

MR. DEPUTY CHAIRMAN : I will have to name you, and you will have to get out of the House.

SHRI RAJNARAIN : We are not going to tolerate all these things.

MR. DEPUTY CHAIRMAN : You must behave like a Member of the Rajya Sabha, not like a street . . .

श्री राजनारायण : सरकार ने बराबर कहा कि रुपया शंकर में नहीं बदलेगा . . .

MR. DEPUTY CHAIRMAN . Nothing will go on record.

SHRI RAJNARAIN *Continued Speaking.*

MR. DEPUTY CHAIRMAN : Mr.

श्री कमल भा (बिहार) : श्रीमान्, यह बार बार चंवर और सदस्यों की डिग्नटी पर हमला करते हैं और हम को कहते हैं कि हम लोग दलाली करते हैं। इस प्रकार यह सदस्यों के मान पर हमला करते हैं। तो मैं समझता हूँ कि उन के खिलाफ डिसिप्लनरी एक्शन होना चाहिए।

Bhupesh Gupta, you may please make your submission. (*Interruptions*). He being the leader of a group does not obey. I cannot understand his position.

SHRI RABI RAY : You cannot comment like this. It is not fair.

श्री लाल आडवाणी : मंत्री निवेदन यह हैं कि इस मामले में सदन में कभी कोई सदस्य आवेश में आ सकता है, वैसे आना नहीं चाहिए, लेकिन मैं कम से कम अध्यक्ष से करवद्ध प्रार्थना करूँगा कि अध्यक्ष अगर आवेश में आयेगा, वह अगर गुस्सा होगा . . .

श्री उपसभापति : मैं कोई आवेश में नहीं आया।

श्री लाल आडवाणी : मैं कहता हूँ कि

अध्यक्ष जी को अगर किसी को रीप्रमोंड भी करना है तो कभी मैंने आज तक नहीं सुना कि 'गोट आउट आफ दि हाउस'

Sir, I have had the privilege of being a presiding officer myself. This is a great dignity and a great responsibility. It is a responsibility . . .

MR. DEPUTY CHAIRMAN : if a Member does not conform to any discipline in the House then the only other method is to name him and ask him to get out.

SHRI RAJNARAIN : But you cannot say "Get out".

MR. DEPUTY CHAIRMAN : I said I will have to name and then you will have to get out.

श्री लाल आडवाणी : मैं जानता हूँ, चौधरी साहब। मैं जिस समय खड़ा हुआ था इस लिए खड़ा हुआ था कि गाँखल जी ने बयान दिया उससे कुछ बात साफ हुई। वह भी तब साफ हुई जब दोबारा स्पष्टीकरण हुआ। सच बात यह है कि जब सवाल पूछा गया था बिड़ला घसने के बारे में पूरा जवाब देना चाहिए था। अगर विशेषाधिकार का प्रश्न न उठता तो यह स्पष्टीकरण भी सामने नहीं आता। ये तो तथ्य हैं। मंत्री निवेदन हैं कि चंवर के डिस-अलाऊ करने के बाद भी उसके बारे में सदन को जानकारी देना चाहिए। कल आपने उनको अनुमति दी संक्रैटोरियेट के कहने पर, मैंने उनको सलाह दी कि इस बारे में आग्रह नहीं करना चाहिए। लेकिन इस प्रसंग में मैं अध्यक्ष से जरूर अपेक्षा करता हूँ कि वह सरकार को कहते कि प्रश्नों के मुताबिक ही पूरा जवाब देना चाहिए।

MR. DEPUTY CHAIRMAN : Yes, Mr. Bhupesh Gupta.

REFERENCE TO TREATMENT OF DETENUS IN INDIA AS ALLEGED BY THE INTERNATIONAL COMMISSION OF JURISTS

SHRI BHUPESH GUPTA (West Bengal) : I am very glad that I will get a chance but only I would like to say that never in the world history of automobile

industry has there been a car chased by so many people for so long even when the car is not on the road. So we are having an interesting experience.

SHRI RABI RAY (Orissa) : Corruption is involved.

SHRI BHUPESH GUPTA: It is a different matter. I said that never has the car been so long chased by so many people when the car is not on the road. You know very well our views on it.

Sir, today's Statesman carries a news item which I wish to bring to the notice of the Government. This is about the report of the International Commission of Jurists which has been published in Geneva in which certain observations are made about the conditions of prisoners in India. I am quoting that portion :—

"About India the report said the condition of prisoners awaiting trial in West Bengal, including political prisoners, fell far short of the U.N.'s minimum rules."

"The review said : 'It is difficult to accept that an Indian administration which was able to provide refugee camps at short notice for millions of refugees from Bangladesh in 1971 should not now be able to provide tolerable conditions for the detention of 25,000 prisoners, most of whom are being made to wait an unacceptably long time before being brought to trial.'"

Now, Sir, this is one observation by the International Commission of Jurists. I hold no brief for this Jurists Commission because they sometimes carry on anti-India propaganda . . .

SHRI RANBIR SINGH (Haryana):
Point of order.

क्या कोई सदस्य अखबार पढ़ सकता है ?

MR. DEPUTY CHAIRMAN: Let him finish.

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SHRI RAJNARAIN :

पढ़ सकता हूँ

If you want to learn parliamentary practice, then you come to me daily for an hour.

SHRI BHUPESH GUPTA: This is a serious matter. Some time back some other international organisation, which is a very dubious organisation, published a report about the jail conditions in our country with the object, not to give remedy but to malign our people. But the fact remains, which is why I have raised it, that there are many prisoners including political prisoners including my State, West Bengal, who are not given humane treatment. And this is undoubtedly being internationally exploited by people not very friendly to our country including the International Jurists Commission. Therefore, Sir, I would like the Central Government to hold investigation into this matter and place the fact before Parliament and before the international community. But I know it for a fact that in my State there are under-trial prisoners whose cases are pending for years and years. This has never happened even under the British rule. Why should it happen? There are many under-trial prisoners, young men and women, in our country, especially in West Bengal, whose cases are pending, though they are on bail. For years and years their cases are not discharged, nor are their cases proved. In many places jails are over-populated in our country and in West Bengal the Government say that it would not accede to the demand for political status for political prisoners . . .

SHRI RABI RAY: Even in Bihar.

SHRI BHUPESH GUPTA: In many States. This is absolutely unacceptable. I am not sparing anybody. Wherever there are such cases, they should be gone into. We have fought in the past for political status being given to political prisoners. Workers who are arrested and put in jail on political charges, whether without trial or whether

[Shri Bhupcsb Gupta] they are under-trial prisoners, should be given political status. The Jail Minister in West Bengal—I forget his name—made a public statement that he would not grant political status to young boys and girls or Naxalites who had been arrested on charges of political offences. Others are also there. We are supposed to be a democratic country and we are supposed to have fought the British on the issue of inhumane jail conditions and we are supposed to have established certain traditions in this respect. Yet, after 27 years of independence, we have not evolved sound principles and rules whereby we can look after properly those who are arrested on political charges. This is agitating the minds of many democratic sections in India. We know how people arrested during the railway strike were treated. They were beaten up and humiliated. When agricultural workers and labourers and Harijans are arrested for conducting morchas, they are cruelly treated. In Bihar jail I have lived there—find out how Dhnrnam Teja lives and how workers' representatives live. If you are a multi-millionaire, you get good treatment. Dharam Teja is given high class in prison and even Mastans and other smugglers are taken from one place to another by planes or cars and so on. They are not treated inhumanly whereas these young boys and girls and others who are arrested on political charges are being treated harshly and inhumanly in many jails especially in West Bengal. Again and again I have raised my voice against this. Even though Prime Minister Shrimati Indira Gandhi sent circular letters to the Chief Ministers saying that these prisoners should be given human treatment a reference to this was made by Shri Uma Shankar Dikshit when he spoke on the subject in this House—yet, we find today that the whole number of political prisoners, thousands and thousands of them, are being given Class III in prisons and are even hand-cuffed scandalously. I have received letters—I have also read them here—saying that under-trial prisoners are hand-cuffed, as otherwise they might escape. In which civilised country under-trial prisoners, who

are supposed to be innocent until their guilt is proved, are hand-cuffed and subjected to solitary confinement and humiliated and even beaten up? All these are facts and cannot be rushed aside. We have got enough facts and materials on this. I, therefore, demand that Government should agree to an enquiry by a Committee of Parliament consisting of representatives of various political parties.

It should go to the various jails and inquire about the conditions of the prisoners there and the political prisoners in particular. Whether they are political prisoners or not is immaterial. It should come with some recommendations to the Government and the Government should formulate a national policy as to how they should treat these people who are arrested in connection with the political movements, mass movements and democratic movements in our country. This should be done, Sir.

Apart from *litis. Fir*, the Government should make the full facts known. Internationally we are being scandalised. I am not supporting everything that is being done or said about it. I am not supporting what the Amnesty International and other such organisations say. I know they have many things against us. But you have now given them a handle enabling them to carry on their anti-India propaganda to our national detriment. You are helping them by your behaviour and by the kind of action that you are taking now. I strongly protest against this kind of behaviour on the part of the Government and against the treatment meted out to our political prisoners in this country. I demand a statement by the Government stating that all those arrested in this country in connection with the political movements or mass movements or democratic movements will be treated as political prisoners and would be given not only humane treatment, but also decent treatment and the laws of the States should be changed at the initiative of the Centre and there must be a uniform code for all the jails in the country and for all the States to go by so that we are also saved from this international scandalising also. This

is a matter which is political, which is human, and decency demands that the Government should act in this matter immediately and should not treat the political prisoners with such a vendetta and revengefulness as it has done in some States.

Besides this, Sir, I demand that all the death sentences passed on the political prisoners should be commuted, to begin with. At our intervention, I am glad to inform you, Sir, that the death sentences passed on two Naxalite prisoners in Andhra Pradesh have been stayed. I want these sentences to be commuted, to begin with. These are all the suggestions that I am making and I hope that the Government would take note of these suggestions and act accordingly.

SHRI NIREN GHOSH: Sir, I support Mr. Jhupesh Gupta and I support his demand that the death sentences should be commuted. I support his demand.

SHRI VISWANATHA MENON : Sir, I hope Mr. Bhupesh Gupta's appeal would be heard by his party man, Shri Achutha Menon, in Kerala.

MR. DEPUTY CHAIRMAN: Yes, Mr. Rajnarain. /-

CLARIFICATION BY A MEMBER IN REGARD TO HIS OBSERVATIONS ON THE FUTURE OF SUGAR INDUSTRY

श्री राजनारायण (उत्तर प्रदेश): श्रीमन्, मैं यह निवेदन करना चाहता हूँ कि एक विषय पर थोड़ा-सा भ्रम इस दृश में पैदा हो गया है और मैं उस भ्रम का निवारण करना चाहता हूँ। यह भ्रम शूगर मिलों के संबंध में है। चूंकि कांग्रेस की सरकार शूगर मिलों को न तो अपने हाथ में लेना चाहती है, न ले रही है और न ही उसका इस प्रकार का कोई निर्णय है। कल इस विषय पर एक विशेष चर्चा का अवसर प्राप्त करके मैंने कहा था कि हम चाहते हैं कि तत्काल चीनी मिलों का समाजीकरण किया जाय। समाजीकरण की परिभाषा करते हुए मैंने कहा था कि हम न तो यह काम सरकार के हाथों में देना चाहते हैं, न चीनी

मिलों के मालिकों के हाथ में देना चाहते हैं और न ही हम यह चाहते हैं कि किसी व्यक्ति के हाथ में रहे। बल्कि हम यह चाहते हैं कि यह काम एक ऐसी संस्था के हाथ में रहे जिसमें मजदूरों के प्रतिनिधि हों, गन्ना उत्पादकों के प्रतिनिधि हों, उपभोक्ताओं के प्रतिनिधि हों और उसमें सरकार के प्रतिनिधि भी हो सकते हैं। यह बात मैंने कही थी। लेकिन कुछ समाचार-पत्रों में यह बात लिख दी गई और यह हीटिंग दे दिया गया कि राजनारायण ने यह कहा कि शूगर मिलों का राष्ट्रीयकरण होना चाहिये। मैं राष्ट्रीयकरण शब्द का प्रयोग नहीं करता हूँ क्योंकि राष्ट्रीयकरण शब्द का प्रयोग यह सरकार सरकारीकरण करने के लिए करती है। राष्ट्रीयकरण शब्द के साथ इस सरकार ने बलात्कार कर दिया है। इसलिए हम समाजीकरण शब्द का प्रयोग करते हैं। मैं चाहता हूँ कि आप स्वतः इस बात की डाय-रेशन कर दें कि हमने राष्ट्रीयकरण शब्द का प्रयोग नहीं किया है। हमने समाजीकरण शब्द का प्रयोग किया था। मैं यह भी चाहता हूँ कि समाज, देश और तमाम समाचार-पत्रों के भाई इस बात को अच्छी तरह से समझ लें कि हम समाजीकरण चाहते हैं, आज का राष्ट्रीयकरण नहीं चाहते हैं।

MR. DEPUTY CHAIRMAN : The Minister, Mr. Nnrul Hasan, will make a statement at 5 o'clock. The House stands adjourned till 3-30 P.M.

The House then adjourned for lunch at fifty minutes past one of the clock.

The House reassembled after lunch at thirty-three minutes past three of the Clock the Vice-chairman (Shri Jagdisb Prasad Mathur) in the Chair.

RESOLUTION RE APPOINTMENT OF A PARLIAMENTARY COMMITTEE TO PROBE INTO THE PROBLEM OF CORRUPTION IN VARIOUS SPHERES— *contd.*

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Mr. Vice-Chairman, Sir,