suppression? That is the reason why I am becoming suspicious—I do not belong to the CPM—that there is a conspiracy. Is the conspiracy not to hold elections there, to create this kind of things, because the leader of the Anand Margis has stated. . .

(श्री मौलाना) असराहत हक : यह

सी० पी० एम० हो कर सकता है ...

(व्यवधान)

شہری (مولانا) اسرارالحق :

سی - پی - ایم ہی کر سکتی ہے -

[(مداخلت) --]

श्री हरकिशन द्विह सुरजित : मौलाना

बैठ जाओ, यह क्या करते हो। . . (व्यवधान)

SHRI KALYAN ROY: Don't blame him. He does not know what he is doing. So don't blame him. And this is what a spokesman of the Anand Margis stated, as reported in the "Statesman" of the 3rd May:

"A Margi follower at the press conference, however, recalled that the CPI (M)-dominated Governments in West Bengal in 1967 and 1969 had been dismissed after attacks on Margi establishments in Purulia and Cooch Behar."

So is this a conspiracy to have another dismissal in 1982? This is what we are worried about. No Government which is absolutely sure to win 286 out of 294 seats will do this. (Interruptions) At least you should have some sense. Have you lost your senses also? I know, two-thirds. Mrs. Singh, I know that very much, two-thirds. I have listened to all the rubbish that you said in this House and I did not stand up and disturb you. I am putting my question to the Home Minister and you will never become a Home Minister.

3 P.M.

So, the question is clear. Is it not a fact that everytime in the last three years the Left-Front Chief Minister, Mr. Jyoti Basu, was specially told and instructed by the Home Ministry to take special precautions when the Prime Minister visited Calcutta and Bengal, because they apprehended attacks from Anand Margis? Is it not a fact?

[] Transliteration in Arabic script.

[Shri Kalyan Roy.]

that Anand Margis openly had the intention to kill the Chairman of the Left-Front which was announced in the press? Is it not a fact that an employee of the Calcutta Jail post-office was burnt to death by the Anand Margis in the middle of last year? Is it not a fact that the Police Commissioner openly stated. . . (interruptions) Mr. Kalp Nath Rai, you are a Deputy Minister and if you do not understand things, I think you will lose your job very soon. Now, another man was apprehended with a handgrenade inside a cinema house, Roxy—the whole cinema house would have been blown to pieces otherwise. I am only pointing out the antecedents and history of this organisation. There are no two opinions about it. I am only asking you to consider this; when you suddenly jumped along with Amar Bangla and Anand Marg demanding dismissal of the West Bengal Government, your intention is made amply clear. Your only intention was to demand the dismissal of a Government which secured over 70 per cent of the votes and which is going to secure nearly 80 per cent of the votes. . .

श्री (मौलाना) अमरबल हक :
बेईमानी से काम कर रही है, बड़े जुल्म
के काम कर रही है, कत्लेआम कर रही
है।

† [श्री (मौलाना) असदुल हक :
سے کام کر رہی ہے - بڑے ظلم کے کام
کر رہی ہے - قتل عام کر رہی ہے -]

SHRI KALYAN ROY: My first question is: Is he aware of the goings-on in Kasba-Tiljala which is supposed to be the headquarters? Is he aware that the police had to rescue two children? . . .

†[] Transliteration in Arabic Script.

MR. DEPUTY CHAIRMAN: Don't repeat.

SHRI KALYAN ROY: Is he aware that only last week—I am quoting from the *Times of India* of 4th May—before I sit down—“However, this fact remains. . .” . . .

श्री (मौलाना) अमरबल हक : अरे
कितना टाइम्स आफ इंडिया पढ़ियेगा!
(व्यवधान) इस तरह से आप अपने पर
पर्दा नहीं डाल सकते हैं (व्यवधान)
बी० जे० पी० और लोकदल (व्यवधान)
किसी की जान सलामत नहीं है (व्यवधान)

† [شری (مولانا) اسدالہ حق : اور
کدما قائم آف انڈیا پڑھیے گا
(مداخلت) اس طرح سے آپ اپنے پر
پردہ نہیں ڈال سکتے ہیں - (مداخلت)
بی - جے - پی - اور لوک دل -
(مداخلت) کسی کی جان سلامت
نہیں ہے - (مداخلت) -]

MR. DEPUTY CHAIRMAN: May I request honourable Members that we are very much short of time and unless they cooperate with the Chair, we shall not be able to finish the business fixed for today. So please cooperate with the Chair. . . (Interruptions) Otherwise, we shall not be able to finish the business. We are very much short of time.

SHRI KALYAN ROY: I am quoting from “the *Times of India*”—

“However, the fact remains that the people in the Kasba-Tiljala area have been feeling totally alienated from the world centre and its inmates over the last several months, or much earlier than the child-lifting rumour. The reasons are not very clear, but may be partly related to the style of movement and function-

ing of the centre and its inmates including the frenzied dancing with . . . in the airport in Calcutta. . . . (Interruptions)

MR. DEPUTY CHAIRMAN: Now please finish. . .

SHRI KALYAN ROY: I am just summing up. . . .

MR. DEPUTY CHAIRMAN: No. No, no Summing up. . .

श्री (मौलाना) अमरहल हक .
ज़िन अदमियों को नचाने का काम (व्यवधान)
उनका बात . . . (व्यवधान)

†[شری (مولانا) اسرارالحق : جن
آدمیوں کو ناچنے کا کام - (مداخلت)
ان کی بات — (مداخلت) —]

SHRI KALYAN ROY: But will you kindly ask him to sit down?

MR. DEPUTY CHAIRMAN: But you conclude now.

SHRI KALYAN ROY: Is he aware, is it not a fact, that only a few days back a largely circulated Bengali newspaper pointed out that such incidents will be created in order not to have elections on 19th? Then who is conspiring? Is it the Congress—I in collusion with Anand Marg or somebody else? That should be made clear, our charge is that the Congress (I) has done it.

श्री (मौलाना) अमरहल हक . बो .
जो १० बगैरह सबयहो वह रहे है कि
आप जालिम है . . . (व्यवधान)

†[شری (مولانا) اسرارالحق : بی -
چہ بی - وغیرہ سب یہی کہہ رہے
ہیں کہ آپ ظالم ہیں - (مداخلت)]

SHRI NIHAR RANJAN LASKAR: Listening to the speech of my friend, Mr. Kalyan Roy, one gets an idea that there is no law and order problem in West Bengal and there is no political murder in West Bengal. This is the sort of picture that he was giving. We are not willing to accept that. From what he has said one gets the impression that this sort of killing of people belonging to whatever organisation it may be should be there and they should be killed like that. . . .

SHRI KALYAN ROY: I strongly object to it. I never said that. You are giving a political tilt or political colour to what I said and to the incident.

SHRI NIHAR RANJAN LASKAR: This sort of killing can be only possible where the atmosphere of violence is there. It happened in West Bengal because there is violent atmosphere prevailing there. Hon. Members are free to draw their own conclusion from what he has said. Regarding the activities of Anand Margis, we are aware of its activities. The Government is watching their activity. Then, he has charged our Party, I deny it strongly. . .

श्री (मौलाना) अमरहल हक . जनाव
. . . (व्यवधान)

†[شری (مولانا) اسرارالحق : جناب
(مداخلت)]

श्री उपसभापति आप बैठिये ।
जरा गहवनी वांके मौलाना साहव समाप्त
होने दोजिये कार्यवहो को, मुश्किल हो
जायेगी आप इस तरह करेंगे । जरा लिहाज
कोजिये ।

SHRI SHRIDHAR WASUDEO DILABE (Maharashtra): Mr. Deputy Chairman.

MR. DEPUTY CHAIRMAN: May I request the hon. Member to be very brief because the whole thing has been discussed?

SHRI SHRIDHAR WASUDEO DHABE: I will be very brief. In "the Statesman" despatch of May 1, 1982, it is said that the trouble began at Ballygunge railway station at about 7 a.m.

MR. DEPUTY CHAIRMAN: It has already been said.

SHRI SHRIDHAR WASUDEO DHABE: But I have got a point here.

MR. DEPUTY CHAIRMAN: Please do not quote that.

SHRI SHRIDHAR WASUDEO DHABE: If you do not want me to quote, how can I make my point? I have a point out of this. I have already assured you that I will be brief. Still I am surprised that you are stopping me. I will be brief. This says:

Trouble began at Ballygunge railway station at about 7 a.m. when several Ananda Margis, including women, were seen escorting a number of children along the station platform. A group of people from the station area chased and several assaulted them, alleging that they were child-lifters. The injured were removed to hospitals by the Government Railway Police and the Railway Protection Force personnel. One of the injured women later died in hospital.

A further report says:

The Chief Secretary of the West Bengal Government has stated that two Margi women were arrested on charges of child-lifting and produced in court on Thursday.

There were also rumours that child lifting is going on. I would like to know from the hon. Minister whether he has got any evidence that the Anand Margis had instructions from their leader that every Margi must recruit one child to their cult and if so how many children have so far been recruited by the Margis in the West Bengal area.

My second point is this. He has made a false statement on the appointment of the Judge and the consultation with the Chief Justice. Under the Commission of

Inquiry Act the procedure is that the Chief Minister is bound to consult the Chief Justice before the appointment of the Judge. No sitting Judge can be appointed by any Government without the prior permission and consent of the Chief Justice. . .

श्री (मौलाना) असरारुल हक : यह जालिम चीफ मिनिस्टर को क्या हक हासिल है...

† [شادی (مولانا) اسرارالحق : یہ ظالم چیف منسٹر کو کیا حق حاصل ہے - ۵]

श्री हरकिशन सिंह सुरजीत : तुम बेकार मत बोलो।

He is the most respected man in the country today.

श्री उपसभापति : मिनिस्टर जवाब देंगे क्यों परेशान है... (बयवधान)

SHRI HARKISHAN SINGH SURJEET: He is the most respected man in this country... (Interruptions)... today. (Interruptions)

MR. DEPUTY CHAIRMAN: Order, order, please. (Interruptions)

श्री (मौलाना) असरारुल हक : यह बिना पत्रह की धीम... (बयवधान)

† [شادی (مولانا) اسرارالحق : یہ وجہ کی دھونس (مداخلت)]

श्री उपसभापति : आप बैठिये... (बयवधान)

† [Transliteration in Arabic Script.

श्रीमती सरोज खाण्डे . हम लोग
आपको अच्छी तरह भेजाने हैं...
(ब्यवधान)

श्री उपसभपति : आप इनको पूछने
तो दीजिये ।

SHRI SHRIDHAR WASUDEO
DHABE: Why are they shouting?
They are more worried about the elec-
tions, I think, Sir. (Interruptions)

MR. DEPUTY CHAIRMAN: You
please go ahead. (Interruptions)

SHRI HARKISHAN SINGH SUR-
JEET: At least we have done some-
thing for the people. (Interruptions)
This Government has done something
for the people there. (Interruptions)

MR. DEPUTY CHAIRMAN: Please
go ahead, Mr. Dhabe. (Interruptions)
Order, order, please.

आप इनको पूछने तो दीजिये... (ब्यव-
धान)

SHRI KALYAN ROY: Sir, this
would not have taken place if Mr.
Kesri had been there. It is because
this incompetent man is there that
this is happening. It is because of
this incompetent man. (Interruptions)

श्रीमती सरोज खाण्डे . आप इनको
चुप तो करव दिये (ब्यवधान) .

SHRI SHRIDHAR WASUDEO
DHABE: Sir, I would like to request
the honourable Minister not to make
a vague statement.

MR. DEPUTY CHAIRMAN: You
please put the question.

SHRI SHRIDHAR WASUDEO
DHABE: Sir, I would like to know
from the Minister whether the Chief
Minister has apprised him of the fact
that the Chief Justice is being con-
sulted for the appointment of a Judge
for this inquiry. (Interruptions)

Lastly, Sir, I would like to state
that there is an atmosphere of vio-
lence in the country. Of course, the
Anand Marg has a reputation for vio-
lence for many years. In fact, an
incident was reported here on the
16th April that the students and others
of an Institute at Ranchi Bihar...
(Interruptions)...were attacked by
the villagers and that 42 persons were
seriously injured and a boy also died.
It was reported that the Ministers
were rapped for this incident. But
nothing happened and no judicial in-
quiry was held by the Bihar Govern-
ment. So, what I am saying is that
violence is there throughout the coun-
try now and, therefore, I would like
to know what steps the Government
is taking for curbing this sort of vio-
lence. On behalf of myself and my
party, Sir, I condemn this incident
and I condemn violence. Violence is
not to be supported by anybody. We
have to condemn this and nobody
should take any political advantage
of it.

SHRI NIHAR RANJAN LASKAR:
Sir, he has asked, and earlier also it
was asked, whether the Chief Minis-
ter will consult the Chief Justice and
I have said "Yes". Again and again
this question is being put. I do not
know what I should say more. I have
categorically stated that the Chief
Minister will consult the Chief Justice.
To the rest of the points, Sir, I think
I have already given my replies.

MR. DEPUTY CHAIRMAN: Yes.
Now, Mr. Amarprosad Chakraborty.

SHRI AMARPROSAD CHAKRA-
BORTY: Sir, I am not going to repeat
what has been said.

MR. DEPUTY CHAIRMAN: Thank
you.

SHRI AMARPROSAD CHAKRA-
BORTY: I will not repeat what has
been said because you will be impa-
tient. But only one question I want
to put to the honourable Minister be-
cause the *modus operandi* adopted by

[Shri Amarprosad Chakraborty]

the ruling party is the same as it was in 1972, when they murdered Shri Hemanta Kumar Bose, my leader, and also when others were murdered at that time and the motive was to see that elections were not held in West Bengal. I would like to know from the honourable Home Minister whether he has received any report from his intelligence sources that some journalist has been writing in some very important paper—I would not like to mention the name of the paper here—that some miracle would happen in the first week of May and the elections would not be held in West Bengal. I would like to know whether he has received any such report about some journalist writing like this. This is number one.

MR. DEPUTY CHAIRMAN: Please put your question.

SHRI AMARPROSAD CHAKRABORTY: Yes, Sir. I would like to know whether the Minister is aware of any report that a particular journalist was writing in some papers that there would be Presidential Rule in West Bengal and that no elections would be held there. This is my second question. Then, Sir, my third question is whether the President of the Congress (I), which has been supporting this carnage, which I condemn with all the command at my disposal—and this has been condemned by the Chief Minister of West Bengal—has said that there cannot be any election under this Government

श्री (बोलना) अमरप्रसाद चक्रवर्ती : इस
गवर्नमेंट को... (व्यवधान)

[†] شری (بولانا) اسرار الحق : اس
گورنمنٹ کو (مداخلت)

श्री अमरप्रसाद चक्रवर्ती : आप ऐसा करेंगे,
तो काम कैसे चलेगा... (व्यवधान)

[†] Translation in Arabic Script.

SHRI AMARPROSAD CHAKRABORTY: Sir, I would like to know.... (Interruptions)

MR. DEPUTY CHAIRMAN: You please put the question.

SHRI AMARPROSAD CHAKRABORTY: Sir, I would like to know whether it has been brought to the notice of the Home Minister that the President of the Congress (I), along with a journalist who is very busy and who sits in the secretariat of the Prime Minister, has said that elections cannot be held under the regime of this Government in West Bengal. (Interruptions). If it is so, it is not a coincidence? Is it not a coincidence that he has said like this and this has happened? Is it a coincidence that in Bengal... (Interruptions)

MR. DEPUTY CHAIRMAN: Order, please Maulana Sahib... (Interruptions)

SHRI AMARPROSAD CHAKRABORTY: I am not yielding. I have only some specific questions to ask. My friends are... (Interruptions) Will a sitting Judge be assigned the duty of the Chairman of the Inquiry Commission with the permission of the Chief Justice?

MR. DEPUTY CHAIRMAN: He has already replied to all the points.

SHRI NIHAR RANJAN LASKAR: Only one point remains to be answered. (Interruptions)

SHRI KALYAN ROY: The Maulana is an Anand Margi. (Interruptions)

SHRI NIHAR RANJAN LASKAR: These points have already been answered. Therefore I am not answering any of them. The only thing is that I do not know for what purpose he has tried to involve our party in this incident. I completely deny whatever allegations he has made on this

SHRI AMARPROSAD CHAKRABORTY: It has been written in some newspapers. (Interruptions)

श्री अब्दुल रहमान शेख (जम्मू और काश्मीर) : डिप्युटी चेयरमैन साहब, मैं ज्यादा बक्त नहीं लूंगा और दो-तीन सवाल पेश करूंगा। मुझे अफसोस है कि जितनी संजीदगी से हाऊस को इस मामले को लेना चाहिये था उसके बजाए इसको दो पार्टियों के दमियान वाद-विवाद का विषय बना कर इसकी अहमियत कम कर दी गई है। मैं इस बारे में समझता हूँ कि बुनियादी मसला यह है कि मुल्क के हर हिस्से में वायलेंस के इतने वाक्यात हो रहे हैं कि इन चीजों को रोकने के लिये अगर हमने कुछ भी नहीं किया तो आखिर इसका फुलस्टाप कहा होगा? किसी को इसका इल्म नहीं। अगर यू० पी० में पुलिस इन-काऊंटर में मारे दिखाया जाता है, बिहार में नैक्सलाइट्स बता कर मारे जाते हैं, अब अगर इन सारे वाक्यात को हम पार्टी-जन स्पिरिट से ऊपर उठ कर देखेंगे तो बेहतर होगा। इतना बड़ा वाक्यात हो जाए यह वाकई काबिले मजम्मत है। इस के लिये कौन जिम्मेदार है? यह देखना स्टेट गवर्नमेंट और सेंट्रल गवर्नमेंट का भी फर्ज है और ऐसे वाक्यात आइंदा नहीं होने पाएं इसके लिये तदारुक करना बुनियादी फर्ज है दोनों सरकारों का। अब सवाल होता है कि अगर वहां इस तरह की घटना होने के बाद कोई जुडिशल इक्वायरी का आर्डर हुआ है तो क्या उस जुडिशल इक्वायरी के बारे में वहां एट्मासफेयर ऐसा है कि वह जुडिशल इक्वायरी वहां पर इम्पार्शली की जा रही है? अगर यह है तो बहुत अच्छी बात है, और नहीं है, तो सेंट्रल गवर्नमेंट को देखना पड़ेगा कि फ्री एंड फेयर एट्मासफेयर में इविडेंस हो और विटनेसेज से पता चले कि इसके पीछे क्या वाक्यात थे और क्या होना चाहिये था।

दूसरा सवाल मैं यह पूछना चाहता हूँ कि चाहे आनन्द-मार्गी हों या और कोई

हों, इस किस्म की घटनाएं न हों, आनन्द मार्गी भी इस देश के सिटिजन हैं भले ही हमें उनके विचारों से इस्तिफा नही हो लेकिन उनको इस मुल्क में अमन व चैन से पुर सूकून तराके से प्रोटेक्शन गवर्नमेंट की तरफ से मिलना चाहिये, तो इस बारे में सेंट्रल गवर्नमेंट ने क्या इंतजामात किये हैं कि आयन्दा ऐसी घटनाएं वहां न हों? स्टेट गवर्नमेंट से आपका गवता क्या है और क्या इस बारे में आप स्टेट गवर्नमेंट के इंतजामात से मुतमईन हैं, और अगर नहीं हैं तो आप क्या कार्रवाई करने जा रहे हैं। आखिरी सवाल, यह विहार हो या यू० पी० हो, सरकार किसी भी पार्टी की हो, जहां भी किसी स्टेट में इस तरह की इनह्यूमन मास किलिंज होती है चाहे वह हरिजनों की हो, किसी की भी हो, गवर्नमेंट संजीदगी से सोचें इसका क्या इलाज होइ सके लिये सब पार्टियों को अपने साथ लेकर, उनका कोऑपरेशन हासिल करने के लिये क्या कुछ करने जा रही है? क्या ऐसी कोई तजवीज गवर्नमेंट के सामने है?

† [میں عبدالرحمن شہخ (جموں اور کشمیر) :

میں زیادہ وقت نہیں لوں گا اور دو نہیں سوال پوچھ کرؤں گا - مجھے افسوس ہے کہ جتنی سلجھو دگی سے ہاؤس کو اس معاملے کو لہلا چاہئے تھا اسکے بجائے اسکو دو پارٹیوں کے درمیان واک وواک کا رشہ بلانر اسکی اہمیت کم کر دی گئی ہے - میں اس بارے میں سمجھتا ہوں کہ بنیادی مسئلہ یہ ہے کہ ملک کے ہر حصہ میں وائلہلس کے ائمے واقعات ہو رہے ہوں کہ ان چیزوں

کو روکنے کے لئے اگر ہم نے کچھ بھی نہیں کیا تو آخر اسکا دل استیاب کہاں ہوگا - کسی کو اسکا علم نہیں - اگو ہو - پی - میں پوٹھس انکوائری میں مرے دکھایا جاتا ہے - بہار میں نکسلاٹھتس بتاکر مارے جاتے ہیں - اب اگر ان سارے واقعات کو پیارٹھزن اسپرٹ سے اوپر اٹھا کر دیکھیں گے تو بہتر ہوگا - اتنا بڑا واقعہ ہو جائے یہ واقعی قابل مذمت ہے - اس نے اگے کرن ذمہ دار ہے - یہ دیکھنا استھیت گورنمنٹ اور سہیلگول گورنمنٹ کا بھی فرض ہے - اور ایسے واقعات آئندہ نہیں ہونے پائیں اس کے لئے تدارک کرنا پلیدی فرض ہے دونوں سرکاروں کا - اب سوال ہوتا ہے کہ اگر وہاں اس طرح کی گھٹنا ہونے کے بعد کوئی جوڈیشل انکوائری کا آرڈر ہوا ہے تو کیا اس جوڈیشل انکوائری کے بارے میں وہاں ایٹموس فہٹر ایسا ہے کہ وہ جوڈیشل انکوائری وہاں پر اہمادشلی کی جا رہی ہے - اگر یہ ہے تو بہت اچھی بات ہے - اگر نہیں تو سہیلگول گورنمنٹ کو دیکھنا پڑے گا کہ فوری ایکٹ فہٹر ایٹموس فہٹر میں ایوی فیلڈس ہو اور وٹلڈس سے پتہ چلے کہ اس کے پوچھے گئے واقعات سے اور کہا ہونا چاہئے تھا -

دوسرا سوال میں یہ پوچھنا چاہتا ہوں کہ چائے آئند مارگی ہوں یا کوئی ہوں - اس قسم کی گھٹناں نہ ہوں - آئند مارگی بھی اس دیس کے سٹھزن ہوں بھلے ہی ہوں ان کے وچاروں سے انداق نہیں ہو لہکن ان کو اس ملک میں امن و چھٹی سے پرسکون طریقہ سے پورٹھکشن گورنمنٹ کی طرف سے ملنا چاہئے - تو اس بارے میں سہیلگول گورنمنٹ نے کیا انتظامات کئے ہوں کہ آئندہ ایسی گھٹناں نہیں ویاں نہ ہوں - استھیت گورنمنٹ سے آپ کا رابطہ کیا ہے اور کیا اس بارے میں آپ استھیت گورنمنٹ کے انتظامات سے مطمئن ہیں - اور اگر نہیں ہیں تو آپ کیا کارروائی کر رہے ہیں - آخری سوال - یہ بہار ہو یا یو - پی - ہو - سرکار کسی بھی پارٹی کی ہو - جہاں بھی کسی استھیت میں اس طرح کی ان ہوسن ماس کلفکڑ ہوتی ہیں چاہے وہ ہریجن کی ہوں کسی کر بھی ہوں گورنمنٹ سٹھجیڈگی سے سوچے کہ اس کا کیا علاج ہو اس کے لئے سب پارٹیوں کو اپنے ساتھ لے کر ان کا کوآریشن حاصل کرنے کے لئے کہا کچھ کرنے جا رہی ہے - کیا ایسی کوئی تھوریز گورنمنٹ کے سامنے ہے -

श्रीमती सरोज खापर्डे : आपने बिल्कुल ठीक बोला है।

SHRI NIHAR RANJAN LASKAR:
As I have stated earlier, so far there is no thinking in the Government of India to have any independent inquiry into the incident. But if there is no free atmosphere to give evidence or if there is intimidation, naturally the Government of India will think it over again.

MR. DEPUTY CHAIRMAN: Now, Special Mentions.

REFERENCE TO THE MISUSE OF WORDS 'BHARAT MATA' AS BRAND NAME FOR SELLING 'ATTA' BY A FLOUR MILL OF JULLUNDUR

श्री हुकरदेव नारायण यादव (बिहार) : उपसभापति जी, मैं एक बात यहां उठाना चाहता हूं कि व्यापार करने वाले लोगों पर सरकार को कुछ निगरानी रखनी चाहिए। जो व्यापार करने वाले व्यापारी लोग हैं वह अपने व्यापार को बढ़ाने के लिए किसी न किसी नाम का दुरुपयोग करते ही हैं। मैं नहीं जानता कि कानूनी तौर पर यह दुरुपयोग होता या नहीं होगा, लेकिन जो एक भावना है उस भावना के आधार पर मैं मानता हूं कि यह महान दुरुपयोग है।

श्रीमन्, एक एडवर्टिजमेंट अखबार में निकला था, उसमें लिखा हुआ है—

"It is fresh, it is pure and so good for the family—Bharat Mata Special Atta."

यह भारत माता स्पेशल आटा बेचने के लिए भारत माता के नाम पर आटा पकौंग करें और एक औरत का

फोटो इसमें छाप दे जो कि आधुनिक युग की लिपिस्टक और पाउडर लगाई हुई आधुनिक औरत है और उस पर लिख दे भारत माता आटा, तो मैं सरकार का ध्यान इस ओर आकर्षित करना चाहता हूं कि ऐसे एडवर्टिजमेंट्स पर रोक लगानी चाहिए। जो व्यापार करने वाले लोग हैं वह अपने व्यापार के लाभ के लिए भारत माता का नाम लेते हैं, जिस भारत माता के लिए सकड़ों आदमी जेल गये जिसके लिए सकड़ों फांसी पर झूले, उसकी आजादी के लिए लड़े, उस भारत माता का नाम लेकर कोई आटे का प्रचार करता है और फोटो भी उसी तरह का छापता है तो यह राष्ट्र का अपमान है और इस भारत माता जिसको हम राष्ट्र कहते हैं, उस राष्ट्र का अपमान—ऐसे व्यापारियों के खिलाफ कड़ी से कड़ी कार्यवाही होनी चाहिए और ऐसे एडवर्टिजमेंट्स आगे न छापे जायें, इसके ऊपर भी सरकार को गौर करना चाहिए।

REFERENCE TO THE REPORTED STRIKE IN SIR SUNDAR LAL HOSPITAL, VARANASI

DR. M. M. S. SIDDHU (Uttar Pradesh): Sir, I would like to draw the attention of the Minister of Education to a prolonged strike that is going on in Sir Sunder Lal Hospital which is a teaching hospital attached to the Banaras Hindu University. The strike took place on 18th April, 1982, when the junior doctors, protesting against the reversal of the order of the Vice-Chancellor which created an atmosphere where the junior doctors having had the experience of an earlier clash