

RAJYA SABHA

*Thursday, the 8th January, 1976/the
18th Pausa, 1897 (Saka)*

The House met at eleven of the Clock,
Mr. Chairman in the Chair.

ORAL ANSWERS TO QUESTIONS

**Incidents of violence in Gujarat during
recent Panchayat elections**

*61. SHRI HARSH DEO MALAVIYA†

SHRI SAWAISINGH SISODIA :

SHRIMATI LAKSHMI KUMARI
CHUNDAWAT :

SHRI MAHENDRA BAHADUR
SINGH :

DR. V. B. SINGH :

Will the Minister of HOME AFFAIRS
be pleased to state :

(a) whether the Central Government
have asked the Gujarat Government a de-
tailed report on the violent incidents that
took place during the recent panchayat
elections in the State ; and

(b) if so, what are the details thereof ?

THE MINISTER OF HOME AFFAIRS
(SHRI K. BRAHMANANDA REDDI) :

(a) and (b) On receipt of complaints
about violent incidents and intimidation of
candidates in the context of panchayat elec-
tions in Gujarat, Union Home Minister
wrote to the Chief Minister, Gujarat, on
15th December, 1975 about these com-
plaints and the need for effective main-
tenance of law and order. Apart from this
letter, individual complaints as and when
received were also forwarded to the State
Government for appropriate action.

†The question was actually asked on the
floor of the House by Shri Harsh Deo
Malaviya.

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SHRI HARSH DEO MALAVIYA : Is
the Government aware that some knight
errants of the total revolution, who are
known to have received foreign funds and
who have contacted Chairman Mao Tse-
Tung, have found safe asylum in Gujarat
under the protective wing of the Janta
Morcha Ministry ?

SHRI K. BRAHMANANDA REDDI :
Sir, I have no information at the moment.

SHRI HARSH DEO MALAVIYA :
There have been reports about their clan-
destine activities. There was a reference
to it in Mr. Om Mehta's reply yesterday.

MR. CHAIRMAN : Officially he has no
knowledge of it. That is what he means.
Of course, you have read it and we have
read it.

SHRI HARSH DEO MALAVIYA :
My second question. In view of the fact
that the panchayat elections in Gujarat
have proved that the Janta Morcha Ministry
no more enjoys the support of the people
of the State, will the Home Ministry con-
sider recommending to the President to
dismiss the Ministry and impose President's
rule ?

SHRI K. BRAHMANANDA REDDI :
Sir, we are aware of the favourable re-
action of the people of Gujarat to the
Congress as evidenced by the recent elec-
tions and the law and order situation in
the State, as well as other developments,
is under close watch.

SHRI SAWAISINGH SISODIA : I
would like to know from the hon. Minis-
ter whether he has kept in view reports
of innumerable violent incidents and many
murders during the panchayat elections.
Also, the weaker sections and the Sched-
uled Caste people were not allowed to
cast their votes freely and they were
threatened and intimidated. Not only that.
A leading Member of Parliament and an
hon. colleague like Mr. Manubhai Shah

has met you in Delhi and he has given details regarding so many incidents that took place during the panchayat elections. What action has the Central Government taken in this respect? May I know whether the Government has written a letter to the Government of Gujarat and, if so, may I know whether they have taken any action and whether they have replied to your letter or not? What is the reaction of the Gujarat Government to these complaints?

SHRI K. BRAHMANANDA REDDI : Sir, complaints have been coming here about intimidation of Congress supporters, followers, etc., about disruption of election meetings, about not giving proper facilities for election meetings or processions, etc., also about the cases of murders that were committed, the misuse of MISA where Congress sympathisers or supporters were concerned and the non-use of MISA where the Janta Front people were concerned. Therefore, I have written to the Chief Minister on the 15th December, and on the 20th December the Chief Minister replied saying that, by and large, the panchayat elections have gone off peacefully and all that.

SHRI SAWAISINGH SISODIA : My question was not replied to. I have put a direct question whether the Government of India has received such complaints and, if so, what is the reaction of the Government of India and what action the Government of India is contemplating to take in Gujarat.

SHRI K. BRAHMANANDA REDDI : As I have already said, many complaints that were made here have been referred to them for appropriate action. In cases of a serious nature the Government of Gujarat will have to prove further and take other steps.

श्रीमती लक्ष्मी कुमारी चुंडावत : मभापति महोदय, जब गुजरात में इस तरह की एलेक्शन में हत्याएं वगैरह की गई हैं और अन्डरग्राउंड लोग मिल कर पेंपलेट वगैरह निकाल रहे हैं और उस के बारे

में सेंटर उन को लिखता है लेकिन वह उस पर अमल नहीं करते तो ऐसी हालत में सेंटर का क्या फज हो जाता है? जो स्टेट्स सेंटर की आज्ञाओं का पालन नहीं करते उन के सम्बन्ध में सेंटर का क्या फज होगा? लॉ एंड आर्डर की रक्षा वहां कैसे की जायेगी?

SHRI K. BRAHMANANDA REDDI : As hon. Members are aware, law and order is a State subject and it is the primary responsibility of the State Government to assure to all its citizens proper law and order, and in case the State Government fails to discharge its responsibility properly, naturally there are other considerations which will have to be looked into.

श्रीमती लक्ष्मी कुमारी चुंडावत : सवाल यह है कि प्राइम फेसी रेस्पॉन्सिबिलिटी अगर स्टेट्स नहीं मनाते हैं तो उस वक्त क्या किया जाए।

SHRI MAHENDRA BAHADUR SINGH : Sir, I would like to know from the hon. Minister whether it is a fact that the Chief Minister of Gujarat in a letter to the Prime Minister has offered a Parliamentary Committee probe into the incidents of violence in the recent elections in Gujarat.

SHRI K. BRAHMANANDA REDDI : I am not aware of this.

SHRI BANARSI DAS : There are newspaper reports. Has he not received a letter from him?

SHRI K. BRAHMANANDA REDDI : I have not received it.

SHRI NABIN CHANDRA BURAGOHAIN : Sir, in view of the fact that the Gujarat Government have failed to maintain proper law and order in the recent elections, and consequently four persons died and many became injured—and this issue, I think the hon. Home Minister knows about it, was raised in the AICC Subjects Committee—it seems most of the people in Gujarat are agreed that justice has not been meted out to them. Now

the honourable Home Minister says that he has called for a report, but considerable time has elapsed since the election was held. So, may I ask the honourable Home Minister whether he would take the whole responsibility of calling the report as early as possible and relieve us of our worries?

SHRI K. BRAHMANANDA REDDI :

Sir, I have just now submitted in answer to another query that the complaints that have come here have been referred to them for appropriate action and they have to look into the matter and see what action should be taken.

श्री ओइम् प्रकाश त्यागी : महापति महोदय, मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या यह सच है कि जो विधान सभा के इलेक्शन हुये थे गुजरात में पीछे, उस में 47 झगड़े हुये, वायलेस के केसेज और 4 मृत्युएँ हुई और जो अब चुनाव हुये हैं...

MR. CHAIRMAN : This question does not refer to that election. Therefore, put the question straightforward. Don't go back.

श्री ओइम् प्रकाश त्यागी : जो आप के पत्र के उत्तर में गुजरात के मुख्य मंत्री ने आप को जवाब दिया है, क्या उस पत्र को आप टेबिल पर रखने को तैयार हैं ? यदि नहीं, तो क्यों ?

SHRI K. BRAHMANANDA REDDI :

Sir, I have just now said in answer to another question that the Chief Minister of Gujarat has replied to me saying that, by and large, the panchayat elections have gone off peacefully. But we are aware that several incidents have occurred, including cases of shooting, cases of murder, assault, etc. etc. Therefore, these cases have been referred to the Gujarat State Government and they will have to take appropriate action. Sir, in this matter, the question is not merely that of the number of incidents. You will have to look at it in a different way. The question is, apart from the number of incidents, a large number of

incidents, where violence has taken place, including murder etc., an impression is created that anybody can get away with any violence if committed against Congress people.

That is the most dangerous thing, and that is what has to counteracted. And, of course, I know that a large number of our friends, supporters, over 500, are accused as aggressors. That is why I again submit that it is not merely the number of incidents, not merely the number of the accused, but the atmosphere which has been created, namely, that anybody committing violence against Congress's followers or its supporters can get away with it. That is the most dangerous thing.

श्री ओइम् प्रकाश त्यागी : महापति महोदय, सवाल क्या था और जवाब क्या दिया ?

MR. CHAIRMAN : I have understood your point. He asks: whether you are going to place the reply which you have received from the Government of Gujarat on the Table. That is what he wants.

SHRI K. BRAHMANANDA REDDI :

I have written a letter to him and he has replied to that. I do not see any need to place it.

MR. CHAIRMAN : The correspondence cannot be placed on the Table of the House.

SHRI N. G. GORAY : Apart from the point whether the Chief Minister of Gujarat has written to you or not, would you consider the appointment of a Committee of Members of Parliament belonging to all the parties so that they can go there and find out for-themselves whether the atmosphere or climate of terror about which you wax so eloquent does at all exist in Gujarat or whether the atmosphere in Gujarat is much more free than the atmosphere in Maharashtra or M. P. or any other State where the emergency rules have been applied with full rigour?

SHRI K. BRAHMANANDA REDDI : I can tell the hon. Member one thing that the atmosphere in Maharashtra and other places is much better than what it is in Gujarat. This is number one. Secondly, I do not see any need for the appointment of any Parliamentary Committee.

SHRI YOGENDRA MAKWANA : I would like to know from the Minister whether he is aware of the fact that some of the anti-social elements and smugglers who were arrested under the MISA were released on parole during the Panchayat elections, that one such person moved with the Chief Minister, Shri Babubhai Patel, that he was allowed to garland him and was sitting on the dais at the meeting at Ulata ?

SHRI K. BRAHMANANDA REDDI : One complaint has come that one gentleman like that has been released on parole during the elections.

SHRI T. V. ANANDAN : Is it a fact that the Opposition parties in the country have taken objection to arresting the hoarders and the blackmarketeers under the MISA ?

MR. CHAIRMAN : This supplementary does not arise out of the main question.

श्री योगेन्द्र शर्मा : मंत्री महोदय यह बताने की कृपा करेंगे कि क्या उन्होंने गुजरात राज्य सरकार से यह जानने की कोशिश की है कि दूसरे राज्यों में रहने वाले ऐसे व्यक्ति जिनकी गिरफ्तारी के वारन्ट हैं वे गुजरात में हैं और वे कितने आदमी हैं ? क्या उन्होंने गुजरात सरकार से यह भी जानने की कोशिश की है ? यदि की है तो गुजरात सरकार का क्या जवाब है ? यदि नहीं की है तो क्यों नहीं की है ? क्या मंत्री महोदय यह भी बताने की कृपा करेंगे कि क्या उनके ध्यान में यह बात आई है कि बहुत से गैर-कानूनी पर्चे और पुस्तिकाएँ गुजरात में छप रही हैं और हमारे राज्यों में उनका बाटा जा रहा है और उनके जरिये से हमारे राज्यों में इमरजेंसी के खिलाफ बग़ावत करने की भावना फैलाई जा रही है ?

SHRI SHYAMLAL GUPTA : Does it come under this ?

MR. CHAIRMAN : Yes.

SHRI K. BRAHMANANDA REDDI : It is true, Sir, as my colleague seems to have said yesterday, a lot of clandestine pamphlets, etc. have been coming out from Gujarat.

श्री योगेन्द्र शर्मा : क्या मंत्री महोदय ने गुजरात राज्य सरकार का ध्यान इस बात की ओर खींचा है कि हमारे राज्यों में रहने वाले लोग, जिनके खिलाफ गिरफ्तारी के वारन्ट हैं, वे गुजरात राज्य में हैं ? यदि मंत्री महोदय ने पूछा है तो गुजरात राज्य सरकार ने इसका क्या जवाब दिया है और यदि नहीं पूछा है तो क्यों नहीं पूछा है ?

श्री ओउम् प्रकाश त्यागी : अध्यक्ष महोदय, इस प्रश्न पर मूल प्रश्न से क्या सम्बन्ध है ?
No connection, Sir.

MR. CHAIRMAN : Mr. Brahmananda Reddi, would you like to reply ?

SHRI K. BRAHMANANDA REDDI : No, Sir.

SHRIMATI SUMITRA G. KULKARNI : Just now the hon. Minister stated that one instance has been brought to his notice where anti-social elements and smugglers who had been arrested under the MISA have been released. I would like to know what steps the Government has taken to ensure that this kind of breach of the MISA is not allowed, and particularly anti-social elements of this type are not released. Also in the case of the man who has been released, the case can be reviewed to find out how he could be released at all, thereby endangering further the social life of Gujarat. What steps have been taken to ensure that such occurrences do not take place in future ?

MR. CHAIRMAN : This question pertains to arrest under the MISA. It is not a question to be answered now.

SHRIMATI SUMITRA G. KULKARNI : He has admitted just now that one man was released and this has come to his notice. I am asking what steps he is going to take in this matter *vis-a-vis* the Government of Gujarat. This is a very legitimate question which arises from his reply. I am only asking a supplementary arising from his reply.

MR. CHAIRMAN : If the hon. Minister wants to reply, he may reply.

SHRI K. BRAHMANANDA REDDI : It is only recently, a little more than a month ago, that we have issued guidelines to the States that on the question of release under the MISA, consultations should take place with the Central Government and after obtaining their clearance alone, they should be released.

श्री राम लाल शी० पारोख : क्या गृह मंत्री महोदय यह बताने की कोशिश करेंगे कि क्या यह सच है कि जाम नगर में जो हत्याएँ हुई हैं उनमें दोनों हत्या करने वाले और जिनकी हत्या हुई है वे दोनों समान थे और दोनों ही शासकीय कांग्रेस दल से संबंधित थे और डम काण्ड के बारे में गुजरात गवर्नमेंट ने जूडिशियल इन्क्वायरी प्रस्तुत की है? इसके साथ-साथ क्या गृह मंत्री महोदय यह भी बताने की कृपा करेंगे कि क्या यह सच है कि वहां पर जो हमले हुये हैं उनमें हमारे एक समाज कल्याण विभाग के मंत्री, जो हरिजन हैं, उनके ऊपर शासकीय कांग्रेस दल के लोगों ने हमला किया था?

SHRI K. BRAHMANANDA REDDI : I have no information, Sir.

SHRI SHYAMLAL GUPTA : Unfortunately for the ruling party, Gujarat has an Opposition Government. Now, is it for that you are giving the dog a bad name to shoot him?

SHRI K. BRAHMANANDA REDDI : Absolutely not.

SHRI D. D. PURI : I would request the hon. Minister to leave alone the question of MISA and parole. I would like to put a categorical question. Does he know that some people have been murdered in cold blood as political enemies? If so, how many of these are Congressmen and what does he propose to do about it?

SHRI K. BRAHMANANDA REDDI : I have just now said that according to the information that we have got, three murders of Congressmen took place and they are being enquired into.

SHRI MANUBHAI SHAH : Is the Minister aware that during the Assembly elections, to which Mr. Om Prakash Tyagi referred, the same Janata Morcha forces were responsible for violent actions which they perpetuated in the panchayat elections and, therefore, any sort of comparison between the two is purely confirming the view that it is the elements composing the Janata Morcha who were responsible for breaking up meetings in the Assembly elections, for murders and riots and for breaking up most of the meetings during the panchayat elections? Is he aware of it?

MR. CHAIRMAN : Are you aware of it? He is not aware of it.

AN HON. MEMBER : He is aware of it.

MR. CHAIRMAN : He may be aware of it, but as a Minister he will have to say it.

SHRI K. BRAHMANANDA REDDI : We are aware. That is why I submitted previously that during the Assembly elections, there were some incidents of violence. Even there, as you remember, it was the Janta Front or Janta Morcha Front and their followers and supporters who have created a lot of disturbances at public meetings even addressed by the Prime Minister. This is a known fact. My submission is that it is not a question of comparing incidents, but it is the question of atmosphere that has been created.