[श्रो ारे लाल चुरीन उर्फ तालिबा]
बाद इन हादसे के बाद लोगों ने समझा कि
इन तरह झगड़े होते हैं खूनखराबा होता है,
इमिलए हमें कुछ नियम बनाने चाहिए
जिसकी वजह से हम यह समझ सकें कि
यह दूसरे को बोबी है ताकतवर श्रादमी
दूसरे को बोबो भगा कर ले जाता था।
यह समझ कर कि यह प्रापर्टी की चोज है जैसे
कि हम श्राजकल चोजें श्रीर जानवर
चुर ले जाते हैं एक जगह से दूसरो जगह प्र यह सहो नहीं है। झगड़े होते हैं, खूनखराबा
होना है इसिलए एक श्रीरत श्रगर किसी को
हो गई तो उसको उसकी रहने देना चाहिए
ताकि झगड़े नहीं श्रीर कोई दूसरा इस पर
कटजा न कर सके।

चन्द लोगों ने यह सोचा कि ग्रगर कोई ग्रौरत किसी की बन चुकी है तो एक फीस्ट हो जानी चाहिए ताकि सबको मालम हो जाये तो उन्होंने यह रस्म निकाली ग्रीर वह फीस्ट देते थे सबके सामने ग्रौर यह तय हो जाता था कि यह मर्द ग्रीर ग्रीरत एक दूसरे के हो गये भ्रौर इन पर किसी दूसरे का भ्रधि-कार नहीं है---न मदंपर न ग्रौरत पर । एक किस्म से यह मान लिया जाता था कि यह बाइफ ग्रीर हसबेंड हैं ग्रीर फिर इसके बाद उन्होंने यह रस्म बनाई कि मांग में सिंदर डाला जाय क्योंकि शाः के बाद भी झगड़े होने लगे थे। पता नहीं लगता था कि यह किसी की बीवी है तो मांग में सिद्र डालने से यह मालुम हो जाता था कि यह किसी की वीवी है ग्रौर किसी ग्रौर का उस पर ग्रधिकार नहीं हो सकता। जो रस्में थीं वह आपस में बैठ कर तय हो जाती थीं ग्रौर इसके बाद ने जब ्बामण का महत्व समाज में कायम हुआ। आज भी जब बच्चाहोता है तो ब्रा-हुमण की जरूरत पडती है, नामकरण होता है तो ब्राह्मण की जरुरत पड़ती है। जब व्यापार शुरू करते हैं तो ब्राह्मण की जरूरत पड़ती है और जब शारी होती है तब भी

बाह्यमण की जरूरत पडती है ग्राखिकार जब भादमी मर जाता है तो भी वह भपना टैक्स बसूल करने के लिए लाग के साथ साथ जाता है। ग्रीर यहीं पर ही नहीं पर जाने के बाद पुश्त-दर-पुश्त टैक्स वसूल करता है। एक ग्रादमी जो ग्राज से 50 साल पहले मर गया तब भी वह बाहुमण को टैक्स देता है। उन्होंने सपने स्वार्थ के लिए सपने प्रिविलिज को कायम रखने के लिए ग्रीर वर्गर काम किए हए पेट भरने के लिए यह सब ुसूल बनाये ताकि बगैर ब्राह्मणों के समाज में कोई काम न होने पाये। ग्रव जमाना बदल रहा है हम लोग ग्रागे जा रहे हैं, मारी दुनिया आगे जा रही है और दुनियां के ग्रन्दर एक मानव धर्म पैदा हो रहा है। में खुद मानव धर्म को मानने वाला है। मेरे घर में जितने भी मजहबी व्हन्मा हुए है सब की तस्वीर ग्राप पार्येगे। ग्रल्लाह के नाम की तस्वीर भी पायेंगे मगर मैं मानव धर्मको मानताहं। मैं उन सब को एह महान ब्रादमी के तौर पर मानता हूं जो यहां पर ग्राये भीर जिन्होंने समाज का सुधार किया भौर सब को बदरहड भाईबन्दी तालीम दी । मगर हम लोग तो उनके चेले हए हमने मजहबी की चाहररोबारी में इसको बन्द कर दिया और यह कहा कि जो हमारे मजहब में विश्वास रखता है, वही इन्सान है। दूसरा इन्सान नहीं है यह सबसे बडी गल्ती हमने की है ग्राज हम मानव धर्म को मानते हैं, मजहबी इन्सानियन को मानते हैं, सारी दुनिया का एक मजहब होना चाहिए और किसी किस्म की जात स्रोर मजहब कोई चीज नहीं है। ये सब इन्सान के बनाये हुए झगड़े। हैं । चौरसिया साहब ने जो मोशन आज मुब किया है मैं उसकी पूर-जोर ताईद करता हु जब दो ग्रादमी शादी के लिए दैयार हो जाते है--चार छः ग्राद-मियों को बुला लिया जाये और उनकी शादी कर दी जाये । चार ङः ग्रादमियों को बुलाना इसलिए जरूरी है कि वे गवाही के तौर पर कह सर्वे कि सचम्च इनकी शारी हई है।

245

बाद में प्रगर कोई झगड़ा खड़ा हो जाये तो इनकी मौज़दगी यह तय कर देगी कि वे मर्द भीर भीरत हैं या नहीं। अब इतना खर्च होता है स्राप प्रन्दाजा लगाइए । कल ही मैंने एक णादी भ्रटेंड की । सिर्फ बाने पर 25 था 30 हजार रुपए खर्च हए हैं। हैदगबाद से बारात आई। मैं धापको सही बताता हूं कि सिर्फ खाने पर 30 हजार से कम खर्चनहीं हमा होगा। वहां जिस किस्म का खाना पीना हमने देखा इसका ग्राप ग्रन्दाजा नहीं लगा सकते । श्राज हम शादी के मौके पर दहेज भी मांगते हैं, हमें चाहिए कि समाज के अन्दर नये-नये विचार लायें। मदीं के अन्दर श्रीरतों के अन्दर नये नये विचार लायें। श्रीरतों पर कितने जल्म होते हैं इसका भी भाग अन्दाजा नहीं लगा मकते ? मैं ब्रापको एक ताज्ज्व की बात बताता हं यहां कई विकित बोमेन हैं जो काम करती हैं तो सिर्फ दहेज करने के लिए यहां तक कि अपने जिस्म को बेचने के लिए तैयार हैं ताकि कुछ दहेज जमा हो जाये भौर णादी हो सके। इनकी शादी का दायरा भी जात की वजह से महदूद है क्योंकि वह कहते हैं कि अपनी जात में शादी करे, अपनी जात के भन्दर ही सब तमाम सीढ़ियां हैं; बाह मण बाहमणों के अन्दर हैं, राजपूत राजपूतीं के बन्दर हैं, शिङ्युल्ड कास्ट झीर शृद्धों के ब्रन्दर हैं। यहां तक कि शिड्युल्ड कास्ट भी किसी दूसरे शिड्युलन्ड कास्ट से शादी नहीं कर सकता। जैन लोग है, दूसरे लोग हैं उनका दायरा इतना तंग है और इतना पैसा खर्च करना पड़ता है । एक सी०ग्राई०डी० के डी एस॰पी॰ हैं उनकी लडकी की गादी होती थी। उन्होंने मुझे कहा कि ग्राप ग्राजाइए क्योंकि दहेज का मामला भी उठेगा । लडके ने लड़की देख ली और लड़की को पसन्द कर लिया और लड़की वालों ने 1500 रुपए भी लड़के वालों को दे दिये ग्रीर मिटाई भी बांट दी। एक महीने के बाद इन हजरत ने शादी से इतकार कर दिया क्योंकि इनको एक दूसरी जगह से 2 लाख रुपए मिल रहे

थे बीर इस डी० एस० पी० ने कहा कि हम । लाख रुपए देनें को तैयार हो गए थे । मैंने कहा कि ग्राप 1 लाख क्यों देने को तैयार हो गये। अगर आप चाहे तो मैं इनको पकड्वाद्। मैंने कहा किसी तरह से गिर-फ्तार करवा दंगा। ग्राप डी० एस० गी० हो कर एक लाख स्पए देने को तैयार हैं। फिर भी इसके बाद बेचारे को इन्कार कर दिया और लड़के ने दूसरी जगह शादी कर ली। यह चीज समाज के घन्दर बहुत बरी है ग्रीर हमको समजने की जरूरत है। **ग्रब** मानव धर्मको लेकर चलें। दो ग्रीरतः मदं जब तैयार हो आयें, दो चार म्रादिमयों को वला कर उनकी शादी हो जाय । इससे म्दर्चे में कमी भी हो जारेगी। लड़की भीर लड़कों के सम्बन्ध में जो दिक्कतें हैं वह खत्म होनी चाहिए । डाडवोसं के बारे में यह है कि यह इतना काम्पलीकेंडेड है कि मेरे पास बहुत से लोग प्राये हैं जो कई सालों से **अ**दालतों में लड़ रहे हैं, इनकी जवाती मजरी जा रही है, बढ़े हो रहे हैं, बाज बन्चे पैदा करने के कविल नहीं रहेंगे । स्रांसू बहाते हैं , रोते पीटते हैं, भ्राज कितने लाख केसेज भ्रदालतों में पडे हुए हैं ? लेकिन डाइबोसं नहीं होता है। इसको सिम्पली-फाई करने के लिए सिविल कोर्ट बनाने की जरूरत है। कोई जानपात न रहे, मजहब की कोई पाबंदी न रहे। हालांकि स्पेशल मैरेज एक्ट पास है सब कुछ है। इस पर भी बहत सी ऐसी बातें हैं जिनको सुधारने की जरूरत है।

(Amdt.) Bill, 1976

अब मैं निहायत ही प्रजोर अल्फाज में इस मोशन की ताईद करता हूं ग्रीर चौर-सिया साहब को दाद देता हं कि इन्होंने जो हिम्मत की है कि इस बिल को यहां लाये हैं। मैं इनकी पूरी सपोर्ट के साथ अपनी वात ग्रव खत्म करता है।

THE MINISTER OF STATE I* THE MINISTRY OF HOME AFFAIR! AND ALSO IN THE MINISTRY OJ

LAW, JUSTICE AND COMPANY AFFAIRS (SHRI S. D. PATIL): Mr. Vice-Chairman, Sir, this subject has evoked very interesting discussion and various view-points have been put forward. Almost all of them have supported the principle of the Bill.

Sir, we must not lose sight of the fact that this Bill seeks to change the personal law, the Hindu Marriage Act. And when the personal law is to be changed, as far as the minorities are concerned, they are very conscious and careful to see that their sentiments and sensitivity are in no way offended. And that is very right. As far as the Hindus are concerned, I may respectfully ask the hon. Mover of the Bill whether there is any demands from the organisations of women or men who are vitally concerned with the question of marriages, etc. to have such sort of an amendment so that it can do away with the customary rites or the ceremonies according to the customs of either of the parties or, whether we are going much ahead before the demand is generated. Sir, here it appears that at a very advanced age of his life, 1Mr. Chaurasia has chosen...

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADEV): After great experience.

SHRI S. D. PATIL: Yes, after great experience, he wants to bring about certain amendments in the present law.

Sir, we have got experience in the past, and as a Member of the hon. House, I know how difficult it was for us even to pass the Anti-dowry 1961, in and how was referred to the Joint Sessions of both the Houses of Parliament. And in spite of 18 years of experi ence, nobody can say that the evil dowry system has in lessened. On the other way is growing day by day hand, it

and the problem has become very, very acute. Sir, I have no quarrel as far as the comments on the evil system of dowry are concerned be cause that is altogther different issue.

SHRI KALP NATH RAI; You abolish it.

SHRI S. D. PATIL: That is already there on the statute book.

SHRI KALP NATH RAI: But you do not enforce it.

SHRI S. D. PATIL: What have you been doing in the past?

Sir, the present provision in the Hindu Marriage Act of 1955...

श्री बुद्ध प्रिय मीर्य (ग्रांध्र प्रदेश: ग्राप हमारी गल्तियों के सहारे कब तक जियेंगे ?

श्री कह नाथ राय : ग्राप क्या चाहते हैं? जब मंत्री महोदय को कोई बात कही जाए तो इनको यह कहना चाहिये कि हम करेंगे कि नहीं करेंगे । क्या इस तरह की बात कही है मंत्री महोदय ने ?

उपसभाष्यक्ष (श्री श्याम लाल यादव)ः समय बहुत थोड़ा है समान्त करें ताकि ग्रगला विषय लिया जाए ।

SHRI S. D. PATIL: Sir, by amending this section and putting a new section 7A, the hon. Mover of the Bill wants to do away with the existing provision where a Hindu marriage could be solemnised in accordance with the customary rites and ceremonies of either patry thereto. Such rites and ceremonies include saptapadi, that is, taking seven steps by the bridegroom and the groom jointly before the fire. The marriage becomes solemnised when the seven steps are taken. Sir, the Bill basically touches upon...

to Calling Attention

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): How much more time do you want?

SHRI S. D. PATIL; Sir, I will require some more time.

THE MINISTER OF STATE IN THE LABOUR MINISTRY OF AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, let him reply next time.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The discussions will continue. Now, we take up the next item.

5 P M

249

CLARIFICATIONS IN RELATION TO THE CALLING ATTENTION STATEMENT REGARDING THE RE-PORTED ATTACK ON THE PRO-CESSION TAKEN OUT BY HARIJANS ON THE BIRTHDAY OF GURU RAVI DAS IN MUZAFFAR NAGAR (UP.)

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV); Yes, Shri Bhattacharya.

SHRI KALP NATH RAI (Uttar Pradesh): You have spoken yesterday. (Interruptions).

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV); He is now seeking clarifications.

SHRI G. C. BHATTACHARYA (Uttar Pradesh): Mr. Vice-Chairman is right. The statement on the Calling Attention was made yesterday but we were not satisfied with the Statement and the House wanted the Home Minister to be present here. (Interruptions)

I did not speak at all. When my chance came, I pointed out that the Home Minister was not in the House. Then the House decided that the Home Minister should be called at 5 o'clock today.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): All that is not necessary. Please ask the ques-i tions straightaway.

SHRI G. C. BHATTACHARYA: Now that < hon. Home Minister is here, I will only, briefly narrate the incidents. What happended in Mu-zaffar Nagar? In Muzaffar Nagar the Scheduled Castes took out a procession on the auspicious day of the birthday of Guru Ravi Da3. Then the police party at the instance of the District Magistrate and ihe Superintendent of Police, influenced by some persons, not Scheduled Castes, not only brutally lathi-charged, not only resorted to firing, looting the houses of Harijans and raping Harijan women, but, as I said yesterday, they were so barbaric, that they threw down a three year old Harijan child from a three-storey building. This is unheard of. This is, in brief, the atrocity committed, the details of which have been given by two Janat 1 Members of Parliament, Mr. Pipil and Mr. Rakesh, who were sent by the Janata leader, Mr Bahuguna, the Petroleum Minister, to find out the facts, when he got the information in the evening, some time after about an hour of the incident. Sir, I demand that their reports should be placed on the Table of the House, because only a part of it, an insignificant part of it, was mentioned by the Minister of State for Homo Affairs, Shri Mandal.

Why is it that we insisted yester day that the Home Minister should here? You might kindly recall that the Prime Minister, Shri Morarji Desai, last year, from the rempaii of the Red Fort, gave a clarion call the nation and to the adminisl to and said that in order tion to save life and prothe perty of Scheduled Castes, if nece sary, these person who committed atrocities on them, should be shot When some incidents regarding atro cities on Harijans took place in Bihar and Shri Mandal was replying here

[Shri G. C. Bhattacharya]

and giving many assurances and repeating many assurances. I asked him when these persons were committing atrocities on Scheduled Castes, and the police was present and the Magistracy was present, how many culprits were shot? There is no use repeating the same arguments in the case of Harijans. A&er all. when the Prime Minister says something, it is binding on the administration, whether of the State or of the Centre. But I am shocked to see that instead of shooting at the culprits they shooted at the Harijan_s themselves. If that is the state of affairg when the police would fire and murder the Harijans, who is going to protect them? That was the importance of this Calling Attention motion. That is why we wanted the hon. Home Minister to be here. He is not only the leader of the Janata Party, and the Home Minister of India but he is also an experienced administrator. He knows how civil servants are made to behave. Therefore, if he realises the gravity of the situation, I am confident at least the Scheduled Caste people will get some confidence otherwise they will have no confidence whatever may be your statement, whatever may be your promises and for how many number of times you repeat. I would, therefore, appeal to the Home Minister not to take it as a ioutine matter. If you take it as a routine matter, the confidence of the Harijans, the confidence of the Scheduled Castes will be shaken and the confidence of the Scheduled Ca<-te people in the Janata party which brought freedom to this country, wii' be shaken.

SHRI KALP NATH RAI: Freedom to die.

SHRI G. C. BHATTACHARYA: Let us *not* quarrel on such an important issue. At least those who champion the cause of Harijans, should not quarrel on this point. What is the use? Don't make it a political issue.

Yesterday I appealed to the House not to make it a party issue. Don't make it a party issue. I was pained when an hon. Member asked for the resignation of Bab_u Jagjivan Ram. After all, we have taken up the cause. He also belongs to the Scheduled Castes. Such things should not be said, because if you do it, it would be a discouragement to others. Let us put our heads together. Let us be one in defending the life and property of the Scheduled Caste people.

In this connetion, Sir, I want to make certain suggestions. Firstly, the Government has appointed Shastri Commission. Fortunately, Shastriji is here and I expect that he also speaks today. I appeal to the Home Minister to immediately depute Shastri Commission to enquire into this incident.

SHRI BUDDHA PRIYA MAURYA (Andhra Pradesh): We agree to it. It is a very good proposal.

SHRI G. C. BHATTACHARYA: Sir. it is a very grave incident. After all, Government has confidence in Shastriji and that is why Shastriji was made the Chairman of the Commission. There should be no hesitation in deputing Shastri Commission to enquire into tnis incident: otherwise, we will be accused saying something and doing something else. There should not be a gap between the promises and actions. Therefore, if you have appointed Shastri Commission for a very laudable purpose of defending the cause of the Scheduled Castes, then you should announce here today that Shastri Commission will be deputed to make an enquiry into the incident and Shastriji will give the report as soon as possible.

Sir, my second submission is tni9. Mr. Patil went there. Mr. Patil is a very seasoned public servant. I am only appealing to him to give all the facts to the hon. Home Minister that are in his knowledge. He will not j contradict me when I say that the ' District Magistrate and the S. P. there

were directly responsible for tnis massacre. The District Magistrate and the S.P. have not been suspended till today although the State Minister, Mr. Petil, visited the place. He came to know that they were responsible. Now, what can I say about the District Magistrate? Wherever he had gine, he had created trouble. This is known to the administration. But I am .- hocked that he has seen to it that only some enquiry by the Commissioner of the division is made. Why? The public, the Scheduled Castes and other Members of Parliament who are agitated over such incidents wiil not be satisfied unless the hon. Home Minister announces, here and now, that he will suspend

the District Magistrate and the S. P. of

Muzaffarnagar.

Sir, the third suggestion I am making is very comprehensive. Sir, the P.A.C. in U.P, has become a slur on the police administration of the State. The PAC is responsible for communal tensions. The PAC has been responsible for communal riots. Now the PAC is also responsible for massacring the Harijans. Therefore,, the U. P. PAC should be disbanded and it should be reorganised. Fifty per cent of the new PAC should consist of the Harijans and the minorities. If you do not do it, if you cannot do it, do not shed tears for the Harijans and the minorities. Unless you do this, you will not be able to protect their rights, whatever may be your good intentions.

I fore, I would appeal to the hon. Home Minister. He is a very powerful Minister now. He has got the experience.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRI G. C. BHATTACHARYA: Sir, yeu cannot ignor every word of what I am saying. I am voicing the agony and the sufferings of the Harijans and the minorities. Without mitigating their sufferings, without mitigating their agony, you will not be able to keep your society intact; you will not

he able to keep India together. I would also demand that adequate compensation should be paid to those ' who have been injured and to the dependents of those who have died. But nothing has been done. Nothing has been mentioned in the statement of the hon. Minister of State for Home Affairs, Mr. Mandal, in reply to the Calling Attention Motion. After all, 11 you do not piovide for such simple relief, how will you be able to create the confidence among these people?

Sir, with these words, I would again appeal to the hon. Home Minister to kindly consider the suggestions I had made and take immediate and prompt steps so that we may prove that unlike the previous administration, we do net make mere promises, but we also take action.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): Sir, there is no doubt that what took place at Muzaffarnagar is deplorable. The fact that the Government has taken the matter seriously is evident from the fact that as soon as Mr. Mohan Lai Pipil gave me the report after he returned from Muzaffarnagar—he met me on the 14th—I immediately sent the Minister of State. I was not in a position to leave Delhi. Hence, I sent the Minister of State to go there and ascertain the facts as far as he could ascertain. This he did. I may say why I sent the Minister of State. The report which Mr. Pipil and Mr. Rakesl: gave revealed facts which were at variance from the report which I had received from the State Government. Hence, it seemed to be very necessary that I should have another view, after a visit to the Slate. That is why Mr. Patil went there. He came back. He also confirmed this much that the number of people injured etc. was larger than the number indicated in the State Government's report. And there were other discrepancies as this that certain people who were in the hospital were in handcuffs, which of course he immediately asked them to remove. That is, the report. Now I

[Shri H. M. Patel]

do submit that the matter i_s serious, but the State Government had already appointed the Commissioner to hold an enquiry into the incident.

SHRI BUDDHA PRIYA MAURYA: Already it has been boycotted. The Scheduled Caste people of the area have already boycotted it. So, the lesser we talk about this Inquiry, the better it is. We do not want to talk about it.

SHRI H. M. PATEL: Why don't you listen to rne? Thereafter you can sav what you feel. I was coming that. I am narrating the facts as they are. the namely. Commissioner had been appointed to hold an enquiry. On that we said at that time and this is what I said in the Lok Sabha also soon as that report is received, we what further decide on action should be taken. Now I have just received report that the Commissioner start his enquiry on the 24th and again the and then certain other on 1st witnesses were to come. Then thev told me. I think, that they were not give any evidence, they going to were poycotting the enquiry. (Interrupptions) Quite right. Ι not hiding am any facts from you This report has just been received by me as I came here. Wf will cun.-K er what further ite-ps should be taken, but before we take any action we should, first of r.ll, find w,i Lhc facts. I thi-.fc, one of points that has not been forgotten is this that this is a State subject essentially. So, in the first instance, we must hear the State Government in this matter and act in consultation "with them. In order to ascertain facts the hon. Member has made various suggestions. I will certainly give full consideration to them and see what best machinery do we have recourse to in order to ascertain facts. One suggestion he made was that the Scheduled Castes and Scheduled Tribes Cfomnmission may be asked to go into this thing. As far

Statement

as I know, there is nothing to prevent the Scheduled Castes and Scheduled Tribes Commission, on its own initiative, to go into this matter also, but I would request the House to let me give further thought to this on the basis of such further facts that have come to my knowledge and then we will decide. All that I would like to assure the House is that we do not consider that what has happened is something which we should not take note of, we should take serious note of it.

श्री बुद प्रिय मौर्य : ग्रादरणीय उपसभाध्यक्ष महोदय, माननीय गृह मंत्री जी ने फिर उन्हों तकों का सहारा लिया है जो ग्रक्मर केन्द्रीय सरकार लेती रहती है । हमारे संविधान के विधाता जितने भी महापुरुष हुए हैं उनके श्रीर बाबा साहब डा० ग्रम्बेदकर जी के ध्यान में यह बात थी कि स्वतंत्र भारत में शोषित समाज की रक्षा करने की जिम्मेदारी केन्द्रीय सरकार की होनी चाहिए । इसीलिए उन्होंने हमारे सविधान के डायरेक्टिब ग्रिसिपल में ग्राटिकिल 46 में कहा है कि—

"The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and* the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

में इन बातों का सहारा नहीं लेना चाहता।
आप जानते हैं कि ला एण्ड आईर एक अलग
चीज है। हमारे देश में शोधित समाज हजारों
वर्षों से धर्म और जाति के आधार पर शोधि त
रहा है। मैं समझता हूं कि शोधित समाज की
रक्षा करना और समाज में उनका विकास
करना इस सरकार की सबसे पहली जिम्मेदारी
है। जिस प्रकार से एक मां अपने सबसे छोटे
बच्चे पर सबसे ज्यादा ध्यान देती है और
उसकी रक्षा करती है तथा उसका पालन

to Calling Attention

पोबग करती है उसी प्रकार से इत लोगों ी भी रक्षा के जाती चाहिए।

जहांतक ग्जनकरनगर की घटना का प्रकृत है, यह घटना फिर से हमारे उन वा रों हो करेद देती है जो अभी तक हमारे दिलों में हरे थे। ग्रागरा को दुर्बटना के बाद मराठवाड़ा की घटना के बाद, पन्त नगर के ग्रत्याचारों के बाद शोषित समाज पर मुजक्फरनगर में जो ब्रत्याचार हुए हैं उनसे हमारे पुराने घाव फिर से कुरेद दिये गये हैं। मुजफ्करनगर की घटना उन घावों को फिर से कूरेद देती है। दो प्रकार से मोबग होता है एक तो दूर देहातों में तथा दूसरा कस्बों भ्रीर शहरों में । जहां तक दूर देहात में शोयण का प्रश्न है. भ्रत्याचार का प्रश्न है वहां पर कुछ बड़े जमीदार या कुछ जातीय प्रया में विश्वास करने वाले सनाज के शक्तिशाली ग्रंग गोषित समाज पर जनीत की वजह से ग्रत्याबार करते हैं। कुछ जनोत उनको दी गई थी ग्रव उसकी वापस भी लिया जा रहा है, काकी मारगीट भी हुई है। कुछ समग्र पहले प्रधान मंत्री श्री मोरारजी देसाई के 15 ग्रगस्त को कहेवे णब्द मूझे याद ग्रा जाते हैं जो उन्होंने लाल किले की ऊंबी दोबार से ऊंबी श्रावाज में कहे थे कि शोषित समाज की रक्षा करता, जैडयुल्ड कास्ट्म और गैड्यूल्ड ट्राइब्स की रक्षा करना हमारा प्रयम कर्ने घ है। हमारा देश ग्रंहिसावादी है मगर उनकी रक्षा के लिये ग्रगर गोती भी चतानी पड़े तो मैं रुक्तंगा नहीं। ये उनके शब्द मुझे याद स्रा जाते हैं ग्रव वे कहांतक ग्रपने उस वचन का पालन कर रहे हैं या करेंगे यह ग्रागे चलकर देखा जायेगा । देहात में उस गरीव को जमीन की वजह से जमीदार मारता है ग्रौर शहर तथा कस्बों में जमींदार नहीं, सेठ नहीं, कोई क्षत्री यावैश्य नहीं, वल्कि शहर ग्रौर कस्बों में जैसा कि स्नागरे में हुआ, पंत नगर में हग्रा, मराठवाड़ा में हुग्रा पी० ए० सी० श्रीर पूलिस सरकारी वर्दी पहन कर, सरकारी बन्दूकों से, सरकारी गोली चलाकर शोषित

Statement समाज को हत्या करती है। इसने ज्यास कलॉक की बात कुठ नहीं हो सकती ^{यह}ें नहीं **इका ग्रीर जै**सा कि मैंने पहले भी कड़ा था श्रीनत्,में ग्रापसे नस्य निवेदत कर देता चाइता हं कि यदि इस तरह का ओगण. **इस तरह का ग्रस्थावार नहीं क्**कार्या उड़े **लिखे गोषित समाज के लडके ग्रीर** लडकियां शोषित समाज के नेताओं को मजबर करेंगे कि वे यह सोवें कि वे ग्रापके साथ रह सहते यानहीं रह सकते हैं। इस हद तक हमें मन जाने दीजिये कि मेरा जैसा ब्याका जिस्ते जातीय स्राधार पर संरक्षण का कमी सनयंत नहीं किया, मेरा जैसा व्यक्ति भी यह बात कहने लगे। शायद ग्रापका ग्रम्बा समान चाहे वह भ्रगुवा समाज किसी भी सरकार का रूप ले ले, मैं कांग्रेस और जनता पार्टी के **ग्रन्दर ग्रन्तर नहीं करना चाहना,** इस देश का अनुवा समाज अपने को शोधित सनाज **से अलग समझता है। श्रीमन्**, जहां तक इस **बारदात का सवाल है यह एक** घेर को लेकर हुई है। रविशस जांती के लिये खनव-खनव मुहल्लों से समस्त गोषित समाज के लोगों की इकट्ठा होना था ग्रीर रविदान पूरी से भी **उनको जाना था 11 तारीख को**। 11 तारी इ से पहले ही 10 तारीख को उस रास्त को **लेकर श्रापस में समझौ**ता हो गया था। उस समझीते में यह तब हुआ। गृह मंत्री ने जिल समय अपना बयान दिया जब हमारे मित्र मिस्टर वैरिस्ट खोबरागडे ने उनने नवात पुछा था कि What is that agreement? वह अग्रीमेंट क्या है ? जमीन पर इनको बनेट मेबराज सिंह त्यागी ने किया था। अर्रेजनेट हो गया था कि हम इस घेर को तोड़कर इसका इस लायक कर देंगे ताकि सवारी या जा संक **भ्रौर स्वयं उन्होंने तोड़ना भी शु**रू कर दिया था । 11 तारीख को जलूस निकला । उस समय मा उनके मजदूर लगे हुए थे। वह कम ताःः थे। मैं इस बात को इस वजह में कह देना चाहता हूं कि सहारा दीवार को तोइने का **लिया गया । दीवार तोड़ने** का फैनला

[श्रो बुद्ध प्रिय मौर्य]

पहले ही ले चुके थे। दीबार मेघराज सिंह त्यागी ने स्वयं तोड़ी थी । मजदूर कम थे उनको जल्द तोड़ना था इसलिये शोषित समाज के लोगों ने भी जो जलूस में शामिल थे उनकी मदद करना शुरू कर दिया । जैसे ही उन्होंने मदद करना शुरू किया ऊपर छतों से ईट ग्रौर पत्थर ग्राने लगे ग्रौर एक वन्द्रक, जिसे लाइसेंस धारी वन्दूक कहा जाता है, उससे फायरिंग भी हुई। झगड़े के दूसरे दिन सब ने कहा, कलक्टर ने, एसः पो० ने वहां के सवणों ग्रीर खासकर त्यागियों ने यह कहा कि जलस फिर से निकाला जाय, उन्होंने शोषित समाज के लोगों का फिर मजबूर किया कि जलूस निकालें, झगड़ा नहीं होगा, जब जलस निकला उसके बाद यह घटना हुई इस घटना में गोलो चलो है। गोलो पहले चला उसके बाद टियर गैस चलो हमेशा दोता ऐसा है कि पहले वानिगदी जाती है, फिर लाठो चार्ज होती है। यदि इससे भी भीड़काब में नद्याये ते। टियर गैसका इस्तेमाल होता है फिर गोलो चलते हैं । लेकिन यहां पर सबसे पहले गोली चलो । ग्रौर अकेले सडक पर ही गोलियां नहीं चली बल्कि मारते मारते पी० ए० सी० ग्रौर पुलिस के लोग जिनके साथ शहर के कुछ गुंडे भी थे रिवदास मुहल्ले में घुसे और घुस कर उन्होंने मार्गट की । मेरे पास पूरा ब्यौरा है। मैं पूरा नहीं देना चाहंगा लेकिन कुछ जो चीजें जांच-पड़ताल कर के पताचली हैं; दो तीन को बतादेना में अपनाकर्त्तव्य समझताहूं। मिस्त्री पृथ्वी के मकान नम्बर, 61 में रहने वाली किरायेदार श्रीमती कुन्ती धम पत्नी श्री जगपाल सिंह जो कि एक पुलिस कर्मचारी है और उस दिन महर से वाहर गया हुन्ना था, पुलिस ने सारे जेवरात छीन लिए, उन्हें नंगा किया भ्रीर उनके साथ बलात्कार किया यह स्त्री शैंडुल्ड कास्ट की है। इन्हीं के साथ उनकी मौसी श्रीमती मदरी जो श्रीमती

कुन्ती के पास उनके पति के बाहर जाने के कारण रहने के लिए गई थी उनकी लड़की को बहुत मारा पीटा, जेवरात र्छान लिए धौर बलात्कार किया। इसी मकान में दो किरायेदार और हैं श्रीमती सोबती ग्रौर राधा उन को भी मारापीटा,लुटा। इन तीनों के साथ पी० ए० सी० के जवानों ने बलात्कार किया। इस घटना का व्यीरा श्रीमती कृत्ती ने जब बताया तो रो पड़ी। उस समय उसके चेहरे पर जो घवराहट ऋौर विषाद था वह नोचतापूर्ण कांड का जीता-जामता सब्त था। दो ग्रीरतें इस कांड से भयभीत होकर घर छोड़ कर दूसरी जगह चली गई हैं। इन लोगों ने जब पुलिस और दूसरे लोगों को इस घर में घुसते देखा तो घबरा गए ग्रीर सभी भी यह दोनों ग्रीरतें लीटी नहीं हैं। पतानहीं कि कहां हैं। दूसरा वाक्या रविदासपुरी के एक दूसरे मकान नम्बर, 40 में हुझा । पी० ए० सी० दरवाजा तोड़ कर अन्दर घुसी और मकान में रहने वाली ग्रीरत को लुटा, पीटा ग्रीर उसके साथ बलारकार विया । उसका एक बच्चा जब घ बरा कर चीखा ग्रीर ग्रपनी मां से लिपट गया तो बलात्क री दरिदों ने अपने रास्ते का रोडा समझ कर उसकी टांगे ५कड कर उस ग्रवोध बच्चे को दीवार पर देमारा उसका सिर वहीं फट गया और दीवार पर ढेर सारा खुन लगा है ग्रौर उस खुन के छींटे इधर-उधर दीवार पर पड़े दिखाई देते हैं। बच्चे की लाश काश्रभीतक पतानहीं चलाहै। भयभीत बच्चे चीख-पुकार रहेथे। उनको पकड़ कर मुहल्ले के पास बहते हुए नाले में बे हमी से फैंक दिया गया । बराबर में रहने वाले म्सलमान भाइयो ने कई बच्चों को नाले के की चड़ से सने-सनाये निकाला ग्रांर रंते-बिलखते बच्चों को ढंढ्स दिया । इसी मुहल्ले के मकान नम्बर, 52 में रहने वाले श्री ताराकी लड़की को पुलिस ने वे हमी से पीटा। श्रभी तक उसके मरने या जीवित रहने का कोई पता नहीं लग रहा। वह बच्चा अभी तक लापता है। 67 व्यवितयों

को पुलिस ने घारा 177, 148, 149, 307, 332 श्रीर 336 के श्रन्तर्गत गिरफ्तार किया गया है। यह 67 के 67 व्यक्ति शेडल्ड कास्ट के हैं। हमलावरों में से एक भी गिरफ्तार नहीं किया गया है। इनके म्रलावा 34 फोड्ल्ड कास्ट के व्यक्तियों को श्रीर गिरफ्तार किया गया। जिन्हें रात भर कोतवाली में रख कर छोड़ दिया गया। इसी तरह से अस्पताल का भी व्योरा है। उनके गरीर पर छरों के भी निशान हैं, यह तमाम कह कर में ज्यादा समय नहीं लेना चाहता। श्रीमन् गृह मंत्री जीकह रहेथे कि जहां तक जांच पड़ताल का प्रश्न है इसके लिए एक कमिश्नर को नियुवत किया है। मैं यह कहना चाहता हं कि कमिश्नर द्वारा आंच करने का प्रश्न ही नहीं उठता। वैसे तो स्वयं भी गृह मंत्री जी को ऐसे मामलों में जहां पर पी० ए० सी० बलात्कार करे, जहां जिला ग्रधिकारी भ्रौर पुलिस कप्तान स्वयं दोनो के दोनों मुलजिम हों, उनकी देख-रेख में इस तरह के काम हों, वहां पर कमिश्नर की नियुवित करना हमें भ्रंग्रेजों के शासन की याद दिलाता है। इस तरह की जांच-पड़ताल के लिए माननीय भटटा चार्य जी ने एक बहुत ही अच्छा, समझदारी का सुझाव दिया है कि भोला पासवान गास्त्री जी जो गैंडूल्ड कास्टस तथा ट्राइब्स कमिशन के चेयरयैन हैं, स्वयं उनके ही यह काम सौंपा जाए। श्रीमन्, यहां पर मैं कुछ श्रीर सुक्षाव भी देना चाहगा। मुझे बड़ा ताज्जुव हो रहा है। हिन्दुस्तान क्राजाद है या श्रभी भी हम गुलाम हैं? इतनी बड़ी घटना हो गई। अगर एक मुसलमान किसी हिन्दू लड़की को छेड़ दे, तब उस जिले के कलक्टर श्रौर एस० पी० की खैर नहीं। या श्रगर एक सिक्ख के साथ कोई बदसलुकी कर दे, तो वहां के कमिश्नर की खैर नहीं। यहां पर कितनी शोपित समाज की बहन-बेटियों के साथ वलातकार हम्रामीर अभी तक कलवटर भ्रीर एस० पी० वहां बने हुए हैं। यह एक तरह से बहुत शर्मनाक बात है।

एक माननीय सदस्य: उनको मुश्रक्तिल किया जाए।

श्री बुढ प्रिय मीर्य: उनको मुझतिल किया जाए रार वहां से हटाया जाए श्रीर जब तक एनवायरी पूरी न हो जाए उनको उस जिले में श्रीर उस जिले के श्रास पास नहीं श्राने दिया जाए ताकि निष्पक्ष एन्ववायरी हो सके।

दूसरे माननीय शार्खा जी ने एक अच्छा मुझाव दिया है। यह पी० ए० सी० एक तरह से श्रार्गेनाइल्ड गैंग हो गया है। ल्टेरों स्रौर डर्कतों का वर्दीदार गैंग हैं. जो वर्दी पहल कर डर्कती डालता है, बलात्कार करता है, मकानों को लूटता है, साइवल ग्रांर मेंटर-साइकल को भ्राग लगाता है। इस तरह की बहुत सी घटनाएँ अभिरा मे हुई और मुक्क्फर नगर में तो ऐसी घटनाएं इस बात की प्रतीक हैं। तो पी० ए० सी० को डिसर्वन्ड किया जाए, यह मेरा नम्त्र निवेदन है फ्रौरयदि इसको डिसर्वण्ड न किया जाए तब फिर इसमें तुरन्त पचास प्रतिशत कान्स्टेबल, कान्सटेबल, सब-इन्सर्पवटर र्गडूरड कास्ट श्रीरट्राइवस के हों। तब यदि पी० ए० सी० की गोली शोपित समाज पर चलेगी तो शोपित समाज वाले की पी० ए० सी० के सीने पर गोली चलेगी। तव गोली दो-तरफा चलेगी, एक तरफा नहीं चलेगी।

यदि इन सुझावों के ऊपर ध्यान दिया जाए, तो मैं सोचता हूं कि बहुत कुछ निपटारा हो सबता है। जुल्म क्यों होते हैं ? क्या गृह मंत्री जी यह बताने की कृपा करेंगे कि उत्तर प्रदेश ब्रीर विहार में कितने सब-इन्सपंबटर पृलिम हैं, होटल संख्या कितनी है, उसमें शैंड्लड-कास्ट ब्रीर ट्राइट्स के कितने हैं, कितने थाने है ब्रीर कितने थानों के इन्चार्ज शैंड्लड कास्ट ब्रीर ट्राइट्स के हैं ? ब्राप यह देखेंगे कि सब-इन्सपंबटर भर्ती तो कर लेते हैं, पर वह भी बहुत कम संख्या में ब्रीर फिर उनको थाने

[श्री बुद्ध प्रिय मौर्य]

नहीं**सींपे** ाते हैं। उत्तर प्रदेश में दस प्रतिशत तो क्या, पांच प्रतिशत थाने के इन्चार्जभी शैड्लड-कास्ट या ट्राइब्स के नहीं हैं। यह हालत है ग्रीर यह हालत कलक्टर ग्रीर एस॰पी॰ की ((Interruptions)

उपसभाष्यक्ष (श्री स्याम लाल यादव) : श्चव क्राया समाप्त करें।

श्री बुद्ध प्रिय मौर्य: श्रीमन, मैं समाप्त करने जा रहा है। एस० पी० ग्रीर कलेक्टर भी निश्चयपूर्वक जब आपके यहां आई० ए० एस० ग्रीर ऋाई० पो० एस० शोषित समाज का है, ग्रीडल्ड कास्ट ग्रीरट्राइब्स का है, तो कम से कम हरतोसरे या दूसरे जिले में एस० पी० और कलक्टर में से एक शैंड्ल्ड कास्ट का हो, तो कुछ तो श्रांगों में शर्महोगी। यह कुछ सुझाव मैंने दिये।

जहां तक जमीन के सुधार का प्रश्न है, लैण्ड रिफार्म्स को जुडिशल रिव्यू से अलग हटा दिया जाए। जो भी फैसला हो, सरकार करे। डिस्डिक्ट कोर्ट, या हाई कोर्ट,या सुप्रोम कोर्ट को लैण्ड रिफार्म्स में इन्टरिफयर न करने दिया जाए।

श्री स्तृ, ग्रन्त में मैं कह देनाचाहूंगा ग्रीर सरकार को फिर हम निवेदन करेंगे कि इस तरह से कदम उठाएं कि हम लोगों की तसल्ली हो जाए कि हमारी रक्षा हो रही है ग्रीर यदि तसल्लो नहीं होती है, तो फिर बाबा साहब डा० ग्रन्बेदकर ने इतनी शक्ति हमें दी है, हमने हिन्द्स्तान को हिलाया है ग्रीर तीन लाख सत्याग्रही जेल गये है, जेलो में गये हैं। हम फिर से हिन्द्स्तान की सरकार की जेलों को नापने के लिये तैयार हैं, फिर से हम अपनी शक्ति का शान्तिपूर्वक प्रदर्शन करने के लिये तैयार हैं।ऐसा न होने दें कि एक तरफ श्रापकी पी० ए० सी० हो और दूसरी तरफ शोषित समाज के सपूत हों ग्रीर ग्रापस में ठने।

यह लड़ाई सदनों में हो रहने दें, सड़कों पर मत उतरने दें। यदि इस लड़ाई को सडको पर उतरने दियातो फिर देश की एकताको खतराही सकता है।

इन्हीं भव्दों कसाथ मैं समाप्त करता है।

SHRI H. M. PATEL: Sir, the hon. Member, Mr. Maurya, has spoken very emotionally. I can very well understand why he should be so worked up. Because the incidents as have happened in Muzarfar Nagar do make one feel that what one wants to do with regard to the Scheduled Castes and Scheduled Tribes is not producing results. There is no question that this sort of thing should have happened. As he said, (this is our policy, but the policy must be implemented. I would like to assure the hon. Member and this to assure the hon. Member and House that we shall go into this mat ter very thoroughly, we will consult Mr. Maurya and other friends to see what steps we should take in order that as speedily as possible we can carry their confidence in the fact that we mean business and at the same time it must be done in such a way that the results are achieved to the satisfaction of our concern. is no question of trying to protect anybody who does not deserve to be protected. There is no such inten tion. This Commissioner was pointed by the State Government. We proceeded on the scene after the announcement had been made. What we should do, how we should do, we shall consider very seriously. It was that the Scheduled Castes and said Scheduled Tribes Commission should be asked to take it up. I have no objection to that suggestion.

it seems to me that the Scheduled Castes and Scheduled Tribes Commission is in a position, is authorised under the terms of reference, to the best of my knowledge, to

take initiative in any such matter.

265

AN HON. MEMBER: You have no objection?

SHRI H. M. PATEL: Certainly not. In fact, Mr. Sushil Kumar, who is the Scheduled Caste Commissioner, did send a study team and he has submitted a report, which also indicates what matters we are considering. (*Interruptions*) I am not saying 'No'; I am merely telling you that on the contrary, I have no objection at all

SHRI BUDDHA PRIYA MAURYA: A reference made by you, Mr. Minister, will certainly have its own impact.

SHRI H. M. PATEL: Mr. Maurya, I have said that I have no objection to make the reference. I am merely tel_ling you that I take this whole matter seriously and I shall have no hesitation in taking whatever steps are called for.

DR. V. P. DUTT (Nominated): Mr. Vice-Chairman, Sir, I think so far as the developments in Muzaffar Nagar are concerned, many things that needed to be said have already been said. I would like to add my voice of anguish over these happenings. Sir, it is a matter of shame it is a matter of shame for me, it is a matter of shame for the hon. Minister for Home Affairs, it is a matter of shame for the whole nation—that even after 30 years of freedom we are still not able to ensure the life and dignity of the Scheduled Caste people, the Muslims and other minorities and weaker sections. Sir, I know this is not an occasion to go into it. There are important socio-economic operating in our society responsible for this kind of a situation. As my hon. friend mentioned, the caste struggle merges into the class struggle, and it is really a reflection of the class struggle that you see. However, this case is of a different category because here the so-called custodians of law and order, the police, itself used not only excessive authority but also committed atrocities and, therefore,, it has a significance of its own.

Sir, I should like to point out to the hon. Home Minister—a_s I pointed out to the previous Home Minister also when this kind of incidents took place earlierwhy such things are happening again and again. Apart from the socio-economic factors, the real reason is that we have not been serious in tackling the situation. I agree with my friend that we should not make it a party affair. Therefore, I say with the experience over the last 30 years that we have not been serious in tackling the situation. Hon. Home Minister, Mr. Patel, let me remind you what is happening. Atrocities take place; men, women and children are murdered; women are raped; houses are burnt; children are thrown into the fire or into the stream; the houses are razed. We raise our voice and inquiry is instituted. We all forget about the noise at the site. No follow-up action takes place. Sir,, I would like to ask the Home Minister in how many incidents involving the Scheduled Castes, the Scheduled Tribes and the Muslims there has been a follow up action and how many cases of conviction have taken place. I think, you will be able to count them on your finger tips if at all there is any case in which there has been any conviction. In my own knowledge there is no case in which there has been conviction, but there might have been one or two cases. But this is the problem. Nobody is punished. No culprit is found. No cases are instituted, or if cases are instituted they are allowed to be forgotton. And our conscience hurts only occasionally when such incidents hit the headlines. Then our conscience pricks u_s and we get up as I am getting up and making a fiery speech. But for the rest of the time we forget about it.

Therefore, I would like to give a more basic suggestion, even if it ap.

[Dr. V. P. Dutt]

pears to be more redical than what my friends have offered. I would like to say, now that you are instituting special courts,, why can you not handle all such cases to the special courts? Why can you not expand the functioning and scope of the special courts. Does the misdeed or whatever it is—I am not going into the issue—of one or four persons heinous than all the letting of blood in the country that has been allowed in the last 30 years when the Muslims have been killed and when the Hari-ians. the Scheduled and the Scheduled Tribes have Castes been butchered? So, I would like to ask the hon. Minister whether he will legislate, now that he has brought the special Courts Bill before Parliament, that this case and all the cases involving atrocities on the Scheduled Castes, Scheduled Tribes, the Muslims and other weaker sections and minorities will be sent to the special courts because you say that you do not want justice he delayed. For 30 years justice has been delayed to our Muslim brothern and the Scheduled Caste brothern. Whv should the special courts not handle these cases so that the culprits can be brought to book so that there is deterrent punishment, so that they know that they cannot get away with it and that, therefore, not repeat it? Therefore, I would ask the hon. Minister whether he would include this in the scope of the special courts so that all such case, go to the special courts, and if not why not. Is it not possible to have special courts to deal with atrocities?

My friend has said that it is provided under the Directive Principles of the Constitution. And I would also like to say that I agree with him that there are problems when you deal with the States, that ours is a federal Constitution and that there are cer-

tain powers given to the States, but, Sir, I would also like to say that in j India in the last 30 years whenever such grave situations have arisen, the Centre has taken action, it is not as if that the Centre is powerless. Maybe, you want to take the States along with you. That i_s all right. But so far as the setting up of special courts is concerned, there is nothing in the Constitution empowering the States to come in its way. Therefore, if his response is negative, I would ask: Why is it negative?

Finally, Sir, I would like to ask him a clarification. I believe that he himself gave an assurance earlier, and I would ask him this. I may be wrong. This is what I learnt from the newspapers, that he himself gave an assurance that the District Magistrate of the place would be transferred immediately. I do not know if such an assurance has been given or not.

SHRI G. C. BHATTACHARYA: No. thing has happened there.

DR. V. P. DUTT: I would like to know whether this Government has not that much influence with it_s Government there that it cannot get the District Magistrate transferred when strictures have been passed upon him not only by the Members of Parliament but also an adverse report has been given by the Members of his own Government.

SHRI H. M. PATEL: Sir,, when this incident first came to my notice, I immediately wrote a letter to the Chief Minister of Uttar Pradesh that he must go into this matter urgently and expeditiously. But I think you are well aware that in U. P. at that particular moment, there was a certain situation. So, although I received a reply, "Yes, it will be gone into immediately and appropriate steps would be taken", I think you will appreciate that there would be a certain delay in those particular circumstances. I also view occurrences of this kind with great anguish. But the

Member also says that this matter has been before us for over 30 years, ever since we became independent, and we have not been able to solve it or prevent these things from happening all this time. It indicates that the problem is not quite so simple as we imagine it to be that by merely taking this step or that step, we can solve it. Right from the beginning, the first thing we decided to do was to banish untouchability, etc. by law. But there are certain things which you cannot achieve by mere legislation. You can certainly say that it is illegal. You can have punishment, etc. Nevertheless these things continue. There untouchability worth the name in cities. But you go to the villages. The very same people who would condemn untouchability, who would not even dream of thinking that anyone is untouchable or anybody should be dealt with any differently, when they go to their villages, what happens? In the villages immediately they become the same old orthodox persons. Even those hon. Members who might say on the floor of the House that they do not like this,, will find it very difficult to go against these things. That is what prevents success being achieved in this field. I am not saying this in order to say that nothing has to be done. I am only saying it in order to emphasise the fact that it is an extremely difficult and complex problem, and We have to tackle this. And my assurance was that I would do my best, the utmost that I can, in order to tackle this problem. I would not be rash enough to say that I will succeed in seeing that it is all banished during my time. But I would certainly make hold to say that I would take sufficiently effective measures so that definite progress is achieved in this direction.

DR. V. P. DUTT: I asked epecifically...

SHRI H. M. PATEL: I am answering. DR. V. P. DUTT: I would also say that discrimination is different from atrocities.

Statement
SHRI H. M. PATEL: It i_s this kind of thing this attitude of people this attitude

thing, this attitude of people, this attitude of mind of everybody...

DR. V. P. DUTT: That is all right. But it is different from atrocities.

SHRI H. M. PATEL: Now, consider the question. You say the PAC and the police behave in thi_s manner. Why do they behave in thi_s manner? They are part of our own society. *[Interruptions)*.

SHRI B. D. KHOBRAGADE (Maharashtra): They behave in this fashion because you do not take action against them.

SHRI H. M. PATEL: Not neces sarily so. (Interruptions) If you find that simple answer,, it is all right. I agree that when anybody is found guilty, when sufficient evidence is found against anybody, we should see that he is punished without any hesL tation...

SHRI B. D. KHOBRAGADE: But only the Government can collect evidence. Only they can investigate.

SHRI H. M. PATEL: Let me ask you. Who is the investigating machinery? You have to realise that it is the police...

SHRI B. D. KHOBRAGADE: That means that we have only to suffer.

SHRI H M. PATEL: You have suffered for 30 years. I am trying to say that I, for one, while I am in authority will do my utmost to see. ... [Interruptions] For what it is worth, I shall do all I can to see that this problem is tackled in earnestness, and not just *through merely giving assurances on any particular kind of action. Whatever action is called for will be taken. I will also say that for this purpose, I will consult, I will seek the advice and guidance of certain of my hon. friends here who have studied this question.

DR. V. P. DUTT: What abou Special Courts?

SHRI H M. PATEL: Yes, my answer is that there will be no Special Court immediately. But I will certainly consider your suggestion. This is all I can say.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Mr. Yogen-dra Sharma.

श्री योगेन्द्र शर्मा (विहार): मान्यवर, म्जफ्फरनगर में 11 तारीख को हरिजनों पर जो वर्बर और अमान्षिक अत्याचार हुए हैं वे सभी के लिए लज्जा ग्रीर कलंक की बात है और इनको गम्भीरता तब और भी बढ़ जाती है जब ये ग्रमानिषक ग्रत्याचार संत रविदास की जयन्ती के ब्रवसर पर होते हैं । में समझता हुं कि सत रविदास सिर्फ हरिजनों के ही संत नहीं हैं बल्कि वे तमाम भारतबासियों के संत हैं। वे उन संतो की श्रांखला श्रीर श्रेणी में म्राते हैं जिन्होंने हमारे देश में म्रन्याय, विषमता भीर ग्रत्याचरों के खिलाफ ग्रावाज उठाई थी । ऐसे ग्रवसर पर हरिजनो के ऊपर इस प्रकार के ग्रत्याचार ग्रीर वर्वरतापूर्ण काण्ड हों, यह हम सब के लिए कलंक की बात है। इस संबंध में उत्तर प्रदेश सरकार की जो रिपोर्ट है उसको हमारे मंडल जी ने प्रस्तुत किया है । स्पष्ट है कि उस रिपोर्ट में हरिजनों के उक्षर वहां के लेश्नों ग्रौर पुलिस ग्रिधिकारियों ने जो ग्रत्याचार किये हैं उन पर लोपा-पोती करने की कौणिश की गई है। इस बात में किसो प्रकार की बहस में जाने की जरूरत नहीं है खुद माननीय पटेल जी ने कहा है हि दो माननीय सदस्य वहां गये ग्रौर उनका नाम भी उन्होंने बताया है। हमारे एक सदस्य श्री गोविन्दन नायर भी वहां गये थे ग्रौर श्रीमती मोहसिना किदवई भी वहां गई थी। उन सभी ने ऋपनी रिपोर्ट दी है और उन्होंने कहा है कि उत्तर प्रदेश की सरकार ने ग्रपनी रिपोर्ट में इस मामले

पर लीपा-पोती करने की कोशिश की है। खद पटेल साहब ने श्री पाटिल साहब को बहां भेजा। इन्होंने इस सम्बन्ध में एक शब्द का इस्तेमाल किया है -- He sent his Minister of State to ascertain facts. उन्होंने कहा है कि फैंक्टस को एसरटेन करने के लिए भेजा है। मैं यह कहना चाहता हूं कि **ग्रग**र उन्होंने श्री पाटिल को फैंक्ट्स एसरटेन करने के लिये भेजा तो उन्हें राज्य मंत्री जो की रिपोर्ट सदन के पटल पर रखनी चाहिए। हम जानना च।हते हैं कि उत्तर प्रदेश की सरकार ने जो रिपोर्ट दी ग्रीर वहां के श्रफसरों ने जो बातें कही हैं उनमें कहां तक सच्चाई है। गृह मंत्री जी को ग्रपने सहयोगियों पर भरोसा करना चाहिए । संसद सदस्यो पर भरोंसा करना चहिये। मैं समझता हूं कि अगर हमारी सरकार सारी वातों की जांच करने का ग्रधिकार ग्रधिकारियों को ही देती है तो वे सारी स्थिति पर लीपा पोती करने की हो कोशिश करेगे ग्रीर सत्य को प्रकट नहीं करें है। मैं चाहता है कि इस सदन के तमाम माननीय सदस्यो, श्री खोबरागड़े जी ने. श्री मीयं जी ने. श्री भट्टाचायं जी ने जो मुझाब दिये हैं ग्रीर जो यह कहा है कि इसकी इस मामले की जांच शैंड्युल्ड कास्ट्रम ग्रीर शैड्यूल्ड ट्राईब्स विमिन्नर के द्वारा कराई जाय, इसको लिया जाना चाहिए । यह वहना कि वे वःभी भी जांच कर सकते हैं, यह ठीक नहीं लगता है । अब तक आप शैंड्युरुड कास्ट्रम श्रीर शंडपुल्ड ट्राईवस कमिश्नर को इस प्रकार की जाच करने के लिए नहीं कहेंगे तब तक वह कैंसे जांच कर सकते हैं। श्रापने वहां के कमिप्रनर द्वारा जो जांच करवाने की बात कही है वह भी ठीक नहीं लगती है। जो ग्रत्याचार करने वाले ग्रधिकारी हैं, जैंसे डिस्ट्रिक्ट मजिस्ट्रेट है, या एसप्पी० हैं वे जब तक वहां पर मौजूद रहेंगे तब तक सही वातका कैसे पता चल सकता है। ग्राप तो एक सिविल सरवेन्ट रहे हैं और भ्रापको इन बातों का काफी ग्रनुभव भी है। जो गुनाह

करने वाले हैं, ग्रगर वही जांच करने लगेंगे तो फिर सच्ची बात कैंसे सामने ग्राएगी।

दूसरी बात जो मैं पटेल साहब के सामने रखना चाहता हं, वह यह है कि हमारे देश में हरिजन हजारों वर्षों से ग्रत्याचार सहते ग्रा रहे हैं। यहां पर 16 वर्षों की मुक्द्मेवाजी के बाद हरिजनों को न्याय मिला था। सोलह वर्षों के मुकट्दमेवाजी के वाद मान्यवर विचार कोजिये कि ये बेचारे गरीब हरिजन, समाज के कमजोर लोग, सोलह सोलह वर्षों तक मुकदमेबाजी में घसीटे जाते हैं श्रीर सोलह वर्षों को मुकदमेबाजी के बाद उनको न्याय मिलता है। इतनी लम्बी श्रवधि की मुकदमेवाजी के बाद जो न्याय मिलता है उस न्याय से भी उनको वंचित करने के लिये वहां को पुलिस ग्रौर भ्-स्वामे। मिलकर उन पर ग्रत्याचार करते हैं। वहां पर जो कांड हुम्रा वह यह है कि न्यायालय से लम्बे संवर्ष के बाद जो न्याय हरिजनों को मिला था उस न्याय से उनको वंचित किया जाय, मार करके, पीट करके, हत्या करके, रेप करके, लूट करके जो ग्रमानुषिक श्रत्याचार, हैं उन सब का सहारा लेकर 16 वर्षों को मुक्तदमेवाजी से जो उनको प्राप्त हुआ है उससे वंचिन किया जाय । इस संबंध में दत्त साहब ने जो सुझाव दिया है मैं उसका समर्थन कहंगा कि स्पेशल कोर्ट का जो प्रावधान किया जा रहा है, उस प्रावधान में हरिजनों, भ्रल्पसंख्यकों के ऊपर जो भ्रत्याचारहो रहे हैं, उन ग्रत्याचारों के भी मुकदमे इस की परिधि में लाये जायें। इस प्रसंग में मान्यवर, हम इस बात की याद दिलाना चाहते हैं कि भ्रगर हम गलती नहीं करते तो चौथी लोक सभा में एक स्पेशल कोर्ट का बिल पेश किया गया था, ताकि ग्रह्पसंख्यकों के अपर जो जुल्म होता था, उन जुल्मों के सिलसिले में उनको समय पर न्याय मिले । पता नहीं वह स्पेशल कोर्ट बिल क्या हम्रा, वह लैंप्स हो गया। लेकिन उस वक्त भी इस बात की जरूरत महसूस की गई थो कि इन कम जाल वर्गों के लोगों को त्याय दिलाने के सिंध सस्ता त्याय दिलाने के लिये, समय क्र त्याय दिलाने के लिये इस तरह की जिले । ग्रदालतों की ग्रावश्यकता है।

ग्रभी माननीय पटेल जी ने जो कहा क बहुत सही इहा कि तमाम माननीय सदन के साथ सलाह मशविरा करके वे कदम 🖘 **येंगे । तो हम लोग सलाह म**णविरा ही है र **हैं भ्रौर सलाह मणविरा के सि**लसिले में ही स दो-एक बात आप से पूछना चाहता है कि क भूस्वामियों की बन्दूकों जब्त की जायगी बयं जहां जहां भी हरिजनों पर ग्रत्याचार हा वहां पर यह सवाल उठा है भीर कई 🖘 मैंने सदन में भी कहा कि क्यों नहीं भुनस्वारिक की बन्दुकों जब्त कर ली जाती। जो 🗀 मंडल जी ने पेश की उस रिपोर्ट में इस बा कहा गया है कि भूस्वामी ने बन्दूक चटाः तो उनको जो बन्द्रकों का लाइसेंस दिया 🗵 है, उनको जो बन्दूक दी हुई हैं, ब्रीट बन्द्कों का इस्तेमाल वे हरिजनों के 🤿 **श्रत्याचार करने में लगायेंगे** तो फिर क्यों नहीं उन वन्दूकों को छीन लेते हैं।

दूसरी बात मैं यह पूछना चाहता है क्या सरकार भूमि सुधार के कामों को. का प्रधिकतर जो ये जुल्म हो रहे हैं, अल्ड हो रहे हैं वह जमीन के लिये हो रहे हैं, उन्ह के भीतर कारगर ढंग से पूरा करने के प्रावश्यक कायंवाही करेगी ?

तीसरी बात जो मैं पूछना चाहता है यह है कि क्या सरकार हरिजनों, श्रादिकां श्रीर श्रल्पसंख्यकों पर जुल्म करते बाला ठीक समय पर दण्डित करने के लिये सम इन कमजोर तबके को न्यायालय से न्याय दिलवाने के लिये स्पेशल कोई की ह्या करेगी ? क्या सरकार उत्तर प्रदेश की बता पी० ए० सी० को भंग करके उसका जनता श्राधार पर पुनर्गठन करेगी जिसमें 50 स्सदी जवान हरिजन श्रीर श्रल्पसंख्यक है।

(श्री यागेन्द्र शर्मा]

क्या सरकार मुजफ्फरनगर के एस० पी० ग्रौर जिला मजिस्ट्रेट को निलम्बित क**रे**गी <mark>ग्रीर</mark> ग्राखिर में क्या सरकार निर्दीष हरिजनों के खिलाफ जो मकदमे किये गये हैं उनको वापस लेगी ग्रौर जिन हरिजनों की जान माल की हानि हुई है उनको मुग्रावजा देने की व्यवस्था करेगी । मान्यवर, ग्राप जानते हैं कि हरिजनों की ग्रवस्था क्या है वे बेचारे भूखों मर रहे हैं, उनके मकान टूट गये हैं, उनकी झोंपडियां ट्ट गई हैं, इसलिये उनकी जो हानि हुई है उसकी क्षति पूर्ति, मुझावजा देने के लिये क्या सरकार उचित ग्रीर ग्रविलम्ब कदम उठायेगी ?

6.00 P.M.

SHRI H. M. PATEL: Sir, the honourable member has asked a number of questions. But I would like to remove_ one or two misapprehensions that have occurred. First of all, this incident occurred as a result of this quarrel which was going on for a number of years over the right of passage and, in the end, the Harijans won and this had to be implemented. There was some delay in the process of implementation, as the report goes. But it was agreed that this was to be carried out and there was no quarrel over that. Nevertheless, on the Uth, because of the way i'n which the removal of that wall was done to widen the passage, some trouble started. But, at the end of that trouble, somehow the authorities and the parties concerned managed to settle the dispute and they agreed also as to how it was to be done. 1 am referring to my information. And, Sir, the next day a procession was being taken out and it is then that further trouble started. This time, it seems, the trouble started between the police and the Harijans and this is how this incident occurred which has caused so much of distress. Now, the appointment of the Commissioner to hold an inquiry was not made after Mr. Patil

went there and came back. It was made long before that by the State Government. I only want to correct that and it is not something that has been done at ou_r instance. I have already said that. Now the Commissioner is unlikely to hold the inquiry because of the way in which it is going to be bifurcated and a different method of inquiry may be there. A suggestion has been made that I should request the Commissioner for Scheduled Castes and the Scheduled Tribes to go into it. I shali, certainly do so. I have no objection to that. But I have to consult the Scheduled Castes and the Scheduled Tribes Commissioner.

SHRI B. D. KHOBRAGADE: He is there.

SHRI G. C BHATTACHARYA: He is there.

SHRI H. M. PATEL: One does not discusa that way- I nave to find out how it is to be organised.

SHRI BHOLA PASWAN SHASTRI (Bihar): I am here; I am a Member of the Rajya Sabha also.

SHRI H. M. PATEL: And I shall discuss with him. Do you not realise that I am earnest and sincere m what I am saying? When I say I will dis-cus, with him, it is not in order to persuade him not to do it, but it is with a view to finding out what diffi- \ culties he may have, what problems he will have to face and so on and what assistance I can give him in order to do that. It may also be necessary to consult the State Government; the State Government haa to be consulted. We cannot eet aside the Constitution completely and sa_v that the Central Government; will do this'. So, I shall have to consult ail these people. Therefore, you should rest content and I will certainly consider all these suggestions that are being made. But, so far as the inquiry is concerned, we shall certainly

see that the inquiry is made into this. We are satisfied that there are certain atrocities which have been committed and those persons who are responsible for these things should be brought to book a_s speedily as possible. But these are all things which escalate and, in the escalation, all kind_s of terrible thing_s happen. Our aim should be to arrange things in such a way that the escalation is prevented. If an incident takes place, you must try and see that it is curbed at the earliest possible moment and is not allowed to escalate.

SHRI G. C BHATTACHARYA: Sir, only one clarification I want. Under what law... (*Interruptions*)

- THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): There are many speakers. Please sit down.

श्री भा० दे० खोवरागडे : श्राप बैठ जाइवे। मेरे बाद में बीच लीजिए। आप बैठो।

SHRI G. C. BHATTACHARYA: Under what provisions of law will the Central Government do this? (*Interruptions*)

़ <mark>श्रीमतीसरोजखापड़ें</mark>: हर्नेभी बोलने कामौका दिशाजाए।

SHRI G, C, BHATTACHARYA: Why are you in a hurry?

SHRI B. D. KHOBRAGADE: Because I have to catch the train and I have been sitting here for long for this. Therefore, I would request you to kindly sit down.

THE VICE-CHAIRMAN (SHRI SHYAM LAL, YADAV): Mr. Bhatta-charya, please 3it down.

SHRI B. D. KHOBRAGADE: Sir, I would not repeat whatever has been said during thi_s discussion nor would I mention the other instances of atrocities. The atroeities that have

been perpetrated in Muzaffarnagar are of the utmost heinous nature and should be condemned by all as they have been condemned by all sides of the House. Sir, the important question that I would like to ask here is about the attitude of the Government officials. We haTe experienced the same • thing i'n Agra, in Pantnagar, in Muzffarnagar and in Nagpur. Whenever the Scheduled Caste persons were involved, the police officer^ indulged in brutal lathi charge or firing. I would like to know as to what action is being taken against those officers. I think, we have got the same experience in Ali-garh when the Muslims were involved. Are .we going to allow the police officers or the Government officials to slaughter the Scheduled Castes, to butcher the minorities, to rape their girl_s and daughters, to butcher their children and the Government is going to be a silent spectator to all these atrocities? Why should action not be taken immediately against the official as has been suggested in this House? The SP and the Collector should have been suspended immediately.

Sir, I would quote only one ins- j tance. In the Nanded district of Maharashtra, one police officer just opened fire. He did not kil] 6* hurt anybody but he opened fire. He was immediately suspended and an in-x quiry was started by the Maharashtra Government. Mr. Singaravelu was the officer concerned. He was immediately suspended. He belongs to the Scheduled Castes. Sir, when so many persons were wounded, killed and maimed and the women were raped, why should not the Central Government take action as it was "done *n the case of one Scheduled Caste police officer in Maharashtra? I do not understand why the concerned police officer and the Collector are not immediately suspended. Sir, the hon. Minister has admitted that there is a variation in the report submitted by the State Government and the in-

to Calling Attention Statement

[Shri B. D. Khobragade] quiry made by the hon. Minister, Mr. S. D. Patil. The ver_v fact that the State Government has tried to suppress the real facts indicates that the State Government is trying to protect the guilty officials. Therefore, Sir, we cannot expect to get any justice if any inquiry or investigation is entrusted to the State Government officials. Sir, our friends here have made a suggestion that special courts should be there to try the offences committed against the Scheduled Caste_s and th_e minorities. Sir, that is not sufficient in m_v opinion. What would the court do if the investigation ia not complete, if the investigation is not proper? If the loopholes are there and the investigation is done in such a fashion that the benefit of doubt can be given to the accused, what will be the use? The special courts will do nothing and they will be of no use. For this purpose, there a special machinery to should be investigate these offences honestly, impartially and properly So that if there is sufficient evidence to prove their guilty, they be convicted and they can be punished. Until and unles3 the investigating machinery is impartial, we cannot hope to get any justice in such cases even by establishing special courts and we cannot protect the life and property of the Scheduled Caste people. Therefore, I would like to know from the hon. Minister whether such an investigation machinery would be established.

Sir, so far as the protection of the Scheduled Castes is concerned, there has been another proposal that the PAC should consist of the Scheduled Caste people to the extent of 50 per cent. I do not know what objection there can be for the hon. Minister to accept that proposal. Mr. Karpoori Thakur, the chief Minister of Bihar, has already declared that 50 per cent of the Home Guard personnel would be from the Scheduled Castes. They will be armed, and jn case there is

any atrocity perpetrated against the Scheduled Castes, those persons will be entrusted with the work of protecting the life and property of the Scheduled Castes. If one State Government has already accepted this proposal, why should it not be emulated by the other State Governments? Therefore, I woud like to ask the hon. Minister to consider all these proposals and take effective steps to protect the life and property of the Scheduled Castes. It is not enough to come here on such occasions and pay lipsympathy to the cause of the Scheduled Castes. We have been listening to such words, such sympathetic words, in the past also. But, unfortunately, nothing has been done. More than 100 persona have been arrested, in this case and all of them belonging to the Scheduled Castes. Not a single person has been arrested from the non-Scheduled Castes communities. What is the reason for that? When it is quite clear that all our people were wounded, that they had suffered the most, it means that these injuries were inflicted by non-Scheduled Caste members. If that is the case, why not a single person from the non-Scheduled Caste communities arrested? All this clearly points to one direction, namely, that the police officers and Government officers, are helping and assisting the caste Hindus to butcher the Scheduled Caste people. Therefore, we can never expect to get any justice as long a_s these officers are there. Therefore, I would like to appeal to the hon. Minister, if he is really interested and if he is really sincere that the guilty persons should be punished, that he should immediately take the first steps to transfer these officers if he cannot suspend them. Transfer them immediately and entrust the investigation to those persons who are impartial and really interested in the welfare of Scheduled Castes.

SHRI K. K. MADHAVAN (Kerala): Sir, I want a clarification.

Statement THE VICE-CHAIRMAN— (SHRI

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Let the hon. Minister reply SHYAM LAL YADAV): Yes, Shri Jha. then you can ask the question. (Interruptions)

SHRI K. K. MADHAVAN: You are behaving like Mr. Jatti, only giving me SHYAM LAL YADAV): All the points promises but not the opportunities to speak.

LAL YADAV): Let the Minister reply first. have an opportunity to ask questions. (Interruptions)

SHRI K. K. MADHAVAN: I am now a senior Member and I will be completing three yea_{rs} in April. You do not give me a chance because I am a back-bencher or because I come from a particular caste or 1 from Kerala. because come (Interruptions)

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Mr. Madha-van, please allow the Minister to reply first. Your seat is there but otherwise you are a first-bencher and a senior Member. (Interruptions)

SHRI H. M. PATEL: Sir, I have already indicated while replying to another hon. Member that the question or creating civil court_s is not the answer; but even then cases have to be filed, investigation has to he done and it will have to be do'ne by the same committee. We have to go into this matter very 'seriously. In other words, I do see that we shall have to find out what kind of an investigating machinery should be set up in which everybody could Have confidence. It is not something which one can do just like

The hon. Member has said that there is only lip-service today. At the moment, I can only give lip-service. You will have to wait for some time before you can see whether any action follows or 'not. It is inevitable. At the moment, I can only keep on giving assurances that I do intend to pursue this further and see what are the right steps that we should take.

SHRI K. K. MADHAVAN: What about my case? (Interruptions)

to Calling Attention

VICE-CHAIRMAN (SHRI have been covered. Therefore, please be THE VICE-CHAIRMAN (SHRI SHYAM brief s° that the other Members may also

> श्री शिव चन्द्र झा (विह'र) : विटक मखतसर मैं पुछ रहा है। मंत्री महोदा न यह कहते की बहुत कोशिश की और उन न **ग्राड लेने को कोशिश को** कि यह सनस्य। हरिजनों के साथ हो रही है, जुल्म हो न्हें यह समस्या बहुत पुरानी, कम्प्लीकेटेड छाउ कप्लेक्स है और यह मैंटल एटीट्युड हमें बचन की जरूरत है। ये सब बातें चुंकि नहीं हो इसीलिए यह घटनाएं हो रही हैं, ग्रव सब नेव मन्त्री महोदय ने साबित करने की कोणिज ह लेकिन मैं मन्त्री महोदय से पूछना चाहता है जो काम आप के मा हत है--मै मारता हम लोग थोड़ी देर के लिए यह मान 🐡 हैं कि मानस को बदलने के लिए वक्त लगेगा--लेकिन जो आपके मातहर 🗆 चीज है. जिस पर ग्रापका कटजा है जो 🗀 **ग्राप देखते हैं कि स्पष्ट रूप में ग्रन्थाय** हुन: जल्म हम्रा है, भ्रत्याचार हम्रा है और कहा 🧸 उसके जरिये कि जो ब्राप के मुनाजिस **कर्मधारी हैं, पुलिस वाले** है । जब यह व सेल्फ एवीडेंट है तो द्याप को कार्यवाही अस्त कोई हिचकिच हट क्यों है। किसी का मान **बदलने में बक्त लग सकता है,** लेकिन ग्राप जो लोग हैं उनके जरिये जब जरम हा **ग्रीर ग्राप कंविस्ड हैं कि ग्राप** के लोग पुलिस वालों ने यह किया है तब अग कार्यवाही करने में क्यों कोई हिन्धिक होती है। ग्रभी बतलाया गया कि पुलिस ा ने वहां बलात्कार किया, लोगों को भारा 🦠 बच्चों को दीवार पर पटका । क्या ग्राप उस 🕒 **कांट्रेडिक्ट करते हैं ? हमारे एस** जडी जारीस

[श्री शिव चन्द्र झा]

साहब क्या उसको कांट्रेडिक्ट करते हैं ? यदि म्राप उस को गलत नहीं बताते तो जिन लोगों ने ऐसा किया है क्यों नहीं ग्राप उनको तुरन्त सस्पेंड करते हैं भ्रौर इसमें ग्राप को किसी तरह की हिचकिचाहट क्यों हो रही है ? आप ऐसा तरन्त कर सकते हैं, लेकिन आप ऐसा नहीं कर रहे हैं ?

इसरी बात कंपेसेशन की उठायी गयी है। इसके लिये सारे इतिहास को उलटने की जरूरत नहीं है। जिन की जानें गयी हैं, जिन की क्षति हुई है उनकी क्षतिपूर्ति ग्राप कर सकते हैं। यह कोई ग्रसम्भव वात नहीं है। यह इंपासिबिल नहीं है । यह काम श्राप कर सकते हैं। ग्राप उन को उचित मुग्रावजा क्यों नहीं देते ? उसमें ग्राप को हिचकिचाहट क्यों है ?

तीसरा मेरा सवाल है कि जब हरि-जनों के साथ इस प्रकार के अत्याचार होते हैं भौर ऐसी दखद घटनाये होती हैं भौर उनकी हम निन्दा करते हैं श्रीर हमारा सिर झक जाता है इन घटनाम्रों को देख कर, भौर किसी न किसी रूप में उनकी जानें जाती हैं, उन पर ऋत्याचार होते हैं तो उसके लिये मेरा सुझाव है कि एक पुलिस हरिजन फायरिंग लाइफ इंग्योरस स्कीम होनी चाहिए। पुलिस के द्वारा या अन्य दंगों में जब हरिजनों का कोई नकसान हो तो राष्ट्रीय स्तर पर उसके लिये एक लाइफ इंक्योरेंस स्कीम होनी चाहिए ग्रौर उसमें बहस की जरूरत नहीं, कोई सवाल उठाने की जरूरत नहीं, किसी की जान जाने के बाद उस स्कीम से उसके परिवार को मग्रावजा मिल जाना Statement चाहिए । क्या ऐसी कोई स्कीम श्राप तैयार कर रहे हैं ? यदि नहीं, तो क्यों ?

ग्रीर चौथा सवाल है पुलिस सेटग्रप का। कई बार यहां यह बात उठायी गयी है कि पुलिस इस देश में एक मोस्ट फासिस्ट ग्रार्ग-नाइजेशन है। भारत में पुलिस की व्यवस्था विल्कुल फासिस्ट पैटर्न पर है ग्रौर यह बात निर्विवाद है। कितना भी स्राप हण स्रप करें इस वात को यह कह कर कि इसमें यह परिवर्तन करेगे, वह परिवर्तन करेंगें लेकिन उस में सुधार नहीं हो रहा है। इसमें कुछ बुनियादी परिवर्तन लाने की जरूरत है। तो क्या ग्राप उसको डैमोकेटाइज करने के लिये कोई कार्यक्रम बना रहे हैं या उसकी बात सोच रहे हैं ? इससे मेरा मतलब यह है कि पुलिस का हेड जो भी हो वह जनता द्वारा चुना जाना चाहिए । पुलिस रिप्रेजेटेटिव भ्राई जी, डी ग्राई जी ग्रीर एस पी ग्रीर डी एस पी जो हों वह जनता द्वाराचने जायं। ऐसी बात क्या आप सोच रहे हैं।

(Interruptions)

ग्रौर मेरा भ्राखिरी तवाल यह है कि यह बात निर्विवाद है कि हरिजनों की समस्या या इस देश की सामाजिक ग्रीर ग्राथिक जो ग्रन्य समस्याये हैं वह हमारे देश की जो सामाजिक या श्रायिक बनावट जो है उससे जुड़ी हुई हैं। उसमें बुनियादी परिवर्तन होना चाहिए । लैंड रिफार्म्स की जो बात यहां उठायी गयी है, क्या उसके लिये ग्राप कोई टाइम बाउण्ड प्रोग्राम बनायेंगे ताकि हर राज्य में लैंड रिफार्म्स का काम एक समय के श्रन्दर खत्म हो सके ?

SHRI H. M. PATEI,: Sir, the lion. Member asked as to v/hy the Home Minister does not do what is in his power to do, that is, taking action against the officers. I must say it is for the State Government to do it...

श्री शिव चन्द्र इता: स्राप श्रादेश तो दें सकतें है।

SHRI H. M. PATEL: I am sorry, whether the hon. Member like it or not but this is a fact. But I have not taken shelter behind that or said that nothing wili be done. But it has to be done in the proper way. The hon. Member suggests about the life insurance scheme. Does he really think that we want to see this kind of thing to go on happening so that

285

lots of people require to be compensated? I think that is not the kind of way the insurance scheme works. The insurance scheme works only where the large number of people are likely to be involved and only occasionally something happens in which case they pay compensation. Therefore, it is not a matter which needs to be or ought to be tackled in that way at all. Wherever it is necessary to compensate them and give them the assistance, the Government has always been doing so and we shall do so in this case too. I do not know whether the State Government has yet acted but my feeMng is that there really was not a functioning Government at that time in U.P.

It is said, and that is one of the things that surprised me and I admit it too that among the arrested people, there were almost the Scheduled Caste people entirely; not one of the others was arrested, and yet, injuries were received by the Scheduled Caste and the Scheduled Tribe people. Does it suggest that it is only they who shot themselves. So, it is something which is certainly surprising. So, I am not aware of some of these things; they will have to be pursued. But I would request the hon. House to let these things be pursued in the manner they ought to be pursued because there has to be a proper administration in the country. The functioning should be according to the rules and regulations. At the same time we should also see that proper action is taken as speedily as possible. I am also anxious to see that action is taken speedily and T haive given this assurance and 1 shall get in touch with the State Government.

SHRI SHIVA CHANDRA JHA: What about democratisation of police?

SHRI H. M. PATEL: So far as the democratisation of oolice is concerned, T am afraid what the hon. Member is suggesting, if we do that, then there will be no police which is not a desirable thing.

श्री कल्प नाथ राय: आदरणीय उप-सभाध्यक्ष जी, मुज्फफरनगर में जो अत्याचार हुए है उनके लिए ग्राल पार्टी पालियामेंटरी कमेंदी की मांग करता हूं। दूसरी बात यह कहन। चाहता हूं कि इस सरकार में यह दम नहीं है कि मुज्फ्फरनगर के कलक्टर को म् जफ्फरनगर का कलेक्टर श्री चित्रांगद सिंह हैं जो भृतपूर्व स्वास्थ्य मंत्री के पी०ए० थे। भृतपूर्वस्वास्थ्य मंत्री श्री राजनारायण ने उनकी यपाइंटमेंट मुज्फरनगर में कराई है ग्रीर वहां के कमिण्नर जो इसकी जांच कर रहे हैं वहां के कलेक्टर की पाकिट भे हैं ?। इसलिए पूरा सदन मानता है श्रौर मैं भो समझता हं कि वहां के कलेक्टर को मुग्रत्तल करने की क्षमता इस सरकार में नहीं है ।

this Government lacks the political will to protect the interests of the तीशरी बात मुझे यह कहनी है।

Harijans, इस सरकार में दम नहीं है कि जो हरिजनों की हत्याग्रों की रक्षा कर सके ग्रादरणीय शर्माज़ी श्रीर झा साहब ने लेंड रिफामं की बात कही है। मेरा कहना है कि अभी पिछली सरकार ने भीटा, पोखरा, बंजर परती ग्रीर वैरन लेंड को जो हरिजनों में बाटी थी जो सूदखोरी ग्रीर जमाखारी से दिलाई थी उसी भीटा शीर पोखरा पर हरिजनों पर कलेग्राम हम्रा है। उपसभाध्यक्ष महोदय, मैं वह बताना चाहता है कि 90 परसैंट गांवों में यहने वाले हरिजनों को लाठी से पीट कर जमीन छीन ली जाती है ग्रीर इर के मारे पुलिस में रियोर्ट नहीं करते हैं। 10 परमेंट वे लोग हैं जो थाने में रिपोर्ट लिखाने जाते है तो थानेदार मार कर भगा देता है और रिपोर्ट नहीं लिखता है एक परसेंट हरिजन जो पिछनी सरकार के द्वारा दी गई जमीन से कर्जा भक्त हैं उसको ले कर यदि संधर्ष करने के िये खड़ा होता है तो उसका परिणाम करन होता है। क्या कारण है कि बेलछी में हत्याकाण्ड

[श्रीकल्पनाथ राय]

हम्रा में विश्रामपूरहत्याकाण्ड हम्रा, ग्रागरा में हत्याकाण्ड हुम्रा, मुजफ्फरनगर में हत्याकांड हुग्रा। जो सैकड़ों हत्याकाण्ड हुए उनका क्या कारण है। मैं जानना चाहता हं कि इसके क्या कारण हैं ? मैं समझता हं कि This Janata Government lacks the political will to protect the interests of the Harijans.पिछली सरकार के प्रधान मन्त्री श्रीमती इन्दिरा गांधी ने सभी राज्य सरकारों को एक डी० ग्रो०पत्न लिखा था जिसमें यह कहा गया था कि जिस प्रान्त में या जिस जिले में हरिजनों पर ग्रत्याचार ग्रीर एट्रोसिटीज होंगी या कौमनल राइटस होंगे वहां के कलेक्ट^र ग्रीर एस० पी० तुरन्त संसपेन्ड कर दिये जायेंगे। They will stand suspended यही कारण है कि हरिजनों के ऊपर किसी ने भी ग्रंगली उठाने की हिम्मत नहीं की । उत्तर प्रदेश के ग्रन्दर जब श्री हेमवती नन्दन बहुगुणा मुख्य मन्त्री थे तो उन्होंने एक सीकेट जी० ग्रो० जिलों में जारी किया था जिसमें यह कहा गया था कि ग्रगर किसी स्थान पर हरिजनों पर भ्रत्याचार होंगे या कीमनल रायटम होंगे तो सख्त कायंबाही की जाएगी 'The District Magistrate and the S.P. •of the district will stand suspended automatically. इसका परिणाम यह हम्रा कि उनके शासन काल में एक भी दंगा नहीं हुन्ना और एक भी हरिजन पर जुमें नहीं क्रिये गये । लेकिन वर्तमान सरकार तो जमींदारीं ग्रौरप जीपतियों की सरकार है। इनमें हिम्मत नहीं है कि ये लोग हरिजनों के हितों की रक्षा कर सकें। हमारी यह मांग है कि इस मामले की जांच करने के लिए एक पार्लियामेंटरी कमेटी बनाई जारे ग्रीर वह वहां जाकर इसकी जांच करे। मैं ग्रापके सामने कंझावला गांव की वात रखना चाहता हं। कंझावला गांव में हरिजनों को जमीन बांटी गई थी। पिछले 10 साल से वे इस जमीन को जोत रहे थे, लेकिन जब इन लोगों की हकूमत ग्राई तो उस गांव के जमीं-

दारों ने एक बड़ा जलुस निकाल कर प्रधान मन्त्री की कोठी पर धावा बोल दिया। जब दिल्ली में इस प्रकार की स्थिति हो तो 15-20 मील दूर के जर्मादार सोचते हैं कि क्यों न हम हरिजनों की जमीन को श्रपने कब्जे में कर लें । मैं समझता हूं कि इस सरकार के कारण ही उत्तर प्रदेश ग्रौर विहार में हरिजनों पर ग्रत्याचार हो रहे हैं भौर यह सरकार उनकी रक्षा नहीं कर पा रही है। मैं समझता हं कि श्री खोबरागडे जी, श्री मौर्य जी ग्रौर श्री शास्त्री जी जो बात कहते हैं उस पर तुरन्त ध्यान दिया जाना चाहिए । ये लोग पुरे देश का प्रति-निधित्व करते हैं। यह प्रश्न ग्रार्थिक प्रश्न है इसको इसी ढंग से हल किया जाना चाहिए। जब तक ग्राप समाज में ग्रौर ग्राधिक क्षेत्र में बनियादी परिवर्तन नहीं लायेंगे तब तक हिन्दुस्तान के हरिजनों के हितों की रक्षा नहीं हो सकती है। ग्रगर लोगों के मन में यह बात श्राजारे कि जो लोग हरिजनों पर ग्रत्याचार करते हैं या उनकी हत्या करते हैं उनके खिलाफ सख्त कार्यवाही की जाएगी तो कोई कारण नहीं है कि हरिजनों पर बार बार ग्रत्याचार होते रहे। जब कलेक्टर ग्रीर एम० पी० को पता चल जाएगा कि हरिजनों पर अत्याचार करने से उनको मुम्रत्तिल कर दिया जाएगा तो वे कभी हिम्मत नहीं कर सकते हैं कि हरिजनों पर श्रत्याचार करें । बेलची में हरिजनों की हत्याएं की गईं, विश्रामपुर में हरिजनों पर ग्रत्याचार किये गये, लेकिन इस सरकार ने कोई कदम नहीं उठाया । इन लोगों में हिम्मत नहीं है कि ये म्जफ्फरनगर के डी०एम० केखिलाफ कोई कार्यवाही कर सकें। डी०एम० श्री चित्रांगद सिंह को ये नहीं हटा सकते हैं क्योंकि उनका सम्बन्ध श्री राज-नारायण से है। श्री धनिकलाल मण्डल में यह हिम्मत नहीं है कि वे उनके खिलाफ कोई कदम उठा सकों क्योंकि श्री राजनारायण का टेलीफोन ग्राजाता है।

Thi_r, Governmeant lacks the political wi'l. This Government cannot protect the interests the Harij'ans, the weaker sections and the minorities. This is the Government of landlords. This is the Government of reactionaries. This is the Government of capitalists. This is the Government ot communal people. This the Government of splinter groups. This Government cannot protect the interests of the weaker sections. This Government cannot protect the interests of the country. cannot protect the This Government interests of the nation. This Government cannot do anything except create anarchy and a law and order situation in the This Government cannot do anything. Therefore, this Government must go. I would ask this Home Minister. Mr. S. D. Patil went Mzuaffarnagar. What is the report he has given? He is the Home Minister. It was his duty to get suspended the District Magistrate and the S.P. He has not done it. Still he has come here to participate in this discussion. What is the sense in this? It was the duty of the Minister. But he has done nothing. The charge made by Shri Maury a is not against that person whose wall was under construction. The charge is against the PAC and the police force.

जब रक्षक ही भक्षक बन जाबें तो फिर देश का हित किस प्रकार हो What will you write to the State Government? भापने मजिस्ट्रट श्रीर पुलिस सुपरिटेन्डेन्ट को मुबत्तिल नहीं किया । ड्रास्ट्रिक एक्शन लेने के लिए श्राप डरने क्यों हैं?

इसलिए मैं आपसे कहना चाहता हूं पटेल साहब कि आप नये गृह मंत्री हैं आप कृपा करके एसी घटनाओं की पुनरावृत्ति होने से रोंके, इसको बंद करें। मेरी आप से मांग है कि आई० जी० के अन्डर में एक आडिशनल आई० जी० बनाया जारे जो कि हरिजन अट्रोसिटीज न होने दें और उनके हितों का ख्याल रखे। Additional LGr. should be appointed in all the State to look after the interests of the Harijans, minorities and weaker sections.

यदि ग्राप यह व्यवस्था कर सके तो उन ए० ग्राई० जी० को जो रिपोर्ट उसके सबब में होगी उस पर ग्राप तत्काल कार्य गृही करेंगे। में ग्रादरणीय भोला पासवान शास्त्री जो न निवदन करूंगा कि हरिजनों को जिन्दा जला दिया गया तो क्या कोई एस० पी० मुझितल हुआ, क्या कोई कलक्टर मुझितल हुआ भी पासवान जी बिहार के रहन वाल है बहा पर पचासों की हत्या हुई है, पचामों हत्या कांड हुए हैं। वहां पर जब इस तरह के से में इं हत्याकांड हुए तो क्या बहां किसी एस० पी० को मुझितल किया गया। एसी कोई चीज नहें हुई।

उपसभाष्यक्ष (श्री श्याम लाल यादव) : ग्रापका सवाल स्पष्ट है ।

(Time Bell rings)

श्री कल्प नाथ राय: इसलिए मेरी मात : कि ग्राडिशनल इन्सपेक्टर जनरल को ग्राडिश करके केन्द्रीय सरकार एक सेन्ट्रल सेल कारक करे इन सारी बातों के लिए ग्रीर बड़ी डह इच्छा शक्ति से, ऐसा करने बाले लोगों है विरुद्ध कड़े कदम उठाये जायें तभी इस दें। के ग्रन्थर हरिजनों के हितों की रक्षा हो सह है से माइनारिटीज के हितों की रक्षा हो सह है है माइनारिटीज के हितों की रक्षा हो सह है है ग्रीर तभी यह जनता सरकार, गांधी जो की समाधि पर जाकर शथप लेने वाली सरकार, गांधी जी का नाम लेने वाली यह सरकार गांधी जी के प्यारे हरिजनों की रक्षा गई सकती है।

श्री भोला पासवान शास्त्री : उपरान ध्यक्ष जी, कल्प नाथ जी न कहा कि विक्षान में हत्याकांड हुए तो क्या मैं ने वहां के किसा कलेक्टर श्रीर किसी एस० पी० की द्रासक किया। मेरे पास उनकी सफतर करने स्व

Statement

[श्री भोला पासवात शास्त्री] कोई पावर नहीं है भीर मैं यह नहीं कर सकता हूं । जब मैं एडमिनिस्ट्रेशन में या....

भी कल्प नाथ राय: मैंने प्रापको नहीं कहा।

भी भीला पासवान झास्त्री: ग्रापने श्रमी कहा। जब मैं एडमिनिस्ट्रेणन में था तो श्राप जितनी उम्मीद करते हैं उससे वेशी मैं ने कर दिया था।

SHRI H. M. PATEL: Sir, I think the hon. Member has made one or two suggestions. I shall certainly consider them, but as he has begun by saying that this Government has no will to do anything at all, I can only wait until I show him that there is a Government which has the will.

SHRIMATI SAROJ KHAPARDE: Sir, Sir, . . .

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): I have heard your voice several times. Please do not repeat. There are several members from each party who want to speak. Yes, Mr. Madhavan.

SHRI K. K. MADHAVAN: Sir, after I heard the hon. Minister I thought that 1 should get one or two clarifications. I am not going to make a statement. The first thing is that the Government is committed to protect the interests of the Scheduled Castes and the Scheduled Tribes and other weaker sections. Firstly, it is given in the Constitution itself and secondly, aa per the manifesto of the Janata Party they stand committed to this. Now the question is whether they have got the will to do it, whether the Government has got the will to do it. I am not questioning the bonarides of the hon. Minister or even of the Government. That apart, I want to say that the incidents of atrocities on the Harijans have to be related to a certain period. I would specifically say that these incidents have been inspired by certain people placed in

high authority. This I had pointedly mentioned in my speech during the course of discussion on the Motion of Thanks. pointedly mentioned that the person who has come to power as number two in the Cabinet, as Deputy Prime Minister, had been fomenting all these troubles. political group fomenting was these troubles. Now he has come back between there was a power. In period when he was out of power. You examine that period also and compare. I am not in possession of figures. figures will be with , the Home Minister. The thing is that this Government is in point of bayonet, existence under the aided by no less a person than No. 2 in the Government. When the Government is of that composition, where is the reaction? In that political climate, inspite of the determined will of the hon. Home Minister, I do not know how far he is going to succeed. So I want a clarification as to what action he proposes to take in thi_s matter.

SHRI H. M. PATEL: Sir, I can only suggest that he wants awhile and sees whether I do succeed in taking action or not

SHRI HAREKRUSHNA MALLICK (Orissa): Sir, I do not want to add the salt of politics in this problem, i as my friends on the other side have done.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You just put you_r points.

SHRI HAREKRUSHNA MALLICK: Yes, it is no use speaking against one Government or praising the other. I am not going to blame their Government. But the only thing I want to say is that I just remember that during Gandhiji's Centenary celebrations, while addressing a meeting in the Mavalankar Hall on June 28, I summed up by saying that as many as 98 Harijans in this country were seacrificed like goats or lambs and that wa. a cari-

293

to Calling Attention

cature against 'Gandhiji because he stood for the socially weake, sections. I do not want to name, as to who was in power at that time. At the same time I am not going to say something in praise of our Government. I am reminded of the firing at Agra in U.P. when the Harijans and the neo-Buddhists were going in a procession to observe the birthday of late Mr. Ambedkar. Of course at that time a bye-election was going on in Azamgarh. In Marathwada, when a university was going to be named after Dr. Ambedkar, the same hulla gulla was started and apart from other things, two hon. Members— one of this House and another of the other House—were booked by the police although another university is named after another leader, but I am not going to have any jealousy against anybody. Now comes this case when the same thing happened to some Harijans who wanted to observe the birthday of another great man and, as the hon. Minister has said, only Harijans have victimised. So, I want to draw the attention of the Government to this and appeal to the conscience of this House and the hon. Members not to politicalise the issue. Parties may come and parties may go. Governments may come and Governments may go. But all have to remain in this country—the Harijans and the non-Harijans, Adivasis and others. The whole question is what should be done and how best we can achieve the objective that all can live like brothers and sisters. That is my submission.

Regarding the police pattern and police behaviour, I need not tell much. I want to remind you about what the Allahabad High Court observed about the police. It was said in this house that the police behaviour has not changed from Jalianwalla to the present day. Once they are in uniform, they feel that they are probably from heaven or from hell. Although there is an axiom that every police officer is a citizen in uniform and every citizen is a police officer without uniform, yet they do not observe this.

Statement

In view of the difficulties of the weaker sections—we know women are being raped in the police station. helples, Harijans are being murdere and humiliated here and there-may I, therefore, just alert the Ministe and the Government and all con scientious people in this House to see what best should be done. I want to suggest two things: one, I am definitely aware that the quotas of reser vation for the Scheduled Castes and Adivasis are not being filled up ever year in the IAS, I.P.S., and other selection grade services on the ground that the candidates are not available This is really not the case. Candidateare available But I want only place this on record. Once there are reserve posts, these posts must be filled by appointing candidates longing to these castes, the Schedule Castes and the Adivasis. Always the number of Scheduled Caste employee should be R+N where 'R' is the nun ber of the reserved seats and 'N' is the number of seats secured by merit. Only sometimes "N" may tend to be zer But 'R' also sometimes becomes zero But really speaking 'R' will never even R-1. That is number one, i.e. in the higher cadres we should have the Adivasis and the Harijans.

Secondly, in every Police states one police officer should be from the Scheduled Castes or the Adivasis the Government give an undertaking to the nation for this.

Then, this area Muzaffarnagar visited by the Consultative Commit tee. Home Ministry. A team from this House should also do so. A ... also such bodies which are connected with the Harijans and the Adical like the one whose Chairman Mr. Bhola Paswan Shastri, should there so that there itself they actually find out what the case was what the provocation was and what the result was. We should see the

[Shri Harekrushna Mallick]

on an experimental basis. On the very spot, the affected persons should be compensated fully and permanently, that is those people who are affected by death, injury or damage. A tax which is called the punitive tax, must be collected from that area.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Now conclude.

SHRI HAREKRUSHNA MALLICK: So I want to draw the attention of the House to this aspect so that this issue is not distracted by a political approach. I completely appreciate what my hon. friend, Shri Kalp Nath Rai has said. We should really put in right earnest our view points so that real relief is given to the people who are affected and who are in the danger of being affected. Therefore, I want to place on record, whatever has happened may never be repeated. "Thus far and no further", may be placed on record as our guideline for future.

SHRI H. M. PATEL: Sir, I shall consider the suggestions made because he has said what he wants me to do. But it is not necesseary that every one of those suggestions can be accepted. We are making considerable progress so far as reservation is concerned, and it does not remain on paper, it is given effect to

SHRI HAREKRUSHNA MALLICK: What about my point that every police station must have an officer from among these people i.e. the Scheduled Caste and Tribe?

SHRI PIARE LALL KUREEL urf PIARE LALL TALIB (Uttar Pradesh): Thank you very much for giving me some time. (Interruptions).

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV); There are so many names. What can I do? I am accommodating as many Members as

possible from every party although we are late. (Interruption)

296

SHRI PIARE LALL KUREEL urf PIARE LALL TALIB: I thank you for the time, a few minutes, that you have given to me. Sir, I will not say anything so far as the facts are concerned. My hon. friend, Mr. Maurya, has very eloquently related the facts. But I will draw the attention ot the hon. Home Minister to the fact that the Scheduled Castes form about quarter of the total population of this country, and inspite of the Government's claim to have introduced the Harijans Protection all sorts of atrocities are being Programme, perpetrated on the Scheduled Castes people. They are on the increase. Sir, this is a very serious problem, and it is a very big problem. It is an alarming problem a_s Mr. Maurya has asked me to say. They form about 25 per cent of the total population.

Sir, I have to make one suggestion. A change of heart is required. You have to carry on a countrywide propaganda. You have to set up a countrywide propaganda machinery change the views of the people. Change of religion will not help them nor all these efforts that we are making. Countrywide propaganda is needed to change the heart of the people, to change their views. After all, who are the Scheduled Caste people? They are your own kith and kin, your own and blood and your own brothers. You to teach the people in the Villages where 75 per cent of the people live. You have to tell them that everybody is equal and has got equal In this connection I warn; to make one suggestion through you. A separate Ministry for Scheduled Castes' Welfare should be set up at the Centre. It is a very big problem and this is your responsibility—not the State's You have to see that the responsibility. Scheduled Castes are helped in every sphere of I must also say that their hope, and aspirations have

197

I was just telling the House that there is no difference between what this Bill seeks to do and what the honourable Minister when he inter.] vened in the debate said, that there is no doubt that it was established at tht instance of the Muslims of Sow as I said a minute back, the India. whole difficulty arose out of a judgement of the Supreme Court. Now, the judgment of a High Court or the Supreme Court is of two kinds. One is a finding of fact and the other is -1 of Law. In this case the Supreme Court's finding is of law. And a finding of law can always be changed by Parliament, by the House, or by the Legislature of a State if it relates to a State subject. Therefore, on that fc ground also the argument advanced by the honourable Minister of Education that the Supreme Court had given a judgment and that it was a finding of fact... (*Interruption*) honourable friend, Mr. Sankar Ghose, who is not present here now, had dealt with that point in great detail. There is another point which is very well known. It is wellknown law— and the Minister knows coming as he does from a very eminent solicitor's firm—which says, it is the law of contract, and according to Cooley and other authorities, if anything has been brought about as a result of a contract " between two parties, then it cannot be changed without reference to the other tarty. May I know if there is anybody in this House or outside who denies the fact that the Aligarh Muslim University came into being as a result of an agreement entered into between the Secretary of State for . India on the one side and the Aligarh Muslim University Foundation Committee and the Mohammadan Anglo Oriental College on the other side? Sir, read the Preamble itself. It is written there, this institution...

SHRI HAREKRUSHNA MALLICK-. No. no.

SHRI TRILOKI SINGH: My friend who is sitting just next to him drew my attention in particular to the his-

r tory. Let him not deny that it was the Secretary of State for India who ruled this country right up to 1947..

Bill, 1977

THE VICE-CHAIRMAN (SHRI ARVIND GANESH JKULKARNI): You ignore his remarks.

SHRI TRILOKI SINGH: You are ! SHEIKI (Andhraa Pradesh): At that brought about as a result of ------

SHRI GHOUSE MOHIUDDIN SHEIKH(Andhra Pradesh): At that time he was a bochcha.

SHRI TRILOKI SINGH; Or he might not have been born even —

SHRIMATI HAMIDA HABIB-ULLAH: He was a bachcho.

SHRI TRILOKI SINGH: Sir, nobody denies, I don't think anybody present here denies, that under the Constitution, under Article 30, the minorities have a right to establish and maintain an institution of theii* choice. The Minister at great length went into the history of the Aligarh Muslim University. His main point was that non-Muslims were also educated in the Aligarh Muslim University, that there were non-muslim teachers, that there was a non-Muslim principal. All right. But if he had read the provision of the Constitution itself carefully, it is incumbent upon any institution which seeks recognition from the Government, whether it is a Christian institution or a Hindu institution or any other institution, that it will be open to students of all sections. With regard to teachers also not that only Muslims shall be appointed as teachers. In the case of the Aligarh Muslim University right up to 1951, I would like to draw the attention of the houour-able Minister, the management vested in a court which consisted exclusively of Muslims. And then so much stress has been laid upon history. I would like to quote from what [Shri Triloki Singh]

Education Member wrote to the Governor-General-in.Council on 16.5.1911;

"I have had four long sittings with the Mohammadan delegate and I think that we have come to a satisfactory working; airrangement, bi\ we ought to regularise the position now. We are really, in effect, committing ourselves."

Then, in 1911 education was a provincial subject. The Education Member wrote to the Lt. Governor of Uttar Pradesh to obtain his consent oh 3rd June, 1911, in the following words:

"Since the Muslim community is united in demanding a university (I, therefore realise that the Muslim University will have to toe allowed."

I want a simple, grammatical meaning of what I have put before the House, namely, "I, therefore, realise that the Muslim university shall have to be allowed."

In the despatch sent by the Governor-General in Council to the Secretary of State for India on 27th June, 1911, he said thus:

"Complete confidence of the Muslim community—If your Lordship agrees, we propose to enter into negotiations with the Committee with a view to framing detailed, practical proposals which we can lay before the Lordship for approval."

What more can one want, so far as historical proof is concerned? refer you to what I quoted in Ĭt mv opening speech. good not to quote oneself. It relates to the speech of the Govertior-General-in-Council when this Bill finally came for passage before the Imperial Assembly in September, 1920. The Governor-General in Council himself came to preside over it. Ordinarily, the Home Member used

preside over the meetings of the Imperial Legislative Council. The Governor-General-in-Council himself joined in offering congratulations to the entire Muslim community and said:

"This is going to be a historical decision".

Sir Surendranath Banerjee of hallowed memory also did the same thing. My friend, the Education Minister knows that he was known as < uncrowned king of Bengal for more than a quarter century. He was supposed to be the best orator that India has ever had. Sir Surendranath Banerjee, while speaking and taking part in the Aligarh Muslim University Bill in 1920, said as follows:

"Sir, speaking as a representative of the Hindu community, we desire to welcome the Bill which has been introduced and also to congratulate the hon. Member in charge of it (Sir Mohammed Shaft was the Member) on the admirable speech which he has' made in introducing it. That, I think, represents the attitude of the Hindu community. This University is to be a unitary and residential University, and it is to represent an advance upon the type of Universi- 'ties, which have been established in Dacca and in Banaras. All that is welcome, not only from the Muslim, but also from the general and the larger standpoint."

This is what Sir Surendranath Banerjee said. Then I would like to say, one more thing. At the very beginning when the foundation stone of the Muhammedan Anglo -Oriental College was to be laid, Lord Lytton went there to lay the foundation stone. What he said was published in the Gazette also. He said:

"This devoted band of Muslim workers held a series of meetings, the last of which took place on 15th April 1872 in which it was