

बात कर रहे हैं उसमें यह संशोधन किया जा रहा है कि सदन की मियाद पांच वर्ष होनी चाहिये। लोक सभा में शायद इस तरह का संशोधन इंटराड्यूस किया जा रहा है कि लोक सभा और विधान सभाओं की मियाद पांच वर्ष हो। यदि लोक सभा पांच वर्ष के लिये हो तो मुझे कोई आपत्ति नहीं है लेकिन जिस उद्देश्य से जल्दी में इसे लाया जा रहा है वह ठीक नहीं है। उसके बारे में हमें सोचना पड़ेगा। जब पालिटिकल एक्सपीडियेंसी की बात आती है तो हमारे दिल भी उसी पालिटिकल एक्सपीडियेंसी से जवाब देने में संक्षम हैं।

जनता, जिसे आप कहते हैं उसे सही बात समझती है, 30 वर्षों में कांग्रेस सरकार ने जो कुछ किया उसका समर्थन किया लेकिन इन दो-पौने दो वर्षों में जो भी नीतियाँ जनता के सामने रख वह बिना सोच समझ कर रखीं अगर उसी तरह आप भी बिना सोच-समझ कर काम करेंगे तो आपका भी वही हाल होगा। मैं समझता हूँ आप ऐसा नहीं होने देंगे। आप राष्ट्रीय हितों को ध्यान में रख कर सही कदम सही समय पर उठाएँगे जिससे राष्ट्र प्रगति करता जाएगा।

STATEMENTS BY MINISTER

1. Proposal of government to order inquiry into excesses committed during the period of emergency

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) : Mr. Deputy Chairman, Sir, we have recently passed through one of the darkest periods of our history. The events following the proclamation of emergency have been a traumatic experience for all those who cherish the high ideals of our founding fathers and leaders of our struggle for independence. This is not so because some of us have undergone personal suffering, but because we saw before our own eyes the defilement of all the values for which we have lived and

struggled. It is indeed a tribute to the political maturity of the people that there has been a peaceful and orderly change and that we have now an opportunity to undo the wrongs of the past. We will, however, be failing in our duty if we do not take positive steps to ensure that the events of the recent past are not repeated in future and to expose the abuse of power by a handful of people who had unleashed untold repression and terror on the Nation.

Besides changes in the Constitution and other laws, this objective can be achieved only by bringing to book all those who are guilty of excesses, malpractices and misdeeds during the emergency, from the highest political authority down to the lowest functionary of the Government. We are not acting in a spirit of revenge or in anger but only redeeming our pledge to the people and fulfilling their mandate. Even, otherwise, it is only fair that those who are guilty, do not escape punishment. We want this to be a lesson to all so that in future none may dare misuse authority for personal ends.

We are aware that a large number of officials acted out of fear and under trying circumstances. We have, therefore, no intention of being vindictive. Nor would we allow any kind of witch-hunt. But those few, who, going out of their way, indulged in excesses to please others cannot be allowed to escape the consequences.

The list of misdeeds of the emergency is indeed very large. There have been a large number of cases of gross abuse of the powers of arrest and detention. There have been instances of maltreatment and atrocities on detenus and political prisoners. There has been compulsion and use of force in the implementation of the Family Planning programme leading to a number of violent incidents. In the name of the beautification of cities, there have been illegal demolitions leaving thousands homeless and taking them miles away from their vocation. Ever since we assumed

office, we have been giving anxious consideration to this matter. Keeping in view the importance of the subject and the anxiety of the Members of the House, I thought it appropriate to make a statement defining Government's thinking on the subject.

We propose to appoint a Commission of Inquiry under the Commissions of Inquiry Act 1952 to look into all complaints of excesses, malpractices, abuse of authority during the emergency and all matters related thereto. The Commission of Inquiry will be headed by an eminent judge. The exact terms of reference and the mode of inquiry will also be determined after taking into consideration the advice of the Chairman of the proposed Commission of Inquiry.

We have already received some specific allegations which *prima facie* seem to deserve an inquiry. However, it is likely that due to the fear psychosis created during the emergency most people suffered in silence and did not have the courage to represent their grievances. It is intended hence that the Commission should be in a position to invite specific complaints within a specified time limit and decide which of such allegations should be inquired into. We would expect the Commission to give its findings within a period of six months. Also we hope that the Commission will be able to give interim reports which may enable us to initiate follow up action even before the receipt of the final report.

It is my ardent hope that our policy will be welcomed by all sections of the House. In particular, I will request Honourable Members to extend all possible assistance to the proposed Commission to enable it to discharge its onerous responsibilities.

II. Proposals of the Government to order an inquiry into the death of Shri Sunder Singh in the custody of Delhi Police.

THE MINISTER OF HOME AFFAIRS
(CHAUDHURI CHARAN SINGH) : Sir,

I have yet another statement to make. Some doubts have been expressed regarding circumstances leading to the death of Shri Sunder Singh, who was in the custody of the Delhi Police in connection with a case under the Indian Arms Act. It is said that he was escorted to the Tughlakabad Fort area on 24-11-1976 and some arms and ammunition were recovered on the basis of the information disclosed by him. Another case u/s 25-26/27/54/59 of the Indian Arms Act was registered at PS Kalkaji, Delhi, vide FIR No. 697 dated 25-11-1976. After the recovery, when the police party was returning to the East District of Delhi in early hours of the morning, one of the wheels of the vehicle in which Shri Sunder Singh was being escorted is said to have got punctured near the cremation ground, Geeta Colony. The driver stopped the vehicle. Other members of the party also came down to help the driver. Shri Sunder Singh is said to have sought permission to ease himself. In order to enable him to answer the call of nature one of his hands was released from the hand-cuffs. Taking advantage of the darkness and the fact that he was at that time escorted by one SI and one Constable only, he is reported to have jerked himself free of the chain tied to the policeman's belt. He is said to have run towards the river. In the early hours of the morning of 25th November, 1976, the police found his body and took it to the hospital where he was declared dead. An inquest into his death was conducted by a magistrate. The post-mortem was conducted by Dr. Vishnu Kumar of the Maulana Azad College, New Delhi.

2. The C.B.I. has been asked to enquire into the death of Shri Sunder Singh. Necessary instructions in this regard were issued on 30-3-1977. The allegation made in certain quarters that the sister of Shri Sunder Singh had earlier been raped or molested at a Police Station in Haryana will also be looked into.