

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 MINISTRY OF LABOUR 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.

CLARIFICATIONS IN RELATION TO THE CALLING ATTENTION STATEMENT REGARDING THE REPORTED ATTACK ON THE PROCESSION TAKEN OUT BY HARIJANS ON THE BIRTHDAY OF GURU RAVI DAS IN MUZAFFAR NAGAR (U.P.)

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 questions straightaway.

SHRI G. C. BHATTACHARYA: Now that hon. Home Minister is here, I will only briefly narrate the incidents. What happened in Muzaffar Nagar? In Muzaffar Nagar the Scheduled Castes took out a procession on the auspicious day of the birthday of Guru Ravi Das. Then the police party at the instance of the District Magistrate and the 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 Janata 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 Home Affairs, Shri Mandal.

Why is it that we insisted yesterday that the Home Minister should be here? You might kindly recall that the Prime Minister, Shri Morarji Desai, last year, from the ramparts of the Red Fort, gave a clarion call to the nation and to the administration and said that in order to save the life and property of Scheduled Castes, if necessary, these person who committed atrocities on them, should be shot. When some incidents regarding atrocities on Harijans took place in Bihar and Shri Mandal was replying here

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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. After 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 shot at the Harijans themselves. If that is the state of affairs 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 routine 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 Caste people in the Janata party which brought freedom to this country, will 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 Babu 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 connection, 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 this incident; otherwise, we will be accused of 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 this. 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 contradict me when I say that the District Magistrate and the S. P. there

were directly responsible for this massacre. The District Magistrate and the S.P. have not been suspended till today although the State Minister, Mr. Patil, visited the place. He came to know that they were responsible. Now, what can I say about the District Magistrate? Wherever he had gone, he had created trouble. This is known to the administration. But I am shocked 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 will 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. Therefore, 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, you cannot ignore 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

be 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, if you do not provide 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 not 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 Lal 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. Rakesh 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 State. 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

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do submit that the matter is 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 me? Thereafter you can say what you feel. I was coming to that. I am narrating the facts as they are, namely, the 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 that as soon as that report is received, we will decide on what further action should be taken. Now I have just received a report that the Commissioner did start his enquiry on the 24th and again on the 1st and then certain other witnesses were to come. Then they told me, I think, that they were not going to give any evidence, they were boycotting the enquiry. (*Interruptions*) Quite right. I am not hiding any facts from you at all. This report has just been received by me as I came here. We will consider what further steps should be taken, but before we take any action we should, first of all, find out the facts. I think, 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 Commission may be asked to go into this thing. As far

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 बुद्ध प्रिय मौर्य : आदरणीय उपसभाध्यक्ष महोदय, माननीय गृह मंत्री जी ने फिर उन्ही तर्कों का सहारा लिया है जो अक्सर केन्द्रीय सरकार लेती रहती है। हमारे संविधान के विधाता जितने भी महापुरुष हुए हैं उनके और बाबा साहब डा० अम्बेदकर 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 संविधान के डायरेक्टिव प्रिंसिपल में आर्टिकल 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.”

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

पोषण करती है उसी प्रकार से इन लोगों की भी रक्षा को जानी चाहिए।

जहाँ तक मुजफ्फरनगर की घटना का प्रश्न है, यह घटना फिर से हमारे उन बातों को कुरेद देती है जो अभी तक हमारे दिलों में हरे थे। आगरा की दुर्वटना के बाद मराठवाड़ा की घटना के बाद, पन्त नगर के अत्याचारों के बाद शोषित समाज पर मुजफ्फरनगर में जो अत्याचार हुए हैं उनसे हमारे पुराने घाव फिर से कुरेद दिये गये हैं। मुजफ्फरनगर की घटना उन घावों को फिर से कुरेद देती है। दो प्रकार से शोषण होता है एक तो दूर देहातों में तथा दूसरा कस्बों और शहरों में। जहाँ तक दूर देहात में शोषण का प्रश्न है, अत्याचार का प्रश्न है वहाँ पर कुछ बड़े जमींदार या कुछ जातीय प्रथा में विश्वास करने वाले समाज के शक्तिशाली अंग शोषित समाज पर जमीन की वजह से अत्याचार करते हैं। कुछ जमीन उनको दी गई थी अब उसको वापस भी लिया जा रहा है, काको मारपीट भी हुई है। कुछ समय पहले प्रधान मंत्री श्री मोरारजी देसाई के 15 अगस्त को कहे वे शब्द मुझे याद आ जाते हैं जो उन्होंने लाल किले की ऊँची दीवार से ऊँची आवाज में कहे थे कि शोषित समाज की रक्षा करना, शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स की रक्षा करना हमारा प्रथम कर्तव्य है। हमारा देश अहिंसावादी है मगर उनकी रक्षा के लिये अगर गोली भी चलानी पड़े तो मैं रुकूंगा नहीं। ये उनके शब्द मुझे याद आ जाते हैं अब वे कहां तक अपने उस वचन का पालन कर रहे हैं या करेंगे यह आगे चलकर देखा जायेगा। देहात में उस गरीब को जमीन की वजह से जमींदार मारता है और शहर तथा कस्बों में जमींदार नहीं, सेठ नहीं, कोई क्षत्री या वैश्य नहीं, बल्कि शहर और कस्बों में जैसा कि आगरे में हुआ, पन्त नगर में हुआ, मराठवाड़ा में हुआ पी० ए० सी० और पुलिस सरकारी वर्दी पहन कर, सरकारी बन्दूकों से, सरकारी गोली चलाकर शोषित

समाज की हत्या करती है। इससे ज्यादा कर्लक की बात कुछ नहीं हो सकती अगर यह नहीं सका और जैसा कि मैंने पहले भी कहा था श्रीमन्, मैं आपसे नम्र निवेदन कर देना चाहता हूँ कि यदि इस तरह का शोषण, इस तरह का अत्याचार नहीं सका तो पड़े लिखे शोषित समाज के लड़के और लड़कियाँ शोषित समाज के नेताओं को मजबूर करेंगे कि वे यह सोचें कि वे आपके साथ रह सकते या नहीं रह सकते हैं। इस हद तक हमें मन जाने दीजिये कि मेरा जैसा व्यक्ति जितने जातीय आधार पर संरक्षण का कभी समर्थन नहीं किया, मेरा जैसा व्यक्ति भी यह वान कहने लगे। शायद आपका अगुवा समाज चाहे वह अगुवा समाज किसी भी सरकार का रूप ले ले, मैं कांग्रेस और जनता पार्टी के अन्दर अन्दर नहीं करना चाहता, इस देश का अगुवा समाज अपने को शोषित समाज से अलग समझता है। श्रीमन्, जहाँ तक इस वारदात का सवाल है यह एक घेर को लेकर हुई है। रविदास जर्ज़ी के लिये अलग-अलग मुहल्लों से समस्त शोषित समाज के लोगों को इकट्ठा होना था और रविदास पुरी से भी उनको जाना था 11 तारीख को। 11 तारीख से पहले ही 10 तारीख को उस रास्ते को लेकर आपस में समझौता हो गया था। उस समझौते में यह तय हुआ। गृह मंत्री ने जिन समय अपना वयान दिया जब हमारे मित्र मिस्टर बैरिस्ट खोबरागड़े ने उनसे सवाल पूछा था कि What is that agreement? वह अग्रीमेंट क्या है? जमीन पर इनको वमेंट मेघराज सिंह त्यागी ने किया था। अग्रीमेंट हो गया था कि हम इस घेर को तोड़कर इसको इस लायक कर देंगे ताकि सवारी आ जा सके और स्वयं उन्होंने तोड़ना भी शुरू कर दिया था। 11 तारीख को जजूस निकला। उस समय भी उनके मजदूर लगे हुए थे। वह कम तादाद थे। मैं इस बात को इस वजह से कह देना चाहता हूँ कि सहारा दीवार को तोड़ने का लिया गया। दीवार तोड़ने का फैसला

[श्री बुद्ध प्रिय मौर्य]

पहले ही ले चुके थे। दीवार 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 और पत्थर आने लगे और एक बन्दूक, जिसे लाइसेंस धारी बन्दूक कहा जाता है, उससे फायरिंग भी हुई। झगड़े के दूसरे दिन सब ने कहा, कलक्टर ने, एस० पी० ने वहाँ के सर्वर्ण और खासकर त्यागियों ने यह कहा कि जलूस फिर से निकाला जाय, उन्होंने शोषित समाज के लोगों का फिर मजबूर किया कि जलूस निकालें, झगड़ा नहीं होगा, जब जलूस निकला उसके बाद यह घटना हुई इस घटना में गोली चली है। गोली पहले चली उसके बाद टियर गैस चली हमेशा होता ऐसा है कि पहले वार्निंग दी जाती है, फिर लाठी चार्ज होती है। यदि इससे भी भीड़ काबू में न आये तो टियर गैस का इस्तेमाल होता है फिर गोली चलती है। लेकिन यहाँ पर सबसे पहले गोली चली। और अकेले सड़क पर ही गोलियाँ नहीं चली बल्कि मारते मारते पी० ए० सी० और पुलिस के लोग जिनके साथ शहर के कुछ गुंडे भी थे रविदास मुहल्ले में घुसे और घुस कर उन्होंने मारपीट की। मेरे पास पूरा ब्यौरा है। मैं पूरा नहीं देना चाहूँगा लेकिन कुछ जो चीजें जांच-पड़ताल कर के पता चली हैं, दो तीन को बता देना मैं अपना कर्त्तव्य समझता हूँ। मिस्त्री पृथ्वी के मकान नम्बर, 61 में रहने वाली किरायेदार श्रीमती कुन्ती धर्म पत्नी श्री जगपाल सिंह जो कि एक पुलिस कर्मचारी है और उस दिन शहर से बाहर गया हुआ था, पुलिस ने सारे जेवरात छीन लिए, उन्हें नंगा किया और उनके साथ बलात्कार किया यह स्त्री शैडूल्ड 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 छीन लिए और बलात्कार किया। इसी मकान में दो किरायेदार और हैं श्रीमती सोबती और राधा उन को भी मारा पीटा, लूटा। इन तीनों के साथ पी० ए० सी० के जवानों ने बलात्कार किया। इस घटना का ब्यौरा श्रीमती कुन्ती ने जब बताया तो रो पड़ी। उस समय उसके चेहरे पर जो घबराहट और विषाद था वह नोचतापूर्ण कांड का जीता-जागता सबूत था। दो औरते 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 और अभी भी यह दोनों औरतें लौटी नहीं हैं। पता नहीं कि कहां हैं। दूसरा वाक्या रविदासपुरी के एक दूसरे मकान नम्बर, 40 में हुआ। पी० ए० सी० दरवाजा तोड़ कर अन्दर घुसी और मकान में रहने वाली औरत को लूटा, पीटा और उसके साथ बलात्कार किया। उसका एक बच्चा जब घबरा कर चीखा और अपनी मां से लाट गया तो बलात्कारी दरिदों ने अपने रारते का रोड़ा समझ कर उसकी टांगे पकड़ कर उस अबोध बच्चे को दीवार पर दे मारा उसका सिर वही फट गया और दीवार पर ढेर सारा खून लगा है और उस खून के छीटे इधर-उधर दीवार पर पड़े दिखाई देते हैं। बच्चे की लाश का अभी तक पता नहीं चला है। भयभीत बच्चे चीख-पुकार रहे थे। उनको पकड़ कर मुहल्ले के पास बहते हुए नाले में बे हमी से फेंक दिया गया। बराबर में रहने वाले मुसलमान भाइयों ने कई बच्चों को नाले के कीचड़ से सने-सनाथ निकाला और रंते-बिलखते बच्चों को ढंढस दिया। इसी मुहल्ले के मकान नम्बर, 52 में रहने वाले श्री तारा की लड़की को पुलिस ने बे हमी से पीटा। अभी तक उसके मरने या जीवित रहने का कोई पता नहीं लग रहा। वह बच्चा अभी तक लापता है। 67 व्यक्तियों

को पुलिस ने घारा 177, 148, 149, 307, 332 और 336 के अन्तर्गत गिरफ्तार किया गया है। यह 67 के 67 व्यक्ति शूटलूड कार्ट के है। हमलावरों में से एक भी गिरफ्तार नहीं किया गया है। इनके अलावा 34 शूटलूड कार्ट के व्यक्तियों को और गिरफ्तार किया गया। जिन्हें रात भर कोतवाली में रख कर छोड़ दिया गया। इसी तरह से अस्पताल का भी व्यौरा है। उनके शरीर पर छरों के भी निशान हैं, यह तमाम कह कर मैं ज्यादा समय नहीं लेना चाहता। श्रीमन् गृह मंत्री जी कह रहे थे कि जहां तक जांच पड़ताल का प्रश्न है इसके लिए एक कमिश्नर को नियुक्त किया है। मैं यह कहना चाहता हूँ कि कमिश्नर द्वारा जांच 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 अधिकारी और पुलिस कप्तान स्वयं दोनों के दोनों मुलजिम हों, उनकी देख-रेख में इस तरह के काम हों, वहां पर कमिश्नर की नियुक्ति करना हमें अंग्रेजों के शासन की याद दिलाता है। इस तरह की जांच-पड़ताल के लिए माननीय भट्टाचार्य जी ने एक बहुत ही अच्छा, समझदारी का सुझाव दिया है कि भोला पासवान शास्त्री जी जो शूटलूड कार्टस तथा ट्राइब्स कमिशन के चेयरमैन हैं, स्वयं उनको ही यह काम सौंपा जाए। श्रीमन्, यहां पर मैं कुछ और सुझाव भी देना चाहूंगा। मुझे बड़ा ताज्जुब हो रहा है। हिन्दुस्तान आजाद है या अभी भी हम गुलाम हैं? इतनी बड़ी घटना हो गई। अगर एक मुसलमान किसी हिन्दू लड़की को छेड़ दे, तब उस जिले के कलक्टर और एस० पी० की खैर नहीं। या अगर एक सिक्ख के साथ कोई बदसलूकी कर दे, तो वहां के कमिश्नर की खैर नहीं। यहां पर कितनी शोषित समाज की बहन-बेटियों के साथ बलात्कार हुआ और अभी तक कलक्टर और एस० पी० वहां बने हुए हैं। यह एक तरह से बहुत शर्मनाक बात है।

एक माननीय सदस्य : उनको मुअत्तिल किया जाए।

श्री बुद्ध प्रिय मौर्य : उनको मुअत्तिल किया जाए और वहां से हटाया जाए और जब तक एन्ववायरी पूरी न हो जाए उनको उस जिले में और उस जिले के आस पास नहीं आने दिया जाए ताकि निष्पक्ष एन्ववायरी हो सके।

दूसरे माननीय शारदा जी ने एक अच्छा सुझाव दिया है। यह पी० ए० सी० एक तरह से आर्गेनाइज्ड गैंग हो गया है। लुटेरों और डकैतों का वर्दीदार गैंग है, जो वर्दी पहन कर डकैती डालता है, बलात्कार करता है, मकानों को लूटता है, साइकल और मोटर-साइकल को आग लगाता है। इस तरह की बहुत सी घटनाएं आगरा में हुई और मुजफ्फर नगर में तो ऐसी घटनाएं इस बात की प्रतीक है। तो पी० ए० सी० को डिसबैन्ड किया जाए, यह मेरा नम्र निवेदन है और यदि इसको डिसबैन्ड न किया जाए तब फिर इसमें तुरन्त पचास प्रतिशत कान्स्टेबल, हैड कान्स्टेबल, सब-इन्स्पेक्टर शूटलूड कार्ट और ट्राइब्स के हों। तब यदि पी० ए० सी० की गोली शोषित समाज पर चलेगी तो शोषित समाज वालों की पी० ए० सी० के सीने पर गोली चलेगी। तब गोली दो-तरफा चलेगी, एक तरफा नहीं चलेगी।

यदि इन सुझावों के ऊपर ध्यान दिया जाए, तो मैं सोचता हूँ कि बहुत कुछ निपटारा हो सकता है। जुल्म क्यों होते हैं? क्या गृह मंत्री जी यह बताने की कृपा करेंगे कि उत्तर प्रदेश और बिहार में कितने सब-इन्स्पेक्टर पुलिस हैं, होटल संख्या कितनी है, उसमें शूटलूड-कार्ट और ट्राइब्स के कितने हैं, कितने थाने हैं और कितने थानों के इन्चार्ज शूटलूड कार्ट और ट्राइब्स के हैं? आप यह देखेंगे कि सब-इन्स्पेक्टर भर्ती तो कर लेते हैं, पर वह भी बहुत कम संख्या में और फिर उनको थाने

[श्री: बुद्ध प्रिय मौर्य]

नहीं सौंपे जाते हैं। उत्तर प्रदेश में दस प्रतिशत तो क्या, पांच प्रतिशत थाने के इन्चार्ज भी शैड्यूल्ड-कास्ट या ट्राइब्स के नहीं हैं। यह हालत है और यह हालत कलकटर और एस० पी० की.... (Interruptions)

उपसभाध्यक्ष (श्री श्याम लाल यादव) :

अब क्रमया समाप्त करें।

श्री बुद्ध प्रिय मौर्य : श्रीमन, मैं समाप्त करने जा रहा हूँ। एस० पी० और कलेक्टर भी निश्चयपूर्वक जब आपके यहां आई० ए० एस० और आई० पी० एस० शोषित समाज का है, शैड्यूल्ड कास्ट और ट्राइब्स का है, तो कम से कम हर तीसरे या दूसरे जिले में एस० पी० और कलकटर में से एक शैड्यूल्ड कास्ट का हो, तो कुछ तो आंगणों में शर्म होगी। यह कुछ सुझाव मैंने दिये।

जहां तक जमीन के सुधार का प्रश्न है, लैंड रिफार्म्स को जुडिशल रिव्यू से अलग हटा दिया जाए। जो भी फैमला हो, सरकार करे। डिस्ट्रिक्ट कोर्ट, या हाई कोर्ट, या सुप्रीम कोर्ट को लैंड रिफार्म्स में इंटरफियर न करने दिया जाए।

श्रीमन्, अन्त में मैं कह देना चाहूंगा और सरकार को फिर हम निवेदन करेंगे कि इस तरह से कदम उठाए कि हम लोगों की तसल्ली हो जाए कि हमारी रक्षा हो रही है और यदि तसल्ली नहीं होती है, तो फिर बाबा साहब डा० अम्बेदेकर ने इतनी शक्ति हमें दी है, हमने हिन्दुस्तान को हिलाया है और तीन लाख सत्याग्रही जेल गये हैं, जेलों में गये हैं। हम फिर से हिन्दुस्तान 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 आपकी पी० ए० सी० हो और दूसरी तरफ शोषित समाज के सपूत हों और आपस में ठने।

यह लड़ाई सदनों में ही रहने दें, सड़कों पर मत उतरने दें। यदि इस लड़ाई को सड़कों पर उतरने दिया तो फिर देश की एकता को खतरा हो सकता है।

इन्हीं शब्दों के साथ मैं समाप्त करता हूँ।

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 Muzaffar 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 House that we shall go into this matter 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. There is no question of trying to protect anybody who does not deserve to be protected. There is no such intention. This Commissioner was appointed 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 said that the Scheduled Castes and Scheduled Tribes Commission should be asked to take it up. I have no objection to that suggestion. But 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.

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 telling 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 factors 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 com-

mitted atrocities and, therefore, it has a significance of its own.

Sir, I should like to point out to the hon. Home Minister—as I pointed out to the previous Home Minister also when this kind of incidents took place earlier—why 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 forgotten. And our conscience hurts only occasionally when such incidents hit the headlines. Then our conscience pricks us 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 radical 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 more 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 Harijans, the Scheduled Castes and the Scheduled Tribes have 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, the 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 be delayed. For 30 years justice has been delayed to our Muslim brethren and the Scheduled Caste brethren. Why 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, will 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 cases go to the special courts, and if not why not. Why? 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 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 is 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 its 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 hon.

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 is no 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 bold to say that I would take sufficiently effective measures so that definite progress is achieved in this direction.

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

SHRI H. M. PATEL: I am answering.

DR. V. P. DUTT: I would also say that discrimination is different from atrocities.

SHRI H. M. PATEL: It is this kind of 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 this manner. Why do they behave in this manner? They are part of our own society. (Interruptions).

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

SHRI H. M. PATEL: Not necessarily 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 hesitation...

SHRI B. D. KHOBRADE: 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. KHOBRADE: 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 about 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, मुजफ्फरनगर में 11 तारीख को हरिजनों पर जो वर्बर और अमानुषिक अत्याचार हुए हैं वे सभी के लिए लज्जा और कलंक की बात है और इनकी गम्भीरता तब और भी बढ़ जाती है जब ये अमानुषिक अत्याचार संत रविदास की जयन्ती के अवसर पर होते हैं। मैं समझता हूँ कि संत रविदास सिर्फ हरिजनों के ही संत नहीं हैं बल्कि वे तमाम भारतवासियों के संत हैं। वे उन संतों की श्रृंखला और श्रेणी में आते हैं जिन्होंने हमारे देश में अन्याय, विषमता और अत्याचारों के खिलाफ आवाज उठाई थी। ऐसे अवसर पर हरिजनो के ऊपर इस प्रकार के अत्याचार और वर्बरतापूर्ण 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 ऊपर वहाँ के लोगों और पुलिस अधिकारियों ने जो अत्याचार किये हैं उन पर लीपा-पोती करने की कोशिश की गई है। इस बात में किसी प्रकार की बहस में जाने की जरूरत नहीं है। खुद माननीय पटेल जी ने कहा है कि दो माननीय सदस्य वहाँ गये और उनका नाम भी उन्होंने बताया है। हमारे एक सदस्य श्री गोविन्दन नायर भी वहाँ गये थे और श्रीमती मोहसिना किदवाई भी वहाँ गई थी। उन सभी ने अपनी रिपोर्ट दी है और उन्होंने कहा है कि उत्तर प्रदेश की सरकार ने अपनी रिपोर्ट में इस मामले

पर लीपा-पोती करने की कोशिश की है। खुद पटेल साहब ने श्री पाटिल साहब को वहाँ भेजा। उन्होंने इस सम्बन्ध में एक शब्द का इस्तेमाल किया है — He sent his Minister of State to ascertain facts. उन्होंने कहा है कि फैक्ट्स को एसर्टेन करने के लिए भेजा है। मैं यह कहना चाहता हूँ कि अगर उन्होंने श्री पाटिल को फैक्ट्स एसर्टेन करने के लिये भेजा तो उन्हें राज्य मंत्री जी की रिपोर्ट सदन के पटल पर रखनी चाहिए। हम जानना चाहते हैं कि उत्तर प्रदेश की सरकार ने जो रिपोर्ट दी और वहाँ के अफसरों ने जो बातें कही हैं उनमें कहां तक सच्चाई है। गृह मंत्री जी को अपने सहयोगियों पर भरोसा करना चाहिए। सदन सदस्यों पर भरोसा करना चाहिये। मैं समझता हूँ कि अगर हमारी सरकार सारी बातों की जांच करने का अधिकार अधिकारियों को ही देती है तो वे सारी स्थिति पर लीपा पोती करने की ही कोशिश करेंगे और सत्य को प्रकट नहीं करेंगे। मैं चाहता हूँ कि इस सदन के तमाम माननीय सदस्यों, श्री खोबरागड़े जी ने, श्री मौर्य जी ने, श्री भट्टाचार्य जी ने जो सुझाव दिये हैं और जो यह कहा है कि इसकी इस मामले की जांच शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राईब्स कमिशनर के द्वारा कराई जाय, इसको मान लिया जाना चाहिए। यह कहना कि वे कभी भी जांच कर सकते हैं, यह ठीक नहीं लगता है। जब तक आप शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राईब्स कमिशनर को इस प्रकार की जांच करने के लिए नहीं कहेंगे तब तक वह कैसे जांच कर सकते हैं। आपने वहाँ के कमिशनर द्वारा जो जांच करवाने की बात कही है वह भी ठीक नहीं लगती है। जो अत्याचार करने वाले अधिकारी हैं, जैसे डिस्ट्रिक्ट मजिस्ट्रेट है, या एस.पी.० हैं वे जब तक वहाँ पर मौजूद रहेंगे तब तक सही बात का कैसे पता चल सकता है। आप तो एक सिविल सर्वेन्ट रहें हैं और आपको इन बातों का काफी अनुभव भी है। जो गुनाह

करने वाले हैं, अगर वही जांच करने लगेंगे तो फिर सच्ची बात कैसे सामने आएगी।

दूसरी बात जो मैं पटेल साहब के सामने रखना चाहता हूं, वह यह है कि हमारे देश में हरिजन हजारों वर्षों से अत्याचार सहते आ रहे हैं। यहां पर 16 वर्षों की मुकदमेवाजी के बाद हरिजनों को न्याय मिला था। सोलह वर्षों के मुकदमेवाजी के बाद मान्यवर विचार कोजिये कि ये बेचारे गरीब हरिजन, समाज के कमजोर लोग, सोलह सोलह वर्षों तक मुकदमेवाजी में घसीटे जाते हैं और सोलह वर्षों की मुकदमेवाजी के बाद उनको न्याय मिलता है। इतनी लम्बी अवधि की मुकदमेवाजी के बाद जो न्याय मिलता है उस न्याय से भी उनको वंचित करने के लिये वहां की पुलिस और भू-स्वामी मिलकर उन पर अत्याचार करते हैं। वहां पर जो कांड हुआ वह यह है कि न्यायालय से लम्बे संघर्ष 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 अमानुषिक अत्याचार, हैं उन सब का सहारा लेकर 16 वर्षों की मुकदमेवाजी से जो उनको प्राप्त हुआ है उससे वंचित किया जाय। इस संबंध में दत्त साहब ने जो मुझाव दिया है मैं उसका समर्थन करूंगा कि स्पेशल कोर्ट का जो प्रावधान किया जा रहा है, उस प्रावधान में हरिजनों, अल्पसंख्यकों के ऊपर जो अत्याचार हो रहे हैं, उन अत्याचारों के भी मुकदमे इस की परिधि में लाये जायें। इस प्रसंग में मान्यवर, हम इस बात को याद दिलाना चाहते हैं कि अगर हम गलती नहीं करते तो चौथी लोक सभा में एक स्पेशल कोर्ट का बिल पेश किया गया था, ताकि अल्पसंख्यकों के ऊपर जो जुल्म होता था, उन जुल्मों के सिलसिले में उनको समय पर न्याय मिले। पता नहीं वह स्पेशल कोर्ट बिल क्या हुआ, वह लैप्स हो गया। लेकिन उस वक्त भी इस बात की

जखुरत महसूस की गई थी कि इन कमजोर वर्गों के लोगों को न्याय दिलाने के लिये सस्ता न्याय दिलाने के लिये, समय पर न्याय दिलाने के लिये इस तरह की विशेष अदालतों की आवश्यकता है।

अभी माननीय पटेल जी ने जो कहा वह बहुत सही रहा कि तमाम माननीय सदस्यों के साथ सलाह मशविरा करके वे कदम उठा-येंगे। तो हम लोग सलाह मशविरा ही दे रहे हैं और सलाह मशविरा के सिलसिले में ही मैं दो-एक बात आप से पूछना चाहता हूं कि क्या भूस्वामियों की बन्दूकें जप्त की जायगी क्योंकि जहां जहां भी हरिजनों पर अत्याचार हुए हैं वहां पर यह सवाल उठा है और कई बार मैंने सदन में भी कहा कि क्यों नहीं भू-स्वामियों की बन्दूकें जप्त कर ली जाती। जो मिनिस्टर मंडल जी ने पेश की उस रिपोर्ट में इस बात का कहा गया है कि भूस्वामी ने बन्दूक चलाई। तो उनको जो बन्दूकों का लाइसेंस दिया हुआ है, उनको जो बन्दूक दी हुई है, और उन बन्दूकों का इस्तेमाल वे हरिजनों के ऊपर अत्याचार करने में लगायेंगे तो फिर आप क्यों नहीं उन बन्दूकों को छीन लेते हैं।

दूसरी बात मैं यह पूछना चाहता हूं कि क्या सरकार भूमि सुधार के कामों को, क्योंकि अधिकतर जो ये जुल्म हो रहे हैं, अत्याचार हो रहे हैं वह जमीन के लिये हो रहे हैं, जहाँ महीन के भीतर कारगर ढंग से पूरा करने के लिये आवश्यक कायवाही करेगी ?

तीसरी बात जो मैं पूछना चाहता हूं वह यह है कि क्या सरकार हरिजनों, आदिवासियों और अल्पसंख्यकों पर जुल्म करने वालों का ठीक समय पर दण्डित करने के लिये ममानुषिक इन कमजोर तबके को न्यायालय से न्याय दिलवाने के लिये स्पेशल कोर्ट की व्यवस्था करेगी ? क्या सरकार उत्तर प्रदेश की वर्तमान पी० ए० सी० को भंग करके उसका जनतावादी आधार पर पुनर्गठन करेगी जिसमें 50 फीसदी जवान हरिजन और अल्पसंख्यक हों ?

[श्री यागेन्द्र शर्मा]

क्या सरकार मुजफ्फरनगर के एस० पी० और जिला मजिस्ट्रेट को निलम्बित करेगी और आखिर में क्या सरकार निरीष हरिजनों के खिलाफ जो मुकदमे किये गये हैं उनको वापस लेगी और जिन हरिजनों की जान माल की हानि हुई है उनको मुआवजा देने की व्यवस्था करेगी। मान्यवर, आप जानते हैं कि हरिजनों की अवस्था क्या है वे बेचारे भूखों मर रहे हैं, उनके मकान टूट गये हैं, उनकी झोपड़ियाँ टूट गई हैं, इसलिये उनकी जो हानि हुई है उसकी क्षति पूर्ति, मुआवजा देने के लिये क्या सरकार उचित और अविलम्ब 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 11th, because of the way in 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. I 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 our 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 shall 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 discuss that way. I have 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 in what I am saying? When I say I will discuss with him, it is not in order to persuade him not to do it, but it is with a view to finding out what difficulties 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 has to be consulted. We cannot set aside the Constitution completely and say that the Central Government will do this. So, I shall have to consult all these people. Therefore, you should rest content and I will certainly consider all these various 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 as speedily as possible. But these are all things which escalate and, in the escalation, all kinds of terrible things 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 खोबरागडे : आप बैठ जाइये। मेरे बाद मैं बोल लीजिए। आप बैठो।

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

श्रीमती सरोज खापर्डे : हमें भी बोलने का मौका दिया जाए।

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. Bhattacharya, please sit down.

SHRI B. D. KHOBRAGADE: Sir, I would not repeat whatever has been said during this discussion nor would I mention the other instances of atrocities. The atrocities 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 have experienced the same thing in Agra, in Pantnagar, in Muzaffarnagar and in Nagpur. Whenever the Scheduled Caste persons were involved, the police officers 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 Aligarh 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 girls 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 officials, as has been suggested in this House? The SP and the Collector should have been suspended immediately.

Sir, I would quote only one instance. In the Nanded district of Maharashtra, one police officer just opened fire. He did not kill or hurt anybody but he opened fire. He was immediately suspended and an inquiry 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 in 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-

[Shri B. D. Khobragade]

quiry made by the hon. Minister, Mr. S. D. Patil. The very 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 Castes and the minorities. Sir, that is not sufficient in my opinion. What would the court do if the investigation is 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 should be a special machinery to 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 unless 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 in 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 would 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 lip-sympathy 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 persons 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 as 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.

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

SHRI K. K. MADHAVAN: You are behaving like Mr. Jatti, only giving me promises but not the opportunities to speak.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Let the Minister reply first. (*Interruptions*)

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

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Mr. Madhavan, 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 of creating civil courts is not the answer; but even then cases have to be filed, investigation has to be done and it will have to be done 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 that.

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.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Yes, Shri Jha.

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

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): All the points have been covered. Therefore, please be brief so that the other Members may also have an opportunity to ask questions.

श्री शिव चन्द्र झा (बिहार) : विलम्बत मुहानसर मैं पूछ रहा हूं। मंत्री महोदय ने यह कहने की बहुत कोशिश की और इस को आड़ लेने की कोशिश की कि यह समस्या जो हरिजनों के साथ हो रही है, जुल्म हो रहे हैं, यह समस्या बहुत पुरानी, कम्प्लीकेटेड और कम्प्लेक्स है और यह मैटल एटीट्यूड हमें बदलने की जरूरत है। ये सब बातें चूँकि नहीं हुई हैं इसीलिए यह घटनाएं हो रही हैं, अब तक ऐसा मन्त्री महोदय ने साबित करने की कोशिश की लेकिन मैं मन्त्री महोदय से पूछना चाहता हूँ कि जो काम आप के मातहत है—मैं मानता हूँ हम लोग थोड़ी देर के लिए यह मान सकते हैं कि मानस को बदलने के लिए थोड़ा वक्त लगेगा—लेकिन जो आपके मातहत की चीज है, जिस पर आपका कब्जा है जो कि आप देखते हैं कि स्पष्ट रूप में अन्याय हुआ है, जुल्म हुआ है, अत्याचार हुआ है और वह भी उसके जरिये कि जो आप के मुनाजिम हैं कर्मचारी हैं, पुलिस वाले हैं। जब यह बात सेल्फ एवीडेंट है तो आप को कार्यवाही करने में कोई हिचकिचाहट क्यों है। किसी का मानस बदलने में वक्त लग सकता है, लेकिन आप के जो लोग हैं उनके जरिये जब जुल्म होना है और आप कंविस्ड हैं कि आप के लोगों ने, पुलिस वालों ने यह किया है तब आप को कार्यवाही करने में क्यों कोई हिचकिचाहट होती है। अभी बतलाया गया कि पुलिस वालों ने वहां बलात्कार किया, लोगों को मारा, पटा बच्चों को दीवार पर पटकवा। क्या आप उसको कांटेडिक्ट करते हैं? हमारे एस० डी० पार्टील

[श्री शिव चन्द्र झा]

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

दूसरी बात कंपेंसेशन 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 आप कर सकते हैं। यह कोई असम्भव बात नहीं है। यह इंपासिबिल नहीं है। यह काम आप कर सकते हैं। आप उन को उचित मुआवजा क्यों नहीं देते ? उसमें आप को हिचकिचाहट क्यों है ?

तीसरा मेरा सवाल है कि जब हरिजनों के साथ इस प्रकार के अत्याचार होते हैं और ऐसी दुखद घटनाएँ होती हैं और उनकी हम निन्दा करते हैं और हमारा सिर झुक जाता है इन घटनाओं को देख कर, और किसी न किसी रूप में उनकी जानें जाती हैं, उन पर अत्याचार होते हैं तो उसके लिये मेरा सुझाव है कि एक पुलिस हरिजन फायरिंग लाइफ इश्योरस स्कीम होनी चाहिए। पुलिस के द्वारा या अन्य दंगों में जब हरिजनों का कोई नुकसान हो तो राष्ट्रीय स्तर पर उसके लिये एक लाइफ इश्योरस स्कीम होनी चाहिए और उसमें बहस की जरूरत नहीं, कोई सवाल उठाने की जरूरत नहीं, किसी की जान जाने के बाद उस स्कीम से उसके परिवार को मुआवजा मिल जाना चाहिए। क्या ऐसी कोई स्कीम आप तैयार कर रहे हैं ? यदि नहीं, तो क्यों ?

और चौथा सवाल है पुलिस सेटअप का। कई बार यहां यह बात उठायी गयी है कि पुलिस इस देश में एक मोस्ट फासिस्ट आर्गनाइजेशन है। भारत में पुलिस की व्यवस्था

बिल्कुल फासिस्ट पैटर्न पर है और यह बात निर्विवाद है। कितना भी आप ह्श अप करें इस बात को यह कह कर कि इसमें यह परिवर्तन करेंगे, वह परिवर्तन करेंगे लेकिन उस में सुधार नहीं हो रहा है। इसमें कुछ बुनियादी परिवर्तन लाने की जरूरत है। तो क्या आप उसको डेमोक्रेटाइज 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 आई जी, डी आई जी और एस पी और डी एस पी जो हों वह जनता द्वारा चुने जायें। ऐसी बात क्या आप सोच रहे हैं।

(Interruptions)

और मेरा आखिरी सवाल यह है कि यह बात निर्विवाद है कि हरिजनों की समस्या या इस देश की सामाजिक और आर्थिक जो अन्य समस्याएँ हैं वह हमारे देश की जो सामाजिक या आर्थिक बनावट जो है उससे जुड़ी हुई हैं। उसमें बुनियादी परिवर्तन होना चाहिए। लैंड रिफार्म्स की जो बात यहां उठायी गयी है, क्या उसके लिये आप कोई टाइम फ्रेम प्रोग्राम बनायेंगे ताकि हर राज्य में लैंड रिफार्म्स का काम एक समय के अन्दर खत्म हो सके ?

SHRI H. M. PATEL: Sir, the hon. Member asked as to why 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 झा : आप आदेश तो दे सकते हैं।

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 will 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

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 feeling 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 I have given this assurance and I 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 police is concerned, I 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, मुजफ्फरनगर में जो अत्याचार हुए हैं उनके लिए आल पार्टी पॉलिसियामेंटरी कमिटी की मांग करता हूं। दूसरी बात यह कहना चाहता हूं कि इस सरकार में यह दम नहीं है कि मुजफ्फरनगर के कलेक्टर को मुअत्तल मुजफ्फरनगर का कलेक्टर श्री चित्रांगद सिंह हैं जो भूतपूर्व स्वास्थ्य मंत्री के पी० ए० थे। भूतपूर्व स्वास्थ्य मंत्री श्री राजनारायण ने उनकी अपाइंटमेंट मुजफ्फरनगर में कराई है और वहां के कमिशनर जो इसकी जांच कर रहे हैं वहां के कलेक्टर की पाकिट में हैं ? इसलिए पूरा सदन मानता है और मैं भी समझता हूं कि वहां के कलेक्टर को मुअत्तल करने की क्षमता इस सरकार में नहीं है।

तीसरी बात मुझे यह कहनी है। this Government lacks the political will to protect the interests of the Harijans. इस सरकार में दम नहीं है कि जो हरिजनों की हत्याओं की रक्षा कर सके आदरणीय शर्माजी और झा साहब ने लैंड रिफार्म की बात कही है। मेरा कहना है कि अभी पिछली सरकार में भीटा, पोखरा, बंजर परती और बैरन लैंड को जो हरिजनों में बांटी थी जो सूदखारों और जमाखारों से दिलाई थी उसी भीटा और पोखरा पर हरिजनों पर कत्लेआम हुआ है। उपसभाध्यक्ष महोदय, मैं यह बताना चाहता हूं कि 90 परसेंट गांवों में रहने वाले हरिजनों को लाठी से पीट कर जमीन छीन ली जाती है और डर के मारे पुलिस में रिपोर्ट नहीं करते हैं। 10 परसेंट वे लोग हैं जो थाने में रिपोर्ट लिखाने जाते हैं तो थानेदार मार कर भगा देता है और रिपोर्ट नहीं लिखता है एक परसेंट हरिजन जो पिछलो सरकार के द्वारा दी गई जमीन से कर्जा मुक्त हैं उसको ले कर यदि संघर्ष करने के निचे खड़ा होता है तो उसका परिणाम कत्ल होता है। क्या कारण है कि बेलछी में हत्याकाण्ड

[श्री कल्प नाथ राय]

हुआ में विश्रामपुर हत्याकाण्ड हुआ, आगरा में हत्याकाण्ड हुआ, मुजफ्फरनगर में हत्याकाण्ड हुआ। जो सैकड़ों हत्याकाण्ड हुए उनका क्या कारण है। मैं जानना चाहता हूँ कि इसके क्या कारण हैं? मैं समझता हूँ 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 ओ० पत्र लिखा था जिसमें यह कहा गया था कि जिस प्रान्त में या जिस जिले में हरिजनों पर अत्याचार और एट्रोसिटीज होंगी या कौमुनल राइट्स होंगे वहाँ के कलेक्टर और एम० पी० तुरन्त सस्पेंड कर दिये जायेंगे। They will stand suspended यही कारण है कि हरिजनों के ऊपर किसी ने भी अंगुली उठाने की हिम्मत नहीं की। उत्तर प्रदेश के अन्दर जब श्री हेमवती नन्दन बहुगुणा मुख्य मन्त्री थे तो उन्होंने एक सीक्रेट जी० ओ० जिलों में जारी किया था जिसमें यह कहा गया था कि अगर किसी स्थान पर हरिजनों पर अत्याचार होंगे या कौमुनल राइट्स होंगे तो सख्त कार्यवाही की जाएगी और The District Magistrate and the S.P. of the district will stand suspended automatically. इसका परिणाम यह हुआ कि उनके शासन काल में एक भी दंगा नहीं हुआ और एक भी हरिजन पर जुर्म नहीं किये गये। लेकिन वर्तमान सरकार तो जमींदारों और पूँजीपतियों 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 जाये और वह वहाँ जाकर इसकी जांच करे। मैं आपके सामने कंझावला गांव की बात रखना चाहता हूँ। 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 हुकूमत आई तो उस गांव के जमीं-

दारों ने एक बड़ा जजूम निकाल कर प्रधान मन्त्री की कोठी पर धावा बोल दिया। जब दिल्ली में इस प्रकार की स्थिति हो तो 15-20 मील दूर के जमींदार सोचते हैं कि क्यों न हम हरिजनों की जमीन को अपने कब्जे में कर लें। मैं समझता हूँ कि इस सरकार के कारण ही उत्तर प्रदेश और बिहार में हरिजनों पर अत्याचार हो रहे हैं और यह सरकार उनकी रक्षा नहीं कर पा रही है। मैं समझता हूँ कि श्री खोवरागड़े जी, श्री मौर्य जी और श्री शास्त्री जी जो बात कहते हैं उस पर तुरन्त ध्यान दिया जाना चाहिए। ये लोग पूरे देश का प्रतिनिधित्व करते हैं। यह प्रश्न आर्थिक प्रश्न है इसको इसी ढंग से हल किया जाना चाहिए। जब तक आप समाज में और आर्थिक क्षेत्र में बुनियादी परिवर्तन नहीं लायेंगे तब तक हिन्दुस्तान के हरिजनों के हितों की रक्षा नहीं हो सकती है। अगर लोगों के मन में यह बात आ जाये कि जो लोग हरिजनों पर अत्याचार करते हैं या उनकी हत्या करते हैं उनके खिलाफ सख्त कार्यवाही की जाएगी तो कोई कारण नहीं है कि हरिजनों पर बार बार अत्याचार होते रहे। जब कलेक्टर और एम० पी० को पता चल जाएगा कि हरिजनों पर अत्याचार करने से उनको मुअत्तिल कर दिया जाएगा तो वे कभी हिम्मत नहीं कर सकते हैं कि हरिजनों पर अत्याचार करें। बेलची में हरिजनों की हत्याएं की गईं, विश्रामपुर में हरिजनों पर अत्याचार किये गये, लेकिन इस सरकार ने कोई कदम नहीं उठाया। इन लोगों में हिम्मत नहीं है कि ये मुजफ्फरनगर के डी० एम० के खिलाफ कोई कार्यवाही कर सकें। वहाँ के डी० एम० श्री चित्रांगद सिंह को ये नहीं हटा सकते हैं क्योंकि उनका सम्बन्ध श्री राजनारायण से है। श्री धनिकलाल मण्डल में यह हिम्मत नहीं है कि वे उनके खिलाफ कोई कदम उठा सकें क्योंकि श्री राजनारायण का टेलीफोन आ जाता है।

This Government lacks the political will. This Government cannot protect the interests of the Harijans, 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 of communal people. This is the Government of splinter groups. This Government cannot protect the interests of the weaker sections. This Government cannot protect the interests of the country. This Government cannot protect the interests of the nation. This Government cannot do anything except create anarchy and a law and order situation in the country. This Government cannot do anything. Therefore, this Government must go. I would ask this Home Minister, Mr. S. D. Patil went to 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 Maurya 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 जायें तो फिर देश का हित किस प्रकार हो What will you write to the State Government? आपने मजिस्ट्रेट और पुलिस सुपरिटेन्डेंट को मुवतिल नहीं किया। इस्ट्रिक एक्शन लेने के लिए आप डरते क्यों हैं ?

इसलिए मैं आपसे कहना चाहता हूँ पटेल साहब कि आप नये गृह मंत्री हैं आप कृपा करके ऐसी घटनाओं की पुनरावृत्ति होने से रोकें, इसको बंद करें। मेरी आप से मांग है कि आई० जी० के अन्दर में एक आडिशनल आई० जी० बनाया जाये जो कि हरिजन प्रोटेक्टीज न होने दें और उनके हितों का ब्याल रखे।

Additional I.G. should be appointed in all the State to look after the interests of the Harijans, minorities and weaker sections.

यदि आप यह व्यवस्था कर सकें तो उस ए० आई० जी० को जो रिपोर्ट उसके संबंध में होगी उस पर आप तत्काल कार्यवाही करेंगे। मैं आदरणीय भोला पासवान शास्त्री जी से निवेदन करूंगा कि हरिजनों को जिन्दा जवा दिया गया तो क्या कोई एस० पी० मुअ्तिल हुआ, क्या कोई कलेक्टर मुअ्तिल हुआ ? श्री पासवान जी बिहार के रहने वाले हैं वहां पर पंचामों की हत्या हुई है, पंचामों हत्याकांड हुए हैं। वहां पर जब इस तरह के सैकड़ों हत्याकांड हुए तो क्या वहां किसी कलेक्टर को मुअ्तिल किया गया, क्या किसी एस० पी० को मुअ्तिल किया गया। ऐसी कोई चीज नहीं हुई।

उपसभाध्यक्ष (श्री श्याम लाल यादव) :
आपका मवाल स्पष्ट है।

(Time Bell rings)

श्री कल्प नाथ राय : इसलिए मेरी मांग है कि अडिशनल इन्स्पेक्टर जनरल को अप्वाइंट करके केन्द्रीय सरकार एक मेन्टल मेल कायम करे इन मारी बातों के लिए और बड़ी दृढ़ इच्छा शक्ति से, ऐसा करने वाले लोगों के विरुद्ध कड़े कदम उठाये जायें तभी हम देश के अन्दर हरिजनों के हितों की रक्षा हो सकती है, माइनाग्रिटीज के हितों की रक्षा हो सकती है और तभी यह जनता सरकार, गांधी जी की समाधि पर जाकर शपथ लेने वाली सरकार, गांधी जी का नाम लेने वाली यह सरकार गांधी जी के प्यारे हरिजनों की रक्षा कर सकती है।

श्री भोला पासवान शास्त्री : उपसभाध्यक्ष जी, कल्प नाथ जी ने कहा कि बिहार में हत्याकांड हुए तो क्या मैं ने वहां के किसी कलेक्टर और किसी एस० पी० को ट्रामकर किया। मेरे पास उनको मफजर करने की

Statement

[श्री भोला पासवान शास्त्री]

कोई पावर नहीं है और मैं यह नहीं कर सकता हूँ। जब मैं एडमिनिस्ट्रेशन में था...

श्री कल्प नाथ राय : मैंने आपको नहीं कहा।

श्री भोला पासवान शास्त्री : आपने अभी कहा। जब मैं एडमिनिस्ट्रेशन में था तो आप जितनी उम्मीद करते हैं उससे বেশी 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 I 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, as 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 bonafides 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. I 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. His political group was fomenting all these troubles. Now he has come back to power. In between there was a period when he was out of power. You examine that period also and compare. I am not in possession of figures. The figures will be with the Home Minister. The thing is that this Government is in existence under the point of bayonet, 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 this 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, as my friends on the other side have done.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You just put your 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 sacrificed like goats or lambs and that was a cari-

cature against Gandhiji because he stood for the socially weaker 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, peculiarly, only Harijans have been 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 politicise 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 uni-

form and every citizen is a police officer without uniform, yet they do not observe this.

In view of the difficulties of the weaker sections—we know women are being raped in the police stations, helples, Harijans are being murdered and humiliated here and there—may I, therefore, just alert the Minister and the Government and all conscientious 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 reservation for the Scheduled Castes and Adivasis are not being filled up every 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. Candidates are available. But I want only to place this on record. Once there are reserve posts, these posts must be filled by appointing candidates belonging to these castes, the Scheduled Castes and the Adivasis. Always the number of Scheduled Caste employees should be $R+N$ where 'R' is the number of the reserved seats and 'N' is the number of seats secured by merit. Only sometimes "N" may tend to be zero. But 'R' also sometimes becomes zero. But really speaking 'R' will never be 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 station one police officer should be from the Scheduled Castes or the Adivasis. Let the Government give an undertaking to the nation for this.

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

[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 MALICK: 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 necessary 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 MALICK: 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)

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 of the hon. Home Minister to the fact that the Scheduled Castes form about a quarter of the total population of this country, and in spite of the Government's claim to have introduced the Harijans Protection Programme, all sorts of atrocities are being 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 as 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 to 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 flesh and blood and your own brothers. You have 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 rights. In this connection I want 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 responsibility. You have to see that the Scheduled Castes are helped in every sphere of life. I must also say that their hopes and aspirations have

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 intervened in the debate said, that there is no doubt that it was established at the instance of the Muslims of India. Now as I said a minute back, the 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 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 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) My 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 well-known 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 party. 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-

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

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

SHRI TRILOKI SINGH: You are **SHEIKI** (Andhra Pradesh): At that brought about as a result of

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

SHRI TRILOKI SINGH: Or he might not have been born even....

SHRIMATI HAMIDA HABIB-ULLAH: He was a *bachcha*.

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 their 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 honourable 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 the

[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 arrangement, but 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 on 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 be 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? I refer you to what I quoted in my opening speech. It is not good to quote oneself. It relates to the speech of the Governor-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 to

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 hal-lowed 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 Shafi 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 Universities, 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

देखी तो मुझे ऐसा लगा कि मानो किसी जंगनी जानवर ने उस का मुंह तोच लिया हो। लेकिन बाद में पता चला कि इस खूबसूरत बच्चे को बदसूरत करने वाले हमारे पी०ए०सी० के लोग हैं। पप्पू नाम बबली नाम का बच्चा है उसको भी घर में घुस कर मृलिम ने बहुत मार मारी जिसका सर फट गया और उसमें टाकें भी लगे हैं।

उपसभाध्यक्ष (श्री श्याम लाल यादव) :
अब आप खत्म करिये।

श्रीमती सरोज खापड़ : मैं खत्म कर रही हूँ। एक छः महीने का बच्चा है...

उपसभाध्यक्ष (श्री श्याम लाल यादव) :
आप घटना में मत जाइये समय नहीं रहा। मैंने आपको समय दे दिया है बोलने का।

श्रीमती सरोज खापड़ : छः महीने का जो बच्चा है उसको भी नहीं छोड़ा है।

उपसभाध्यक्ष (श्री श्यामलाल यादव) :
आप समय का दुहायों मत करिये।

श्रीमती सरोज खापड़ : मैं समय का दुरुपयोग नहीं कर रही हूँ। दो साल का जो बच्चा है उसको भी पी०ए०सी० ने अपने निगाने से नहीं छोड़ा। मैं बताना चाहती हूँ कि इन बच्चों को छः मार कर इतना बदसूरत कर दिया कि आज उनके मां-बाप के पास उनका इलाज करने के लिये, उनकी दवा करने के लिये पैसा नहीं है। जिन महिलाओं को भयंकर चोट आई है उनके पास भी इलाज करने के लिये पैसा नहीं है। मुझे पता लगा है पाटिल साहब वहाँ गये थे। मैं पूछती हूँ उन्होंने वहाँ क्या देखा। क्या उन्होंने यह हकीकत नहीं देखी अपनी आंखों से। क्या आपने वहाँ जाकर वहाँ के लोगों को यह बचन नहीं दिया था, यह आश्वासन नहीं किया था कि मैं दिल्ली जाते ही आपके कंपनसेशन का बंदोबस्त

कर दूंगा। मैं पूछती हूँ क्या आपने बंदोबस्त किया, क्या आपने उनको कंपनसेशन दिया? मैंने जाकर उनसे पूछा कि क्या आपको सरकार ने कुछ मदद दी? तो उन्होंने कहा कि हम अभी तक कोई मदद नहीं मिली है। उन्होंने यह कहा था कि कोई पाटिल साहब आए थे टोपी लगा कर उन्होंने हमें कहा था कि मैं दिल्ली जाकर आपको कंपनसेशन दिला दूंगा लेकिन अभी तक वह वापस नहीं आए और न ही कोई मदद मिली। मैं आपसे यह पूछना चाहती हूँ कि क्या आपने वहाँ जा कर कोई आश्वासन दिया था कि शासन की ओर से कुछ मदद दी जाएगी और अगर दिया था तो क्या उस आश्वासन को आपने पूरा किया?

दूसरी बात मैं यह कहना चाहूंगी कि जिन महिलाओं के साथ बलात्कार हुआ है उसकी भी जांच ठीक ढंग से होनी चाहिये। वहाँ छोटे से लेकर बड़े आदमी तक ने यह कहा कि कलेक्टर के सामने यह कांड हुआ है, कलेक्टर की मौजूदगी में यह कांड हुआ है। मैं मांग करती हूँ कि ऐसे कलेक्टर को जिसका नाम कल्प नाथ राय जी ने लिया है और अनेक मेम्बरों ने जिसको तारीफ की उस चितरंगत सिंह को आपको दो-चार दिन में मुअत्तल करना चाहिये, उसको वहाँ से भगाना चाहिये। अगर आप उसको नहीं हटायेंगे तो मैं समझूँगी कि आप को डर है। आपको अपने केबिनेट में अपने ही एक सहयोगी का डर है। अगर उनका टेलीफोन आ गया तो हम को उनको रोकना पड़ेगा। लेकिन मैं आपसे कहना चाहती हूँ कि किसी चीज से न डरते हुए आपको डिस्ट्रिक्ट कलेक्टर को इमीडिएट हटाना होगा। मैं मुजफ्फरनगर की महिलाओं की ओर से, अनेक यहाँ के सदनों के मेम्बरों की ओर से और अपनी ओर से यह निवेदन करती हूँ कि चितरंगत सिंह को तुरन्त वहाँ से निकालना चाहिये और उसका हिसाब किताब ठीक करना चाहिये।

उत्सवभाष्यक्ष (श्री श्याम लाल यादव):

नन्दा जी आपको कुछ कहना है तो एक-दो सवाल पूछ कर खत्म करिये ।

SHRI NARASINGHA PRASAD NANDA (Orissa): I am thankful to you, Mr. Vice-Chairman, for having given me this opportunity to seek a clarification. After listening to all the Members who have spoken and to the statement of the hon. Minister, I have not become wiser on the Muzaffar Nagar issue. The hon. Minister has admitted that facts are yet to be ascertained, and the incident is already 18 days old. The facts furnished by the State Government and the facts collected by the hon. Minister of State, Mr. Patil, when he visited the place of the incident are at variance. Then the hon. Home Minister says that the facts are yet to be ascertained. So, we are still in the dark as to what actually happened there. We have heard vivid description from the Members. So, I would like to know when the actual facts would be placed before the House.

And, secondly, I have not been able to understand what the immediate provocation was for such a drastic action on the part of the police.

These are the two things, I would like to know from the hon. Minister.

SHRI H. M. PATEL: Sir, if it was possible for the Commissioner to complete the enquiry, then I would have had some knowledge of it. But now we will see that as soon as and as speedily as possible . . .

SHRI KALP NATH RAI: Are you going to set up a Parliamentary Committee?

SHRI H. M. PATEL: But we will certainly try to get the facts. Parliamentary committees do not really go, cannot go, into these matters. These are matters of enquiry and investigation.

7 P.M.

SHRI KALP NATH RAI: Who will submit the actual report to you?

SHRI H. M. PATEL: That is the machinery you will set up . . . (Interruptions)

SHRI KALP NATH RAI: Your Collector or Commissioner cannot do anything.

SHRI H. M. PATEL: You yourself had suggested that . . . (Interruptions)

SHRI HAREKRUSHNA MALICK: You should take drastic action. Why should they be in service? (Interruptions)

उत्सवभाष्यक्ष (श्री श्यामलाल यादव) :

आप अपना स्थान ग्रहण कीजिये ।

SHRI HAREKRUSHNA MALICK: We want drastic action against erring officers—no mercy for them.

SHRI H. M. PATEL: I cannot show mercy or no mercy at this moment. Why is there excitement about this? Undoubtedly the thing is bad; it has got to be gone into and gone into properly. We will do it as speedily as possible.

SHRI KALP NATH RAI: Which Government?

SHRI H. M. PATEL: This is exactly the point. The State Government is still there. I have to act through the State Government. But if the Scheduled Castes and Scheduled Tribes Commission could be asked to go into it, they will certainly be able also to go into it and provide us with reliable information on the basis of which one can consider what to do. But there are certain difficulties, procedural, legal, federal, constitutional, which we will have to bear in mind.

I think the second question which the hon. Member has asked was, what was the provocation. I do not know what the provocation was. In

fact, I am astonished at the way in which the police has acted. But beyond that, at this stage, I cannot go until a fuller enquiry is made. Whatever we may want to do, I am sure all the hon. Members would like that punishment is meted out after proper enquiry and investigation. Even the worst culprit must have the right to that much. Punishment will be given to whoever is found guilty.

उपसभाध्यक्ष (श्री इय्यास लाल यादव):
अब सदन की कार्यवाही सोमवार, दिनांक 5 मार्च, 1979 को प्रातः 11 बजे तक के निषे स्थगित की जाती है ।

The House then adjourned at two minutes past seven of the clock till eleven of the clock on Monday, the 5th March, 1979.