

MESSAGES FROM THE LOK SABHA

- I. The Appropriation (Railways) Vote on Account BUI, 1917.
- II. The Appropriation (Railways) Bill, 1977

SECRETARY-GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

(1)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (Railways) Vote on Account Bill, 1977, as passed by Lok Sabha at its sitting held on the 29th March, 1977.

(2) The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

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(2) The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay a copy of each of the Bills on the Table.

REFERENCE TO DEMAND FOR RELEASE OF ALL DETENUS HELD UNDER MISA

SHRI BHUPESH GUPTA (West Bengal): Sir, I am grateful to you that you have given me the permission to raise a matter of great im-

portance. Sir, this is about political detenus and undertrial detenus, including hundreds of Naxalites in detention or in various jails of the country, especially in West Bengal.

Sir, the matter has been raised by us in the past. During elections this became all the more essential. We know the fate of these political prisoners, many of them have been in jail or detained under MISA for many years. Many are under-trial prisoners, without any charge being framed against them and we have got thousands of them in West Bengal. I had met some of them in prison in the past and now we are getting telegrams from West Bengal and other parts of the country also. Sir, in the Janata Party Election Manifesto it is stated that they would repeal the Maintenance of Internal Security Act. In the President's Address, we find it is mentioned that it will be reviewed. I don't know, Mr. Advani, what is there to review? If you are committed to the repeal of the Maintenance of Internal Security Act, one fine Bill is enough to repeal it. You don't review an Act having come to the conclusion that you have to repeal it. When Indira Gandhi was heading a minority government, at our insistence the Preventive Detention Act was revised. It was not on the Statute Book till after the 1971 elections. It has been revived in the form of MISA.

Now, Sir, first of all I would like to ask the Home Minister, Mr. Charan Singh who is here, and Mr. Morarji Desai to implement that pledge straightaway—namely the annulment of the Maintenance of Internal Security Act. What is this review?

But I am here now to bring to your notice what is worrying many many people all over the country. In West Bengal, about 5000 political prisoners are still there. A whole number of people called Naxalites have been under detention for many years, al-

though the Maintenance of Internal Security Act does not permit detention for more than a year or two. Many are being held as under-trial prisoners without any chargesheet being given to them. It is not anything like a rule of law when you hold people as under-trial prisoners for many many years. There is no case against them; you don't prefer a charge-sheet against them. Just this morning, I have received a telegram as follows: "Ensure release 100 political workers. Large number of political prisoners detained without trial, under-trial without charge-sheet, without prosecution.. etc". This has come from West Bengal. From other States also, they are coming. Therefore, my appeal—that is the operative part of my appeal—to the new Government is that pending repeal of the Maintenance of Internal Security Act, Government should give directions to the State Governments that all political prisoners—Naxalites and others—should be set-free forthwith. There need not be any delay when the Government is under a firm commitment to do it. It can be done in this session. There are many others who are under-trial prisoners. I should like the Government to give a direction to the State Governments within their competence of power. The State Government in this matter, has the power, but the advice from the Central Government on behalf of Parliament would not be wasted. These under-trial prisoners should also be set free. There is no case against them. Why should they be kept under this 'Black' Act in jail for such a long time. Sir, you can imagine the sufferings of the families. Careers of a large number of young men in their teens have been ruined. I think a time has come to cry a halt to this kind of destruction of our youth in prisons. Many Naxalites even said that elections should be fought. Things have changed now. I think the Government should take a proper view of this matter and act very quickly. Well, this is one thing. Then, they should all be given a proper political status. In West Bengal

and other States, they are not getting the status. How long can we get on with this thing? I have been pleading for years and years in order to get things right. Now that the Government itself is committed by the electoral pledge to the people the Maintenance of Internal Security Act should go. There is no need for delaying this matter. Government can take immediate action over this matter. I would therefore like to ask Mr. Charan Singh to go into this matter. Let that chapter be closed once and for all. This chapter should be closed finally. I would bring to your notice that two Naxalites of Andhra Pradesh—Kesta Gowda and Blaovtmeiya were executed during the Emergency. Sir, I don't know how their families are. They were agricultural labourers and poor people and I think you can render some assistance to them. Sir, these steps should be taken.

Once again, I do beseech the Government and appeal to the Government to give this task the topmost priority. Not only in terms of our conscience but also in terms of their own election manifesto. It is necessary that these political prisoners should be released without much delay. I come from West Bengal. The other day I read in the paper that thousands of prisoners are there. You can imagine how people feel. It is a serious matter for the people of West Bengal. I have been again and again appealing to the Government. I once again appeal to this Government, not from any partisan point of view. This question assumes the character of a humanitarian question. Sir, I therefore hope the Government will take steps, if necessary by consulting us and others on this side of the House, and expedite the matter. Do not sit on the files, please. Enough sitting on the files has taken place. Do not allow your officers to cook up problems they have done a lot of mischief. A political decision should be taken that not one political prisoner of the left

[Shri Bhupesh Gupta] democratic movement, whether the CPI(Mj) or CPI or any other party or Naxalites, would be in prison. Let us begin a new chapter by declaring general amnesty to all these unfortunate people in the prisons of the country. Thank you.

PROF. RAMLAL. PARIKH (Gujarat) : Sir, before the Home Minister speaks, whenever this question came up, the previous Government consistently and continuously refused to give the correct state of affairs about the detenus, as to what was the figure of detenus and where they were detained. This time I would request the Home Minister to bring put a complete statement as to what is the state of the detenus and how many were detained actually. I think we should not lose more time on this so that the House could be fully informed as to what happened during the emergency. I think this is what the House would expect.

SHRI VISWANATHA MENON (Kerala): Sir, on behalf of my party also I endorse the Sentiments expressed by Mr. Bhupesh Gupta. Many of my party comrades are in prison still. Not only Naxalites, but other people also; in the name of Naxalites, are put in jail in Kerala. There are various persons who are not even being produced before the court. That is the position. So I would request the hon. Home Minister to take an active interest in this matter. Some of these matters concern the State Government. But he should take a strong stand in this matter. I would request him to give a favourable reply.

SHRI HIMMAT SINH (Gujarat): Sir, I have a point to make, arising out of what Shri Bhupesh Gupta has said and which has been referred to by Shri Ramlal Parikh. I would like to make a mention of the reply given in the Gujarat Assembly by the Home Minister. When he was asked about the number and other

details about the detenus, the Home Minister failed to give a reply. He suppressed the information. It is therefore all the more necessary that the Home Minister of India take note of this and gives full information regarding all the detenus of all the parties including those who have not yet been released.

गृह मंत्री (जोधरी चरण सिंह) :
उपसभापति महोदय, मुझे बहुत ही खुशी है कि माननीय भूपेश गुप्ता जी ने यह सवाल उठाया। मैं उनसे पूर्णतया सहमत हूँ और दूसरे तीनों मित्रों से भी जिन्होंने उनका समर्थन किया।

यह प्रश्न हमारे विचाराधीन है और जो शिकायत माननीय मित्रों की है कि पिछली गवर्नमेंट ने कभी कोई तफसील या डिटेल् गिरफ्तारशुदा लोगों की नहीं दी, यही कठिनाई हमारे सामने भी है। ये सारी डिटेल्स म इकट्ठा कर रहे हैं और इस सिलसिले में आवश्यक आदेश चार दिन पहले दिये जा चुके थे। 26 मार्च को यह गवर्नमेंट बनी थी और 26 की शाम को ही कैबिनेट की मीटिंग हुई। 27 तारीख को हमने होम सेक्रेटरी को यह कहा है कि इस सिलसिले में जो डाटा या तफसील उनके पास नहीं है—जो कि उनके पास होना चाहिए था—यह उसको इकट्ठा करें। और मैं आपकी इजाजत से गवर्नमेंट की तरफ से यह वायदा करता हूँ कि इन दो या तीन दिन के अन्दर एक डीटेल्ड स्टेटमेंट मैं गवर्नमेंट की तरफ से सदन की पटल पर रखूंगा।

SHRI BHUPESH GUPTA: What about my suggestion regarding the relief?

चौधरी चरण सिंह : हाँ, हाँ ।
सारी बातों और सारी नीति के सिलसिले
में ।

ALLOCATION OF TIME FOR DISCUSSION OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee at its meeting held today, the 30th March, 1977, allotted time as follows for Government Legislative and other Business to be taken up during the current session of the Rajya Sabha:—

<i>Business</i>	<i>Time Allotted</i>
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1. General Discussion on:—

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| (a) General Budget for 1977-78 | 3 hours |
| (b) Railway Budget for 1977-78 | 2 hours |
| (c) Tamil Nadu Budget for 1977-78 | 1 hour |
| (d) Nagaland Budget for 1977-78 | 1 hour |
| (e) Pondicherry Budget for 1977-78 | 1 hour |

2. Discussion on the Address delivered by the Vice-President acting as President (4th, 5th and 6th April, 1977)

3. Discussion on the Resolution on increase in the export duty on coffee, groundnut and cardamom.

4. The Committee decided that the following Appropriation Bills should be taken up for consideration and return on the 31st March, 1977:—

- (a) The Appropriation Bill, 1977.
- (b) The Appropriation (Vote on Account) Bill, 1977.
- (c) The Appropriation (Railways) Bill, 1977.

- (d) The Appropriation (Railways) Vote on Account Bill, 1977.
- (e) The Tamil Nadu Appropriation (Vote on Account) Bill, 1977.
- (f) The Tamil Nadu Appropriation Bill, 1977.
- (g) The Nagaland Appropriation (Vote on Account) Bill, 1977.
- (h) The Nagaland Appropriation Bill, 1977.
- (i) The Pondicherry Appropriation (Vote on Account) Bill, 1977.
- (j) The Pondicherry Appropriation Bill, 1977.
- (k) The Finance Bill, 1977.

The Committee also recommended that the House should sit up to 6.00 P.M. today and till late in the evening tomorrow with a view to completing all the legislative business to be taken up on that day.

The Committee further recommended that the House should sit on Thursday, the 7th April and Monday, the 11th April, 1977 for the transaction of Government business.

SHRI BHUPESH GUPTA (West Bengal): Sir, I have a submission to make with regard to this motion, it seems some other Bills are going to come before the House, as we have to sit on the 11th March, 1977, but it has not been indicated which are the Bills which are going to come. I suggest that immediately Bills restoring the Feroze Gandhi Act and repealing the Press Objectionable Matters Act and the Maintenance of Internal Security Act be brought before the House. Announcement should be made in this regard so that we can accordingly make our arrangements, instead of telling us on the previous evening that such and such Bills are coming before the House. Do I have an assurance—and we should have that assurance—that these two Bills restoring the Feroze Gandhi Act and