

[Shri Bhupesh Gupta j »

I sit down I request the Home Ministry to call a meeting of the leaders and representatives of the Opposition to discuss the question of structural changes and also changes in the rules and regulations concerning the top echelons of the administration. I think this is a very important task from the point of view of getting things done in the country. Thank you very much for the time you have given me. I hope that this Resolution, which is not a partisan Resolution, would commend itself for acceptance by the entire House, except, of course, some of my friends there not Mr. Mahavir Tyagi. I know that he is a wise man. He understands it and he is sitting there by accident, but there may be some people who may not support it. Hon. Members should support it. Anyhow, Let the voice be raised in support of it. Mr. Mirdha has come, after I have spoken on the subject. Before I sit down. Mr. Mirdha, I would request Mr. Mirdha through you, that our suggestions with regard to the reorganisation should be carried to the Prime Minister and a proper meeting should be called by the Prime Minister to discuss the question of structural changes at the higher echelons in the administration. The so-called Establishment Board or the so-called Departmental Secretaries should be forthwith abolished. Better arrangements should be made with a view to ensuring that this coterie rule of the ICS/IAS officials is put an end to and replaced by a far better effective democratic arrangement.

Thank you.

THE VICE CHAIRMAN (SHRI BANKA BEHARY DAS) : There is no time. Do you want to speak for one minute ?

SHRI SYED HUSSAIN (Jammu and Kashmir) : I thank you, sir. I support the Resolution, but may I request you one thing ? I had given my name earlier and my name was

put down earlier, after four names. I have a right and I want to speak.

5 P.M.

I am crying hoarse. I think if one Member Mr. Rajnarain, is allowed to have his way, then democracy would vanish from India. I am surprised what is wrong with me. I have got certain purpose to express my ideas. Whenever I get up, I am put last of all and there is no time for me. I sit down in protest.

**CLARIFICATIONS RE. STATEMENT BY
MINISTER RELATING TO
CONCLUSIONS ON THE COMMISSION
OF INQUIRY OF TIL, INCIDENTS AT
PATEL CHOWK NEW DELHI, ON 6TH
APRIL, 1970.**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA) : Mr. Vice-Chairman, I had laid on the Table of the House in the morning certain conclusions that the Commission had arrived at. I was directed to circulate it to all hon. Members and it was the wish of the Chair that some time should be allowed to the hon. Members to seek clarifications on some points.

THE VICE CHAIRMAN (SHRI BANKA BEHARY DAS) : Any clarifications ?

SHRI CHHTA BASU (West Bengal) : Yes Sir, In the statement which has been circulated in paragraph 8, page 3, it has been said—as you know one Beharilal was seriously injured during the procession and he expired—but this statement says that the death was not due to any injury causes to him while he was participating in the procession. The finding is of this nature. For the sake of fuller information I shall read it out;

"There is no sufficient evidence that Behari was injured at the cane-

charge effected at Patel Chowk and died as a result of such injury."

This finding says that there was not even lathi charge: there was not even firing. " here was merely a cane charge, and not of cane charge a healthy living man expected. How can the hon. Minister explain in that a man can die merely because of a mild, not even lathi charge, not cane charge? How can he explain that man can succumb when he was healthy and strong by this kind of injury which was, as the finding says, is a result of mere cane charge?

Then a certain portion of the statement says that there was definite negligence on the part of the police in the matter of sending promptly Mr. George Fernandes to the hospital when he was injured. I wish to know from the hon. Minister if this is the finding of the enquiry, then what positive steps he proposes to take for taking action against those officers who are responsible, who cannot make arrangement for quickly sending Mr. Fernandes to the hospital for medical aid.

Then, throughout the whole case the statement indicates that it was not even lathi charge, it was merely cane charge, and out of this cane charge we find one of our distinguished Members of this House, Mr. Rajnarain, had one of his legs fractured. He is still walking with a stick. How is it possible? It is beyond all comprehension that that Mr. Rajnarain a healthy and stout man, got his leg fractured merely by a mild cane charge, as has been reported in the finding.

And again, Sir, it was not only Mr. Rajnarain but also Mr. Madhu Limaye and Mr. George Fernandes who had made public statements to suggest that there was a deliberate conspiracy in the matter of slacking them and that lathis, canes; they call them, were deliberately concentrated over their heads, and the finding does not accept it. And I do not know how responsible

Members of Parliament, as they were earlier, made certain public statements of that nature. And since I have not got the Report with me, I cannot get convinced myself about the circumstances under which this Enquiry Commission came to the conclusion that they were not injured by the cane and that they made certain statements which were not correct. Therefore this is also has to be explained.

Another thing that has been mentioned is that Shri Arjun Singh Badhuria's identity card was torn by a policeman. And in this finding it is said that they could not find out the actual man who did really tear it that there was no evidence to prove his identity; that there was no evidence also as to who kicked Shri Arjun Singh Badhuria in the stomach.

Therefore it is nothing but an eye-wash in the name of enquiry. It has not gone into the charges made by important public men like Mr. George Fernandes, Mr. Madhu Limaye and Mr. Rajnarain. The finding is nothing but an eye-wash and it has not really revealed anything but has tried to conceal many things. So I think it makes little difference whether the Government accepts it or rejects it. It has got nothing to accept, but merely to rubber-stamp the decision of such an Enquiry Commission.

SHRI RAM NIWAS MIRDHA : The first point that the hon. Member raised was regarding the death of Shri Behari Lai. If you read paragraph 8 carefully, it says-----

"There is no sufficient evidence that Shri Behari was injured at the cane-charge effected at Patel Chowk and died as a result of such injury."

SHRI CHITTA BASU : But how did he die?

SHRI RAM NIWAS MIRDHA : That is exactly what I am coming to the finding of the commission of Inquiry is that this was not due to the result

[Shri Ram Niwas Mirdha]

of a cane charge that took place that day. Well, Sir, the full Report is under print and it will be circulated to hon. Members and probably they will find on what evidence. The Commission relied, in arriving at this finding.

SHRI CHITTA BASU : What is the finding ?

SHRI RAM NIWAS MIRDHA :
But it clearly says that-----

"The Commission has first discussed the question relating to the death of Shri Behari. He was brought to the house of Shri Ram Sewak Yadav at about 9 p.m. and he belonged to the constituency of Shri Yadav Barabanki. A doctor was summoned from the Willingdon Hospital and he was later taken to the hospital at about 11 p. m. In spite of medical attention Shri Behari died in the hospital at 2.15 a. m. In the report of post-mortem examination, held the next day, the cause of his death was stated to be 'shock and haemorrhage as a result of head injury by blunt force.' The question is whether the injuries were received by Shri Behari due to the use of force by the police at Patel Chowk on 6th April. No direct evidence regarding this has come before the Commission. Shri Ram Sewak Yadav had only stated that he had seen Shri Behari in Patel Chowk, when the speeches were being made. What happened subsequently he was not able to state. The persons who had brought Shri Behari to the house of Shri Ram Sewak Yadav were not produced before the Commission. After careful consideration of the circumstantial evidence produced before it the Commission has held that there is no sufficient evidence to find that Shri Behari was injured in the cane-charge effected at Patel Chowk and died as a result of such injuries."

It is because no evidence was forthcoming. Even the persons who

took Shri Behari to Shri Yadav's house, even they did not come forward and say where they found him and in what state they found him. So the Commission arrived at the conclusion that has just been stated,

SHRI CHITTA BASU : This is rather amusing. Nobody can swallow it.

SHRI RAM NIWAS MIRDHA
Now, Sir . . .

SHRI CHITTA BASU : Is this to be believed ?

SHRI RAM NIWAS MIRDHA : The Commission has to go according to the evidence that is produced before it. Full opportunity was given to all the parties, all the persons concerned to adduce evidence. Since no evidence was forthcoming this is the conclusion which the Commission arrived at.

As regards the action that the Governor proposes to take regarding the various points raised in this report, I had earlier, in my statement, said that a copy of the report of the Commission has been forwarded to the Lt. Government for taking necessary action, and he will see as to what further action has to be taken so far as inquiry is concerned.

SHRI PRANAB KUMAR MU-KHERJEE (West Bengal) : I would like to draw the attention of the Minister to paragraph 2 (a) on page I where it is stated that:—

"The permission to hold the meeting at Patel Chowk was neither given nor refused by the Deputy Commissioner. But the S. S. P. was made to understand that the meeting would not be disturbed as long as it was peaceful."

I fail to understand as to what is meant by :

"The permission to hold the meeting at Patel Chowk was neither given nor refused

Even in the second sentence of the same paragraph it has been pointed out that the S. S. P. was made to understand that the meeting would not be disturbed as : was peaceful. The second sentence means that permission was given. Does it not imply that permission at least, if not written, in some form it was given to hold the meeting ? Then why it has been stated that permission was neither given nor refused ?

Secondly, I would like to draw the attention of the Minister to page 2 paragraph (d)

"the arrangements regarding the meeting giving warning do not appear to have worked efficiently;"

If it was so, how the police can justify a lathi charge or tear gas shelling ? If the people are not sufficiently warned, how the police can justify and how the Commission takes cognizance of the justification of the police that a lathi charge was justified ?

SHRI RAM NIWAS MIRDHA :

As regards permission, I would like to put these facts before the House. The Commission have considered the question whether permission was granted to the S. S. P. to hold a meeting at Patel Chowk. It has been observed that this question is not of much significance in the inquiry and has been considered only because considerable evidence was let in and arguments advanced regarding this. The stand taken by the District Administration and the S. S. P. have been briefly stated above. After considering the evidence of both sides the Commission have come to the conclusion that the truth lies somewhere between the two cases. It looks provable that the District Magistrate felt that it was not possible for him to definitely say that he would grant permission to hold a meeting as that would, in his view, create a precedent. At the same time, he did not categorically refuse permission. On the other hand, he made

the S. S. P. understand that the meeting would not be interfered with so long as it remained peaceful, as promised by Shri George Fernandes. On this aspect the Commission has observed, 'It is always advisable for the authorities to take a definite stand in regard to such matters and not to leave the question whether a permission is granted or not in a state of uncertainty'. The Commission have also come to the conclusion that there was neither a specific permission nor a specific refusal in regard to the carrying of arms by the Adivasis who were to take part in the procession. I do not think the conclusion should be reached in the spirit in which the hon'ble Member has said. There was a talk between the District Magistrate and Mr. Fernandes, and he said that if they took that route the authorities would have no objection. But the moment the mob became an unlawful assembly that is, when they tried to cross over the rope cordon leading to the Parliament House, at that time it became out of control and then the authorities had to order a mild lathi charge and throw tear gas.

SHRI KRISHAN KANT (Haryana) : On a point of order. The hon. Member, Mr. Pranab Kumar Mukherjee, had asked a very specific thing. What does the Minister think about this state of administration where permission is neither given nor the permission is not given ?

Does the Minister agree with the remarks of the judge that henceforth the Administration should work in a clear-cut manner rather than in a vague manner ? The Minister must say something about it.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : This is no point of order.

SHRI KRISHAN KANT : The Chair may kindly direct the Minister to reply fully to the question. This is my point of order.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : I understand and appreciate what you say, but this is no point of order. Mr. Minister, have you got anything to say ?

SHRI RAM NIWAS MIRDHA : Sir, as regards the mike arrangements at that time, the practice is that one should announce "Now this is an unlawful assembly". But as I said, at that time it was not necessary that even an announcement of that nature should be made. If a crowd which is lawful at a particular time turns unlawful, it automatically devolves on the authorities to take some action on that. In this particular case, the Commission holds that warning was given, but since the crowd was much too big, the mike arrangements were not sufficient and the warning could not be heard by every one. They have suggested that in future proper mike arrangements should be made.

SHRI KRISHAN KANT : But are you satisfied with the state of affairs ? (Interruptions) Do you agree that the Administration should work in a clear-cut manner and not in a vague manner ?

(Interruption)

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : A categorical reply, if possible, should be given as to whether this is a happy state of affairs and whether you want to improve upon it, since the Commission has commented on it saying that no permission was given or denied.

SHRI RAM NIWAS MIRDHA : Sir, as I said, there are a number of suggestions in the Report for improving the state of affairs so far as the handling of crowds and situations of this nature is concerned. I did not hide it. I myself volunteered the information that the Report has said that. We have sent the Report to the Delhi Administration to the Lt. Governor, with the direction that all those things should be gone into and

whatever lessons are to be drawn should be drawn and whatever action needs to be taken for the future should be taken.

डा० भाई महावीर (दिल्ली) : श्रीमन्, पहली बात तो यह है कि जो यह रिपोर्ट में कहा गया है कि न इजाजत दी गई, न अनुमति दी गई, न अस्वीकृति, तो क्या सच नहीं है कि जब तक मना न किया जाय तब तक वहाँ पर मीटिंग करने की इजाजत है और यह मानकर चला जा सकता है। अर्थात् उस मीटिंग को जो जवानी तौर पर कही गयी है, उसके बाद यह कहने का कोई मतलब नहीं है कि इजाजत नहीं दी गई। जवानी दे दी गई और फिर अगर मना नहीं किया गया तो वह इजाजत है, यह मानकर चलना गलत होगा क्या ? पहली बात तो मैं यह जानना चाहता हूँ।

दूसरी बात यह जानना चाहता हूँ कि जो यह कहा गया है कि यह सिद्ध नहीं हो सका कि प्रदर्शन-कारियों ने वास्तव में तीरों, लाठियों और तकुओं से पुलिस पर आक्रमण किया और उसके फलस्वरूप अनेक पुलिस वाले जखमी हुए। तो इसमें यह निष्कर्ष निकलता है कि 565 में किसी भी वक्त भीड़ हिंसात्मक नहीं हुई, बायलेन्ट नहीं हुई, वह शान्त रही। अगर भीड़ शान्त रही है, तो फिर यह कहना कि अनुमति दिये बगैर भी केन चार्ज करना उचित था, चेतावनी दिये बगैर, यह कहाँ तक ठीक लगता है।

कहा गया है कि चेतावनी देने के लिए जो ध्वनि विस्तारक यंत्र की व्यवस्था थी वह ठीक प्रकार से काम नहीं कर रहा था। यानी इन्क्वायरी कमिशन इस नतीजे पर पहुँचा है कि जो कुछ भी लाउड स्पीकर का प्रबन्ध हुआ था चेतावनी देने के लिए, वह काम नहीं कर रहा था, अर्थात् सामान्य जनता को कोई चेतावनी पहुँची नहीं और चेतावनी देना यह खाली देने वाले अधिकारी के दिमाग में आने वाली चीज नहीं है और जब तक वह चीज न पहुँचे तब तक वह चेतावनी देने का काम नहीं हुआ। तो मैं यह जानना चाहता हूँ कि यह कैसे निष्कर्ष निकाला गया कि चेतावनी न भी दी गई हो तो केन चार्ज उचित ही सिद्ध होता है। इसका अर्थ यह है कि एक सामान्य व्यक्ति जब इन दोनों चीजों को पढ़कर नहीं लगाता है और जब तीसरी बात भी साथ में जोड़ ले कि अश्रु गैस छोड़ी गई और उसके बाद केन चार्ज किया गया, तो इस तरह से दोनों का अन्तर बहुत

कन था। यानी इतना अन्तर था कि अश्वगैस के बाद भीड़ तितर-बितर हो रही या नहीं, यह देखने का धीरज नहीं बरत और यह समय नहीं दिया गया कि लोग तितर-बितर हो जायें। इधर से तो अश्वगैस छोड़ी गई और दूसरी ओर से केन चार्ज किया गया। इसके लिए बानिंग देने की जो बात है वह लोगों तक पहुंची नहीं। अब इन तीनों चीजों को मिलाकर बात मंत्री महोदय इस निष्कर्ष से बच सकते हैं और ऐसा लगता है कि अगर इन तीनों बातों को एक साथ रखा जाय तो पुलिस को ज्यादा बचाने की समझ कोशिश की गई है। बानिंग जो दी गई उसके बारे में यह ख्याल नहीं किया गया कि किसी ने उसको गुना या नहीं। टियरगैस चला दिया जाय और उसका इन्तजार न किया जाय और साथ ही केन चार्ज कर दिया जाय। तो ऐसी स्थिति में न भीड़ हिंसा पर उतरी और न ही उस मर्दा को किसी प्रकार से गैर कानूनी घोषित किया गया। अगर इस प्रकार की घोषणा की गई तो वह घोषणा लोगों तक पहुंची नहीं।

आखिरी बात, यह कहा गया है कि श्री अर्जुन सिंह भदौरिया के पेट में किसने लात मारी यह जानने के लिए जो प्रमाण नहीं है। दो बातें कही गई हैं, परिचय तब पुलिस के किसी सिपाही द्वारा फाड़ा गया था, किस व्यक्ति ने ऐसा किया, वह पुलिसमैन कौन था, यह पता नहीं लग सका, इसी बात अर्जुन सिंह के पेट में लात मारी गई, यह माना गया है लेकिन वह किसी पुलिस के व्यक्ति ने मारी इस बात का भी कोई संकेत नहीं। कहा गया है कि किसने लात मारी यह जानने के लिए कोई प्रमाण नहीं है, अर्थात् क्या यह समझा जाय कि लात मारने वाला कोई सामान्य व्यक्ति, कोई अने-जाने वाला या सभा के अन्दर सम्मिलित हुआ व्यक्ति हो सकता है। जहां कमीशन यह नहीं कह सकता था कि तीन से पुलिस कर्मचारी को दोषी ठहराया जाय, वहां यह कहा जा सकता था कि किसी पुलिसमैन ने उनके पेट पर लात मारी, लेकिन किसने मारी यह हम नहीं बता सकते। इसे भी गोलमोल रखने का कारण क्या है। लगता है इन सारी चीजों के पीछे, जैसा, महोदय आपने कहा, कन्साइवेंस के के पुलिस ने योजना करके मक्क सिखाने का इरादा किया था, इसीलिए इन घटनाओं को एक क्रम से जोड़ा गया था।

THE VICE CHAIRMAN (SHRI BANKA BEHARY DAS) : There are a few more clarifications. The Minister will reply to all the clarifica-

tions together afterwards. Now, Mr. Mitra.

SHRI P. C. MITRA (Bihar) : It appears from the findings that they are full of inconsistencies and contradictions. Of course, I cannot hold the Government responsible for that. It has only to place the report before us. But I am surprised that this type of findings have been accepted by the Government. Nothing has come out about Mr. Rajnarain's injury. How he received that injury has not been found. We saw that his leg was broken and that he suffered for such a long time and his leg is still not all right. Besides that, there is one line on page 3 which says—

"It is not proved that the police unreasonably prevented any Member of the Parliament from proceeding to the Parliament House."

This is in para 7, sub-para (a). Sub-para (b) says—

"Sri Arjun Singh Badhuria's identity card was torn by a policeman . . ."

In the first place it is said that no Member of Parliament was prevented. Then, how could a policeman have torn his identity card? There is a definite finding that Shri Arjun Singh Badhuria's identity card was torn by a policeman. At the same time the report says that it is not proved that the police unreasonably prevented any Member of Parliament. Does not the tearing of the identity card of a Member of Parliament mean that he was prevented from going forward?

Then, what is the difference between a cane and a lathi? Lathis are made of cane. What is the diameter of that cane? Will the Minister please give me this detail? The diameter of that cane should be found out. If you mean that a cane is not a lathi

(Interruption)

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS): Do you also want the demonstration of the lathi?

SHRI CHITTA BASU : Or was it a school teacher's cane ?

SHRI P. C. MITRA : Therefore, normally they keep cane. But that is thick cane the diameter of which is 1½ inches. That cane is as good or even stronger than lathi. Therefore, I would suggest that the whole thing requires further inquiry because the inquiry has not been done in a proper manner. It is very clear that Shri George Fernandes was injured. That was accepted. It is clear that he was not removed in time. That was also accepted. Who was responsible for the delay ? That is not clear. Every line in this report contradicts the earlier line. The same thing is there regarding permission or use of bows and arrows. Use of bows and arrows was permitted. At the same time it says that the permission was neither refused nor given. There was discussion about bows and arrows. Otherwise how bows and arrows were permitted to be taken ? Therefore it was permitted. Some authority permitted them to carry bows and arrows. At the same time, in another place, it says that there is no evidence to show that they used bows and arrows against policemen or any policeman was injured by any lathi or any other thing. At the same time they justified lathi charge or cane charge. Therefore, it is not very clear. Therefore, Government should hold another inquiry and find out the real truth behind the whole thing.

SHRI BALACHANDRA MENON (Kerala) : I want to ask only two questions. Even this report which is heavily weighted in favour of the police and siding the police points out that Shri Ashok Nath, Sub-Divisional Magistrate was present when the cane charge was effected after he declared the assembly unlawful. The interval was very little. He was not prepared to give sufficient interval after the teargas was used. Immediate after that, there was cane charge. Will you not take action against such an irresponsible Sub-Divisional Magistrate who is not prepared to give sufficient time for the

people to disperse ? This was a corns-piracy between him and the police.

Secondly, this says that there was nothing in evidence to show that bows and arrows were used by the demonstrators. Then how it became unlawful ? If nobody has been injured, why on earth was this assembly declared unlawful ? If there are sufficient number of policemen, they would have kept them in their place. If some violence had been committed, you could have declared the assembly unlawful. You say that there is nothing to show that there has been violence. Then why was it declared unlawful ?

Thirdly . . .

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : You said you wanted to ask only two questions.

SHRI BALACHANDRA MENON: Then, there was delay in rushing him to the hospital. What more do you want to take action against the police officer concerned or Sub-Divisional Magistrate ? Nothing more is to be done. Take immediate action against them and then you come and tell us. Otherwise, it is a clear case of shielding irresponsible officers.

SHRI RAM NIWAS MIRDHA : On the one hand the hon. Member says that the report is merely an eye wash. In the same breath, he says that the Commission has brought out some clear evidence or decisions against the officers . . .

SHRI BALACHANDRA MENON: That is not what I said. I said, even this report has said something.

SHRI RAM NIWAS MIRDHA : A very responsible member of the judiciary was appointed to conduct this inquiry. Government at once agreed to the appointment of a Commission and Justice Alladi Kuppaswami of the Andhra Pradesh High Court was appointed. Government did not hesi-

tate for a in iinent and decided that this incident hould be inquired into. I think we must give due credit to the Judge who hi s conducted the inquiry and whose ii clings are before us.

Some of the confusion has arisen because the (onclussions are not supported by the , -vidence that is contained in the Repon which will be circulated to the hon. Members. If that report had been bel >re the House or before the hon. M mbers, the conclusions would have I se i properly understood in the right perspective.

Whatever little I have, I would like to place before the House : It was contend! I by the SSP that no warning was given by the Sub-Divisional Magis rate. The Commission have found t tat warning was in fact given by thi Sub-Divisional Magistrate though the arrangements were not effective enough to make it clearly audibl to the entire assembly.

It was aigued on behalf of the Delhi Admin stration that even if no warning had been given by the Sub-Divisional Magistrate the cane-charges would still have been justified in the circumsl; rices, of the case. The Commission have accepted this contention in vi m of the provisions of sections 127 ml 128 of the Code of Criminal Pn cedure.

So, there s no reason to say that something w ts done which was not warranted bj facts and circumstances as they obt; ined at that time.

Regarding the question of arrow that has be:n mentioned,—even for that—the Commission says that it is not proved who fired this arrow. It could have teen collected at a later stage. Apar from this arrow, about thirty-one pi I icemen were injured as a result of the whole incident.

Well, in he end, I would request that hon. Members may please await the full report and then they should

i go through the same. Then, I think. I they would be able to appreciate . . .

DR. BHAI MAHAVIR : Did you not make a note of my points..... (Interruption)..... I started by saying that the meeting permission was not given. That is number one. Secondly, the mob did not turn violent. What was the occasion for the use of force ?

SHRI RAM NIWAS MIRDHA : As regards permission, the Commission considered this question whether permission was granted to the SSP to hold a meeting at Patel Chowk. "It has been observed that this question is not of much significance...." I have quoted something about this. The whole question arises because the District Magistrate was assured by Shri Fernandes and others that the procession would be peaceful. An assurance was given that the meeting would be held peacefully. But it was peaceful, to start with, ami after some time, as I said earlier, the rope-cordon | was stated to have been broken. Some assault of that nature was made, and at that stage the crowd became violent, and then the police had to resort to force. Anyway, it is considered that no formal permission was given, but permission was given after an assurance had been received from the organizers of the procession that it would be peaceful and peace would be preserved. But when a part of the procession became violent, the whole thing started.

DR. BHAI MAHAVIR : There is no comment why the cane-charge immediately followed the tear-gassing, and, number two, why is this vagueness as to who kicked Mr. Arjun Singh Bhaduria- was it a policeman or somebody else ? Is there no reference there or is it kept purposely vague

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS): Mr. Minister, before you speak, I want to say that unless you read the report, you cannot properly appreciate the situation on the basis of synopsis. I think, it has

[Shri Banka Behary Das]

not been proper, in my opinion, that clarifications should have been sought because the synopsis just gives the recommendations about Arjun Singh Badhuria,

DR. BHAI MAHAVJR : Then, there should not have been the opportunity for verification. Once the opportunities are given, some of the glaring inconsistencies can be pointed out.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : I agree. Once it has been given, you will exercise your right and you will have to reply. I want to say here that on the basis of synopsis, it is not always proper to ask all questions. Anyway, whatever you have to say, you may say now.

SHRI RAM NIWAS MIRDHA : Well Sir, an improvised platform on a truck was made. Perhaps the injury, which was a fracture, to Mr. Raj-narain resulted because he jumped from that platform.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : Mr. Minister, is it in the report ? Again I will say it will be wrong for you to say so if this is not in the report.

SHRI RAM NIWAS MRDHA : It is in the report.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : Then you can go ahead.

SHRI P. C. MITRA : Rajnarain himself is an important figure. Why was that not mentioned here ?

SHRI RAM NIWAS MIRDHA : Well, Sir, Shri Rajnarain had received an injury which was perhaps the result of his jumping from the truck. Whatever T say is borne out by the ceport.

DR. BHAI MAHAVIR : You have to answer me.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : I think that is enough.

MESSAGES FROM THE LOK SABHA

I. **Tut: LABOUR PROVIDENT FUND LAWS (AMENDMENT) BILL, 1971**

II. **THE STATE OF HIMACHAI PRADESH (AMENDMENT) BILL, 1971**

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

I

"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 Labour Provident Fund Laws (Amendment) Bill 1971 as passed by Lok Sabha at its sittina held on the 2nd April, 1971."

II

"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 State of Himachai Pradesh (Amendment) Bill, 1971, as passed by Lok Sabha at its silting held on the 2nd April, 1971."

Sir, I lay the Bills on the Table.

THE VICE-CHAIRMAN (SHRI BANKA BEHARY DAS) : The House now stands adjourned till II A.M. on Monday, the 5th April, 1971.

The House then adjourned at thirty eight minutes past five of the clock till eleven of the clock on Monday, the 5th April. 1971.