तो जो कर्मचारी इसके लिये जिम्मेदार ठहराये गये है उन का व्यौरा क्या है और उनके विरुद्ध क्या कार्यवाही की गई है; और

(ग) भोपाल लोको झैंड के डन्चार्ज के विरुद्ध अनियमितता के कितने मामलो की छानबीन हो रही है ?

#### COAL FOUND MISSING FROM LOCO-SHED AT BHOPAL

410. SHR RAM SAHAI : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that coal worth about Rs. 2 lakhs was found missing from the Bhopal loco-shed sometime ago;

(b) whether responsibility for the incident has been fixed; if so. the details of the officials held responsible and the action taken against them; and

(c) the number of cases of irregularity which are under investigation against the official incharge of the Loco-.shed at Bhopal ?1

रेल मंत्री (श्री गुलआरी लाल नन्दा) : (क) विभाग की ओर में फरवरी, 1970 में भोपाल लोको णैड से भण्डार का मत्यापन किया गया था। 1691 मीटरिक टन कोयले की जुद्ध कमी पकडी गयी थी जिसकी लागत लगभग 1,18,370 रुपये होती है।

(ख) तथ्यों का पता लगाने के लिए जांच का आदेश दिया गया है और इसकी रिपोर्ट का इन्तजार है ।

(ग) भोपाल के सहायक लोको फोरमैन के खिलाफ चार मामलों की जांच सतर्कता विभाग डारा की गयी थी । पहले मामले मे पर्याप्त सबूत न होने के कारण उन्हें दोषमुक्त कर दिया गया । दूसरे मामले मे सजा के रूप में दो वर्ष के लिए उनकी पदोन्नति रोक दी गयी है । तीसरे मामले में कोई बड़ा दण्ड देने के लिए अनुशासन की कार्रवाई शुरू की गयी है और चौथे मामले पर जांच पड़ताल के बाद विचार किया जा रहा है ।

†{THE MINISTER OF RAILWAYS (SHR1 GULZARILAL NANDA): (a) Departmental stock verification was carried out at Bhopal loco-shed in February, 1970. Net shortage of 1691 tonnes of coal costing approximately Rs, 1,18,370 was detected,

(b) Facts finding enquiry has been ordered and its report is awaited.

(c) Four cases were investigated by the Vigilance Branch against the Assistant Loco Foreman, Bhopal. In the first case, he was exonerated for want of sufficient proot. In the second, he has been punished with stoppage of promotion for two years. In the third case, disciplinary action for a major penalty has been initiated while the fourth case is under examination after investigation.]

12 NOON

#### CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED BURNING ALIVE OF FOUR Harijans in Village Tandi in Sam-

BALPUR DISTRICT OF ORISSA

MR. CHAIRMAN : Now Calling Attention. Shri Man Singh Varma.

भी ना० कृ० शेजवलकर : (मध्य प्रदेश): श्रीमनु, मेरा एक व्यवस्था का प्रश्न है · · ·

श्री सभापति : किस सम्बन्ध में ।

श्री ना० कु० शेजवलकर : इसी कालिंग अटेंशन के मम्बन्ध में । मैं इस सम्बन्ध में यह निवेदन करना चाहता हू कि आज जो श्रीमान ने कालिंग अटेंशन के सम्बन्ध में आदेश दिया है. वह विधान के अनुसार नहीं है ।

श्री सभापतिः अभी तक मैंने कोई आदेण नही दिया है।

श्री ना० कु० शोजवलकर : दो मिनट के लिये मेरी बात सून लीजिये ।

# श्री सभाषति : देखिये , लीडर्स की मीटिंग

में मैं कुछ चीजें कंसीडर कर रहा हूं। अगर कोई आनरेजिल मेम्बर को कोई खास बात कहनी हो तो वे चैम्बर में कह सकते हैं। आप मेहरवानी कर के यहां का टाइम न नीजिये ।

श्री ना० ड० शेखवलकर : यह चैम्बर की चात नहीं है। यह केवल वैधानिक बात है।

MR, CHAIRMAN : It does not relate to the business of the House.

SOME HON, MEMBERS ; It does.

श्री एस० डो० मिश्र (उत्तर प्रदेश) : श्रीमन, यह बैम्बर की बात नहीं है। इस सम्बन्ध में वे व्यवस्था का प्रश्न उठाना चाहते है। इसमें पैम्बर में बात करने का प्रश्न नहीं है ।

श्री सभाषति : अभी मैंने कोई आदेण नहीं दिया है।

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन, यह आपके आदेश के बारे में नहीं है। यह वतवा रहे हैं कि आपने जो कालिग अटेंजन एक्सेप्ट किया है वह आउट आफ आईर है। यह इनका महना है ।

श्री सभापति : आप बैठ जाइये ।

श्री ना० इ० शेजवलकर : मेरा निवेदन यह है कि यह जो चैम्बर की बात हुई है, इस सम्बन्ध में 18 जुलाई की घटना के बारे में 27 तारीख को श्री मान सिंह बर्मा और मैंने अपने हस्ताक्षर से चैयरमैन के समक्ष इसी विषय पर एक ध्यान आकर्षण का प्रस्ताव प्रस्तुत किया जा. जिसके मबारे में 29 जुलाई, 1970 को कमांक 140/170 से सूचना **हे ही गई है कि आपकी अल्पकालीन सूचना** गहीत नहीं को गई है। जिस विषय पर आप चर्चा प्रारंभ कर रहे हैं उसी के बारे में यह लिखित उत्तर मझे प्राप्त हुआ है । इसके उप-रांत इतना ही नहीं है, 29 तारीख को श्रीमान ने श्री मान सिंह वर्मा को सदन में इस सम्बन्ध to a matter of urgent 134 publk- importance

में अपनी बात मेंशन करने का अवसर भी दिया और उसमें उन्होंने वे मारी बातें बताई जो कालिग अटेंशन में है। इतना ही नहीं इसके उपरांत फिर दबारा मान्यवर श्री भूपेश गुप्त, श्री महावीर त्यांगी, श्री लोकनाथ मिश्र, श्री चित्त बासु और श्री केम्पराज इत्यादि समस्त माननीय सदस्यों ने आग्रह पूर्वक यह निवेदन किया कि सरकार को इस सम्बन्ध में अपना वक्तव्य देना चाहिये । इस विषय पर आपने भी यह आदेश दिया था उपसभा-पति के द्वारा कि यह सूचना यथा समय सरकार हारा उपलब्ध की जानी चाहिये । मैं यह भी निवेदन करना चाहता हूं कि 29 के बाद 30 तारीख को लोक सभा में इस विषय पर चर्चाभी हई ।

थो सभापति : आप वह बतायें कि आप चाहते क्या है।

थी ना० कु० शेजवलकर : मैं यह कहना चाहता हूं कि यह रूल 180 के स्कोप के बाहर हैं। मल 180 के अन्दर इस प्रकार की सुचना आ नहीं सकती । आप रुख देख लीजिये । इस तरह से एक बार आप डिसएलाऊ कर दें तो उसके बाद उसकी कोई इम्पार्टेंस नहीं रहती है और वह खत्म हो जाता है। फिर भी यदि जाप किसी को अवसर देना चाहते हैं तो रूल 176 में आप शार्ट नोटिस डिस्कशन का मोशन एक्सेन्ट कर सकते हैं। 180 में इस प्रकार की सूचना गई।तन्हीं की जा सकती । मेरा मतलब यह है कि अर्जेंट पब्लिक इम्पार्टेंस की यह बात नहीं है। • • •

श्री सभापति : मैं समझ गया आपकी बात । कालिंग अटेंजन मोजंग जो होते हैं उनका. नोटिन जिस दिन मैं उनको देखता हं

श्री ना० कु० रोजवलकर : आप जो कहेंगे उसके सम्बन्ध में मुझे कोई आपत्ति करने का मौका मिलेगा ।

श्री सभापति : आप कितना टाइम लेंगे ।

श्री ना० कु० शेजवलकर : अगर मैं कोई अवैधानिक या वर्रेलिवेंट बात कह रहा ह

[श्रंना० हु० झे जदल्वर]

तो आप मुझे रोक दीजिय, उसमें मुझे कोई आपत्ति नहीं है ।

श्री सभापति : अब मेरी जरा सुन लीजिये । में यह कह रहा हूं कि इसमें कुछ गलतफहमी मालूम होती है । जिस वक्त कालिग अटेंशन नोटिस मेरे सामने आते हैं उनमें से एक मुझे चुनने का आख्तिय'र है रुल्स के अन्दर । जो बाकी नहीं चुने जाते उसके माने यह नहीं है कि वे रिजेक्ट हो गये, वे फिर रिन्यु हो सकते हैं फिर कंसीडर हो मकते हैं । अगर आपका यह ख्याल है कि चूंकि मैंने उस दिन पहले नहीं माना, इसलिये वह रिजेक्ट हो गया, फिर कभी हो ही नहीं सकता, यह बात सही नहीं है । यही मुझे कहना है ।

श्री ना० क० शेजवलकर : मेरा निवेदन इस सम्बन्ध में यह है कि यह बहत ही महत्वपूर्ण विषय है। इसके बारे में आपका जो भी निर्णय होने वाला है वह हो जाना चाहिये । यह जो सचना दी गई है इसमें यह नहीं बताया गया है। में फिर आपका ध्यान इस ओर आकषित करना चाहता हैं कि यह सूचना 27 तारीख को दी थी। कि 29 तारीख का सना जाय, 28 तारीख को नहीं। 29 तारीख के लिये यह सचनार्थः । मझे पुरा विख्वास है कि 27 तारीख को जिस में सूचना दी गई है. उसमें 29 तारीख के लिये कोई सूचना नहीं थी श्रीमान के विचारार्थ । यह 27 की सूचना 28 के लिये नहीं दी गई थी, 29 के लिये दी गई थी, यह समझ कर कि इसके लिये समय नहीं मिल जायेगा। हमको जो सूचना दी गई है उसमें ''इट है बबीन रिजेक्टेड'' लिखा है । यह स्पेसिफिकली लिखा है कि यह सूचना गहीत नहीं की गई है। यह बात नहीं होनी चाहिये कि एक बार एक सूचना गृहीत न की जाय और दूसरी बार उसी को स्वीकार कर लिया जाय ।

दूसरा मेन फैक्टर इस सम्बन्ध में स्वीकार करने का यह है कि रूल 180 में मैटर अर्जेंट पब्लिक इम्पार्टेंस का होना चाहिये । यह सारा

# to a matter of urgent 136 public importance

सिक्बेंस मैंने इसलिये बताया कि सदन में इसके लिये मांग की गई थी कि मंती महोदय इस पर प्रकाण डालें । 30 तारीख को लोक सभा में चर्चा हो जाती है। फिर 180 का नोटिस इस सम्बन्ध में कैसे स्वीकार किया जा सकता है। मेरा निवेदन यह है कि सही प्रकार से यह स्वीकार नहीं किया गंधा है क्योंकि पब्लिक इम्पार्टेस का मैटर तो यह है, लेकिन अर्जेंट नहीं है। रूल 180 इम प्रकार है:

"A Member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brie! statement or ask for time to make a statement ..."

इसलिये मेरा निवेदन है कि यिह 176 में णार्ट ड्युरेणन डिस्कशन के लिये स्वीकार होना चाहिये और फिर इस पर विचार हो ।

श्री एस० डी० मिश्राः श्रीमन्, आपको स्मरण होगा. आपको याद होगा. आफिस को भी याद होगा कि इस सम्बन्ध में 27 तारीख को और 29 तारीख को मान सिंह वर्माजीने और मैंने अलग-अलग 10. 10 और 15, 15 दस्तखतों से आपके पास कालिंग अटेंशन भेजा था। आपने उस दिन उसको निजेक्ट कर दिया और सबके पास सचना आ गई कि कालिंग अटेंशन इस सम्बन्ध में अलाऊ नहीं किया जायगा । मैं आपके पास चैम्बर में पहुंचा और मैंने यह निवेदन किया कि आप इसको अलाऊ कीजिये । आपने कहा कि नहीं अलाऊ करूंगा । तो मैंने कहा कि मझे इसकी आज्ञा दे दीजिये कि मैं इसको इस हाउस में मेंशन कर सकं। मैंने यह भी कहा था कि मानसिंह वर्मा जी को आप पहले अवसर दे दें, लेकिन आप नहीं माने । उसके बाद आपने इस कालिग अटेंशन नोटिस की आज्ञा दे दी। अब प्रश्न यह उठता है कि लोक सभा में भी यह प्रयंत महत्वपूर्ण रूप से उठाया गया । आपने केवल मेंशन करने की इजाजत दी थी. 137 Colli e Attention

रिकंस्ड्रिंगन आपने नहीं किया था। जो मैंने और मान सिंह वर्मा जी ने आपसे निवेदन किया था वह यहे. था कि इसको कॉलिंग अटेंगन के रूप में परिवर्तित कर दिया जाय । अब एकाएक उन्हीं लोगों के नाम फिर से मेंगन हो गई है और कॉलिंग अटेंगन आ गया है। वैसे आपको अपना डिस्किंगन एक्सर-साइज करने का अधिकार है, यह मैं मानता हूं, लेकिन इसके लिये भी कोई परिपाटी हो, कोई नियम हो। वरना नतीजा यह होता है कि आप जो चाहते हैं उसे अलाऊ कर देते हैं और जिसे नही चाहते हैं उसे नहीं अलाऊ करते हैं और अलाऊ न करने के बाद फिर उसी को अलाऊ कर देते हैं। मेरा निवेदन यह है कि इस सम्बन्ध में आप अपनी आजा देख लें।

श्री राजनारायण : आपके यहां में जो व्यवस्था दी गयी वह उचित नहीं है । मैं आपकी सहायता कर रहा हैं। यदि आपके यहां किसी एक दिन 6 विषय आ गये तो यह ठीक है कि आप उसमें से केवल एक ही चुनेंगे जो आपकी समझ में आयेगा कि यह सबसे ज्यादालोग महत्व का है और अगर एक समान ही लोक महत्व के चार प्रश्न हों तो तो आप उनमें से एक चन लेंगे. लेकिन बाकी तीन को रिजेक्ट नहीं करेंगे, आप उनको रख लेंगे और जब इसरा कोई आकेजन आयेगा तो उस दिन आप उसको लेंगे। आइन्दा कृपा कर आप ऐसा ही किया करें। जो लोक महत्व के प्रश्न काल अटेंशन में आयें उनमें से एक को लेकर बाकी को आप कह दें कि गृहीत नहीं किया, यह नहीं होना चाहिये । आप दो, चार, छ: दिन बाद के लिए उसको रख लें।

भी ना० ह० शोजवलकर: उसके विचा-राधीन शब्द काटे गये हैं। विचाराधीन शब्द उसमें होवा तो भी मैं समझ सकता था।

श्वीसभापतिः मुझे देखना पड़ेगा रेकार्ड, जो-जो बार्नेडम वक्त वतलायी गयी हैं उनका सारा रेकार्ड देखना पड़ेगा और उसमें टाइम लगेगी। श्री ना० **कु० जशेवलकर :** रेकार्ड सारा मौजूद है, मेरी आपत्ति तो यह है कि यह नहीं लाया जा सकता ।

श्री सभापति : नो, प्लीज सिट डाउन । एतराज सिर्फ यह है कि मैंने काल अटेंशन मोशन की नोटिस क्यों एडमिट की और आप साहेबान को मैंने इजाजत दी कि आप काल अटेंशन के मोशन को कंसीडर करें । यह एतराज है । यह एतराज नहीं है कि मुझे अख्तियार नहीं है । एतराज यह है कि सफी-शियेन्ट रीजन नहीं पव्लिक इंपार्टेस के लिए ।

दूसरी वात यह है कि जो पहले लफ्ज रिजेक्ट लिख दिये गये हैं वह क्यों ? वह मैं समझा चुका हूं कि उसके मायने यह हैं कि उस दिन के लिए कोई और ज्यादा इम्पार्टेंट मैंटर था और उसके लिए मैंने परमीशन दी और इसकी परमीशन मैंने रिजेक्ट की । अब यह चीज जो है, जिसके लिए अभी राजनारायण जी ने और दूसरे साहेवान ने कहा है, वह मुझे कंसीडर करने दीजिए । मैं उसको देखुगा और अगर जरूरत होगी तो मैं जो लीडर्स हैं सब पार्टींज के और युक्स के उनका भी उस मामले में कंसल्ट करूंगा । यह जो सवाल इस वक्त उठाया गया है यह आउट आफ आईर है और उसको मैं ओवर रूल करता हु ।

श्री एस० डो० मिश्र : जब आपने आज्ञा देदी कि यह कालिग अटेंशन एलाऊ नहीं करता और आप इस विषय को मेंशन कर सकते है तो मैं समझता हूं कि आपने फार एवर के लिए कह दिया कि आप उसके कालिंग अटेंशन को डिसएलाऊ करते हैं।

श्री सभापति : इनमें कोई चीज फार एवर नहीं होती है। मेरा खयाल था कि उस वक्त यही प्रोसीजर प्रापर था। उसके बाद देश में कोई नयी स्थिति हो या ऐसे सरकम्सटांसिज हों कि जिनमें जिस चीज की पहले इजाजत न दी गयी हो उसके लिए भी इजाजत हो सकती है और उस समय भी मेरा अख्तियार है कि मैं [थी सभापति]

उसके लिए डजाबत देद्। तो यह सारी बातें मझे देख लेने दीजिए ।

श्री मान सिंह वर्मा (उत्तर प्रदेश) : श्रीमन्, 18 जुलाई, 1970 को उड़ीसा में सम्बलपुर जिला के टांडी ग्राम में चार हरिजनों को जिन्दा जला दिये जाने के समाचार की ओर प्रधान मंत्री का ध्यान दिलाता है।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : Sir, according to information received from the State Government, on July 18, 1970 a group of about 40 to 50 fishermen raided a house in village Tandi in district Sambalpur, Orissa. They brutally assaulted four of the inmates and after putting them in the house, set fire to it. There had been some dispute between the assailants and the deceased persons over fishing rights in the < village and on the day preceding the incident one of the assailants had been assaulted by some of the deceased persons. The deceased persons were Harijans and the assailants are also reported to be members of a Scheduled caste. The police have registered a case against the assailants and nine of the thirteen persons named as accused in the first information report have heen arrested. The S.P. visited the village and additional police has been stationed in the village to prevent any recurrence of violence. Investigations are in progress and are being supervised by the Additional S.P.

#### Tun V ICE-CHAIRMAN (SKRI AKBAR I I KHAN) jn the Chair.]

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : We have decided that in Calling Attention Motion only one question will be put.

SHRI SUNDAR SINGH BHAN-DARI (Rajasthan) : Who has put that ?

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) ; Mr. Varma.

SHRI SUNDAR SINGH BHAN-j DARI : Not yet.

# to a matter of urgent 140 public important.

भी मान सिंह बर्मा : श्रीमन, जैसा कि अभी हमारे मिव, माननीय सदम्य श्री जेजवलकर जी ने इस ओर ध्यान दिलाया कि 27 तार्गख को यह नोटिस दिया गया था और 29 की इसके लिए कालिग अटेंशन मांगा गया था। किसी कालिग अटेंबन में महत्वपुर्ण बात यह होती है कि इम्पाटंट ईश्यज पर सरकार का ध्यान दिलाया जाए । इस विषय में जैसा कि अभी बताया गया, उस दिन इस हाउम में भी डिस्कगन हो चुका है और लोक सभा में भी हो। चुका है, किन्तु जहा तक इस प्रकार के अत्याचारों का संबंध है यह हमेगा हो महत्वपूर्ण हैं, उस समय तक जब तक कि इस धकार को बारदातें होती रहेंगी । अभी-अभी माननीय मंत्री जी ने स्पष्टीकरण दिया कि किम प्रकार से वहां दो वगी में संघर्ष हुआ और उनमें से उन्होंने एक को तो हरिजन बताया और दूसरे की तथाकथित जेड्यहड कास्ट कहा है । इस से पता नहीं जगता कि दूसरा वर्ग ग्रेड्युल्ड कास्ट का नै या नही. किन्तु हो सकता है दोनों शेड्यूल्ड हो और उन मछआगी के आपस के झगड़े के कारण यह सब हुआ । यह इतनी विणेष वात नहीं है । महत्व को वात यह है कि समय-समय पर इस प्रकार की घटनायें चटती रहती हैं । श्रीसन दी पर्य पूर्व लोगल साइ में संजीर के पास एक कलिमनि नाम का म्थान है, वहां पर 13 हारवता का. जिनमें जारते भी थी जोग यच्चे भी थे. इत्या कर दी गयी, उनको जिल्दा गला दिया गया और वहां पर कमेटी को ल कर मझे भी जाने का अबसर मिला और मेंने बहा देखा था 🗸 🚦

]?HE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Confine to this question,

श्वी मान सिंह वर्मा: उसी पर आ रहा हूँ। उसके साथ-साथ मध्य प्रदेश में भी इस

प्रकार की घटनायें चटों।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) ; In the supplementary confine to this. That is not relevant.

#### to a matter of urgent 142

श्वी ना॰ इ० शेजवलकर : भूमिका बांध रहे हैं । इसके विना कैसे होगा ?

श्री मान सिंह वर्मा : इसके विषय में उस दिन भी कह दिया गया था । ऐसी घटनायें होती क्यों हैं और उनके निराकरण के क्या उपाय किये गये हैं, उस के लिए कौन से कदम उठाये गये हैं ताकि इस प्रकार की घटनायें न घटें । मैं बतला रहा था कि इस प्रकार की घटनायें उत्तर प्रदेश में, मध्य प्रदेश में और अभी-अभी पंजाब में घटित होती रही हैं और इस प्रकार के जो अमानुधिक अत्याचार गरीबों पर होते हैं उसके लिए इस सरकार ने स्पष्ट रूप से कौन से कदम उठाये हैं, इसको मंत्री जी बताने की कृपा करें ।

श्री के० सी० पन्त : उपसभाध्यक जी, यह जो घटना घटी वह बहुत ही भयानक घटना थी । (समें चार आदमियों की मृत्यु हुई, उनकी हत्या हुई और उनको जला दिया गया । तेकिन जैमा कि मैंने आपमे अभी कहा अपने स्टेटमेंट में इसकी जड़ में हरिजनों पर दूसरों का अत्याचार नहीं था, बल्कि आपमी झगड़ा था, कुछ फिशिंग राइट्स के बारे में यह झगड़ा हुआ । तो जहां यह निन्दनीय है उसके साथ ही उसकी सीमा भी वही है जो मैं ने अपने स्टेटमेंट में बतायी ।

SHRI LANKA BEHARY DAS (Orissa i : I ne thing is not at all cleair from the st tement of the Minister, whether the police reached the place after seven lays of the incident because . it is much ;nore important. Somewhere some incid nt takes place, whether between thi Scheduled Castes and the Scheduled Tribes or between whoever it may be bit the much more important

hing is wr sn the police reached there. There is nc indication in this statement of the Minister. Is it a fact that one Minister of Orissa alleged in the press that the police reached the place of

iccurrence af this incident after seven

Sir, aftet these four people were attacked, : Ssaulted and burnt, though

the police station is only eight to ten miles away from that place, the police station did not care to take interest in the matter. Only when it was raised in the State through statements and c things, they reached there. Therefore 1 want to know specifically from the Minister whether it is a fact or not. It is a fact which has been corroborated by one of the Ministers of Orissa. May I know. Sir. from the Minister again- f do not know why he is giving us false information-whether it is a fact that these assailants were not Scheduled Castes at all. Here again I allege that they belong to other Backward Classes; they are not Scheduled Caste people. So why this false information is being given in this House ? Whatever might be the source, will the Minister check up that they are not Scheduled Caste people and they belong to other Backward Classes ? May I know. Sir. from the Minister whether it is not a fact that within this one week another incident has taken place in the Puri district, which is a coastal district, and the place of occurrence is near Bhubaneswar. the capital of the State, where two persons have been killedtwo Harijans killed- by the land-owners ? The assailants used firearms and killed these two Harijans, and there also the police did not reach that place till after two days of the incident. This is a coastal district very near the headquarters. So, Sir, from all these things it is clearly evident that the local police there in Orissa are not taking any interest in this matter and are rather encouraging, instigating and abetting this torture and killing of these Harijans in these two instances. So, may I know, Sir, from the Minister whether the Home Ministry here will direct all the State Governments-T am not saving that it

is only taking place in Orissa because it is taking place in. the other States also in this country— to put an end to this sort of incidents and may I again request whether the Home Ministry will specifically request all the State Government in India, whenever and wherever such incidents take place to see that the police go immediately to the spot, and if the police does not take any action, see that the concerned police officers are suspended immediately and thereafter

# [Shri Banka Behary Das] dismissed forthwith ? Has such action been taken in the case of Orissa and. H it has not been taken, will the ivernment of India show its concern and specifically advise the Government of Orissa that law and order should be maintained and amity should pre\ail between the different sections of the population, and that action should be taken not only against the assailants but also against the police, who have clearly shown derelection of duty when four persons were burnt alive in one place and two persons were shot dead in another place ?

SHRI K. C. PANT : Sir. the first point raised by my hon. friend was with regard to the gap of time between the incident and the arrival of the police. Actually, this point was raised in the other House also, and 1 have tried to flam the facts from the Orissa Government. The only fact that they have been able to give us is that the police recovered partially burnt bodies of the four deceased persons and had a post mortem done on the bodies.

### SHRI BHUPESH GUPTA (West al) : When ?

SHRI K. C. PANT : Why are you so impatient ? I am telling you the whole story, so far as our information goes. One can deduce the time element from this but nothing more. So I have requested the Orissa Government specifically to ask a senior police officer to go into this particular complaint of delay between the occurrence of the incident and the arrival of the police. Now they are not able to tell me one way or the other what the facts are. So only this morning I have asked them speci-ficali] to enquire into this. This is point number one.

SHRI BHUPESH GUPTA : Why don't you tell them....

SHRI K. C. PANT : They had told me they did not have the full facts, and 1 said, "You enquire."

#### (Interruptions-)

SHRI G. A. APPAN (Tamil Nadu) : How is it that even after asking for the (acts the Minister cannot have the facts.

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The phoi I are and the information could be had.

SHRI BHUPESH GUPTA ; We are told that the State Government is not furnishing the facts asked for. Now, Government has a special obligation under the Constitution in this regard. Why is Government not rushing its own agencies ? It has got many agencies at its disposal. It has got the Central Intelligence Department and other Departments. You ask them to provide the facts.

SHRI K. C. PANT : That is precisely what I have done. I have asked them to get the facts and it is for the State Government. Alter all.

SHRI P1TAMBER DAS (Uttar Pradesh) : Is it a fact that you asked litem onl) this morning?

SHRI K. C. PANT; I have asked them this morning specifically,

SHRI PITAMBER DAS : If it is only this morning, then why so late?

SHRI K. C, PANT: We have been in communication with them almost for the last three or four days. We had brought this to their notice: we checked this morning to find out whether they could give us this fact.

SHRI BHUPESH GUPTA; The State Government is hiding the facts.

SHRI K. C. PAN!': After all we can onl) make the best efforts to satisfy the House which we have done. 1 hope you die satisfied that wc have tried to you the maximum information that  $\ensuremath{\mathbb{N}}$  e could . . .

SHRI BHUPESH GUPTA ; No. no, we are not satisfied. It is not as if it is a law and order case. We owe certain obligations to the nation. The Central Government comes in directly under the Constitution.

SHRI K. C, PANT; Let me finish my answer.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN); let him finish, Bhupesh Thirdly, he referred to another dent. I do not have the facts about it with me a id therefore I cannot comment upon it.

SHRI ANKA BEHARY DAS : About giv Jg instructions to the State Governments ?

SHRI K C. PANT : [ am coming to that ; 1 an going to cover all your points.

The fourth point he raised was with ructions from the Centre in regard ,, action to be taken in case of atrociti. s against Harijans.

SARDA& NAR1NDAR SINGH] BRAR (Punjab) : Against everybody.

SHRI t. C. PANT; Particularly about Hai jans we have been concerned becau ant the implementation of the Untou .-liabilities Act to be stringent. In 195? it elf a circular letter was issued iale Governments to set I committees which might go specif! tally into the implementation his Act and also review annually it progress is being marie, whether...

SHRJ BHUPESH GUPTA : You, v the Failure of the Act has been

SHRI <. C. PANT : . . . it is factory o not satisfactory and so on. Now a i umber of States have set up such Cot mittees and that will be helpful. Thi Central Government has also written t all the State Governments I think in May 1969 and one of the points vv tch has been emphasized is that the investigative agencies and the prosecuti in agencies should both he particula k careful in seeing that any violation ol this Act is attended to

#### to a mw em public importance

promptly and that they should take prompt action, immediate action, so that the provisions of this Act can be applied and give maximum publicity so that everybody knows what are the facts. They have also been asked to see the conditions for themselves when they go round on their touts and take action on that basis also.

KUMARI SHANTA VASISHT I Delhi) : Mr. Vice-Chairman, we would like to know as to whether the Government would also try to find out- apart from these incidents where there might be fights between two sections of fishermen or Harijans or others-whether there is any political party which tries to harass and persecute the minority communities or the Harijans. whether there is a plan to first harass them and then pose as the protectors, helpers and friends of the minority communities and Harijans uith the idea of winning them over to their side. Government may have to look into this also because I and some other friends also have a suspicion that so far as such harassment and other troubles are concerned certain political parties are trying to see that such troubles are created between such communities and later on they pose as their friends and saviours; they then go to their rescue and try to wit' them over politically for the sake ol getting votes, etc. Government may watch out for these sections or group.' or political parties who are anxious t< gel them beaten up first and later ot rush to their help.

I would also like to point out tha during the last session one of ou Members. Shri Ganeshi Lai Chaudhary had raised the question of burning o a Harijan girl in Madhya Pradesh. Abon that calling attention notice no stare ment has been made so far by th anient. So I would request th Government to make a statement aboi that also because this is a regular fei Hire that in the last few months Harijat are being regularly persecuted, harasse and burnt,

SHRI K. C. PANT ; Personally do not think that this question shoul be looked at from the point of view <

#### (Shri K. C. Pant) political parlies taking advantage out of this. This is a deepseated problem which has very deep-seated roots. We must take a constructive and firm attitude to the problem, so that both the punitive measures of the Government and the educative process, which can only be carried out by the thinking-people in the country, are taken. All the political parties and all of us who arc committed to carry out the provisions of the Constitution in this matter, 1 hink. owe it to the country to see that the proper climate develops in which such shameful incidents do not lake place.

THE VICE-CHAIRMAN (SHR1 AKBAR AL1 KHAN): Mr. Kulkarni.

श्री राजनारायण : श्रीमन्, बहुत हो चुका, अब हमारी बर्दाश्त की सीमा टूट गई है, आप हमारा नाम नहीं पढ़ रहे हैं। जरा चश्मा लगाइये।

उपसभाष्यक्ष (श्री अकबर अली खान) : नाम है । आपकी पार्टी वाले का नाम मैंने पुकारा था । इसके बाद आपको पुकार रहा हूं ।

श्वी राजनारायण :, आप कब पुकारेंगे । इतनी उदारता क्यों कर रहे हैं । अगर वह नहीं वे तो हमको पुकार लेते, यह गुलती, आपने क्यों की ।

KUMARI SHANTA VAS1SHT : Sir, (he mike is not working. What about the girl who was burnt down in Madhya Pradesh ? No statement has been made.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : He has said that it does not relate to this question.

SHRI CHITTA BASU (West Bengal) : What abont calling others?

THE VICE-CHAIRMAN (SHRI AKBAR LI KHAN): 1 am coming

M1R1 CHITTA BASU; My whole is thai you are not going in the urder of priority that has been decided I in the Chamber. According to the de- i

# to a matter of urgent 148 public importance

cision arrived at in the Chamber, Mr. Rajnarain was to be called first.

THE VICE-CHAIRMAN (SHR1 AKBAR ALI KHAN) : 1 said 1 am sorry and 1 am calling him, I have just now said it. Because his Party was not there, he should have been called. Please do not waste time.

SHRI A. G. KULKARNI (Maharashtra) : As per the information given by the Minister and particularly the pointed question made by Mr. Banka Behary Das...

SHRI LOKANATH VIISRA (Orissa): Have you become one?

SHRI A. G. KULKARNI : May I request, when he feels that the Orissa Government has not given correct information or has failed to give information in time, that the Government of India at the outset should take it up very strongly with the Orissa Government and ask them to give them factual information, because it is the Central Government which has to face Parliament ? Secondly. I wanted to know in connection with another aspect which has not been replied to. May 1 know whether the Central Government has ask :d the Orissa Government to look into the allegations that seven days have passed without any action being taken by the police ? May I know whether the Government can specifically say that they have asked it and the Orissa Government has not replied '.' Lei them say it. Then, Sir. particularly 1 draw the altention of the Minister to this problem. He said that at the last meeting it was discussed and the Chief Ministers of the State Governments were addressed separately. This matter is of great magnitude. Callous assaults on Harijans and other weaker sections are assuming large proportions and so a very deterrent punishment like flogging of the culprits should be undertaken. May 1 know whether the Government will categorically say that this matter will be taken up again with the Chief Ministers and that the punishment of (logging will be instituted on those culprits? Otherwise, this type of harassment of the weaker sections will

not go out o! this country. It will never [ go out of th s countty.

SHRI K. ( . PANT: So far as the first two poii ts go. it is with reference to the iofon union supplied by the Orissa Cover iment. Whenever we have approached Hiem for information they have s;iid th t they would procure the information lor us...

#### SHRI A. Q. KULKARNI: When?

SHRI K. \ PANT : I cannot say that they ai non- नहीं पा रहा हं कि हमारा नाम इतनी देर co-operative in this matter. Sue i information as I बाद क्यों पुकारा गया। एक बात में अभी बता have with me I have placed before the House. Such inform: tion as the House wanted hut is not द कि यह साजिश जो कार्यालय की हो रही w th me I have told you quite frankly So far as the है हमसे नहीं चलेगी, हमसे फ्रेंक, सीधी बात, basic question he las raised about the letter written to thi State Governments is concerned, lie n; rst होनी चाहिये । understand, and I think does thai the Untouchability Act is under the irisdiclion of the Stale Governments and. while we are deeply ! साजिश किसी ने नहीं की। concerned, i is for the State Governments to ac tally implement the provi-is of that Act. So far as his specific suggestion » th regard to flogging goes, j you know. S r. hat there are certain in- : आपने एस॰ एस॰ पी॰ के शाही जी का नाम ternational conventions adopted in the U.N. and it पुकार लिया, वह नहीं थे तो हमको नहीं ;o happens that there is an international convention against flogging also. India s one of पुकारा गया। the parties to that convention. I do not know whether that is a feasible proposition, but...

SHRI M/HAVIR TYAG1 (Uttar Pradesh) : Hogging is too light a punishment lor murder.

SHRI K. C. PANT : Quite right. I think he wi ; not referring to murder alone, he w is referring to के नाम से डिक्टेटरणिप नहीं चलेगी । अगर acts of discrimination. So far as the general question of tight :ning the punitive measures goes, the II. yaperumal Committee, to which Shri I hupesh बलायेंगे तो आप कैसे कहते ह Gupta referred, has j made certai i recommendations which j •ne into.

SHRI Bf- UPESH GUPTA : Since ito operation, only 1000 prosecutions took place over a period of more than ten years. That was pointed out in the disclosures. . .

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SHRI K. C. PANT : The figure is larger than 1000 but it is much smaller compared to the prevalence of this particular malady. The Ministry of Social Welfare is actually engaged in the examination of this question and in formulating legislation so as to tighten the punitive measures. That 1 am sure will come before the House when the House will have a full opportunity of discussing this matter.

शा राजनारायण : थामन, म यह साच

उपसभाध्यक (श्री अकबर अली खान)

श्री राजनारायण : किसी ने वताया कि

उपसभाव्यक्ष (श्री अकबर अली खान) : कार्यालय की गलती नहीं है, मेरी गलती है।

श्री राजनारायण : क्या आगे के लिये, भविष्य के लिये, ऐसा ही रहेगा । आपकी पार्टी यह तय हो गया कि किस पार्टी के नाम से

उपसभाध्यक्ष (श्री अकबर अली खान) : सवाल करिये ।

श्री राजनारायण: एक प्रश्न वडा साफ है कि सरकार के सामने इस समय थोड़ा बुद्धि भेद है और मैं अपने मिन्न मिश्र जी से भी यही पछ था कि भाई, यह जो मल्लाह होते हैं, हमारे यहां तो यह शिडयुल्ड कास्ट में नहीं आते. हमारे यहां उत्तर प्रदेश में मल्लाह णिड्युल्ड कास्ट में नहीं आते ।

#### श्री महाबीर त्यागी : मल्लाह नहीं मछुए ।

श्री राजनारायण : हमारे यहां जो मछए होते हैं उनके हाथ का पानी नो हम पहले भी पंते थे, बैमे तो हम सभी के हाथ का पानी पीते हैं। तो में यह जानना चाहना हू कि क्या केन्द्रीय सरकार के विभाग में यह बात था रही है कि यह जो उत्तर आ रहा है, किसी वस्तुम्थिति को छिपाने के लिये आ रहा है क्या. कि नही. इरि-जनों की हत्या नहीं हुई बल्कि दो हरिजन गुट ही लड गये. किमी हरिजन से बडा कहने वाले ने हरिजन को नहीं भारा बल्कि हरिजन के ही दो गट किसी तालाब के लिये या मछली मारने की जगह के लिये लड गए और मर गए । मैं चाहता ह कि सरकार इसके वारे में सफायों करेगी क्योंकिजो गुढ हरिजन है वह । मरे अगर दो दलों में लड़ाई होगी नो दूसरे पक्ष को भी चोट आयेगी । मगर वह मरे हैं और जलाए गये हैं और उनके जल हुए कुछ अंग-भंग मिले हैं. इसके वारे में आगे चल कर रपट हई है। तो यह ऐमा केस नहीं है जिसके बार में यह कह दिया जाये कि हा दो हरिजनो के गुट में लड़ाई हई, कोई दिज की और हरिजन को लडाई नहीं थें, यह किसी और अप-कास्ट के साथ लडाई नहीं थें।, यह बैकवर्ड और हरिजन की जड़ाई नहीं थीं। जड़ाई थी एक तरफ धरीब, अक्तिचन, शिखारी, ओर एक तरफ वह नोग थे जिनके पास कुछ वा और जो समाज में भं। कुछ ऊंचा स्थान गाए हुए हैं जैसा कि हमारे मित्र बांका विहारी ने चता । उनकी बात वा हम भी समस रहे है कि यह जिसको आप बैकवई कहते हो, जिसको आप शुद्र कहते हो. गुद्र समुदाय और हरिजन समुदाय जिनका आप अस्पृष्य कहने हो, उनमें लड़ाई हुई और हरिजन जलावा यथा। और एक बीब में पुछता बाहता हू कि जो नरकार के उत्तर से निकलता है। श्रीमन, 15 अगस्त, 1947 को यह मुल्क आजाद हुआ ।

niton

20 साल इस संविधान कर लागू ही गये हैं। यह संविधान वालिय हो गया है और यह संविधान वोटर हो गया है वर्तमान वालिग वोट के मुनाविक. मगर यह दिमाग कव साफ

होगा कि इन्सान इन्सान बराबर हैं। यह समाज कब बनेगा कि ममाज में न कोई छोटा है बौर न कोई बडा है। 20 साल किसी मलक के इतिहास में एक वडा युग साना जाता है और 20 साल तक यह सरकार बैठी हुई है । अभी भी यह हरिजनों को हरिजन मानती है । अभी भी देश में बहुत मीं ऐसं। जगहें हैं जहां पर लोग अपने कुएँ में इन लोगों को पानी, नहीं पीने देते हैं और उन्हें मुन्दिरों में नहीं जाने देने हैं नया अपने माथ चलने नहीं देते हैं। स्था जह सरकार आज इस हैमियत में है कि वह इस बात का ऐलान कर सके कि कोई भी मंसद सदम्य. कोई भी विधान मंडल का सदस्य या कोई भी सरकारी कर्मचार्ग, अगर वह अपने नक्ते मजर में किसी इत्सान की अपने में छोटा मानेगा या वह छुआछत का अवहार करेंगा तो वह अपने पद से डिसक्वालीफाई हो जायेगा और बहुन संसद सरस्य, न विधान मंडल का मदम्य और न ही सरकारी कर्मचारी रह पायेगा। गया सरकार आज इम नग्ह का ऐलान करने की हैमियत में है क्योंकि में देख रहा है कि घह गरकाण अभी तक अपने उद्देश्य में बिल्कुल नहीं पहुंची है। हमारे सामने ला मिनिस्टर साहब भी बैठे हैं। जब मैंने उनके बारे में प्रछा तो मझे बतलाया गया कि वे श्री हतमनीया जी हैं। पहले ये पर्यडा पहिनने थे, लेकिन आज रोपी में दिखलाई दे रहे हैं । में समझ रहा था कि जायद मंत्री बनकर पगढी। उत्तर जाती है. मगर मधी बनने पर तो पगई। ओर भी बडी हो जानी है। हमारे यह राज्य मंत्री जी के गास कानून मंत्री जी भी बैठे हैं और इस बारे में वे उनमें मताह ले लें। मगर में चाहता ह कि अग्राग संसद सदम्प, বিঘান मडल के महत्य या सरकारी कमेवारी के सम्बन्ध में कोई भी निक्रित जिलायन आ जाय कि उसने समाज में कुछ लोगों को नौचा माना है, छवाछन का भेद किया है, तो उसको फीरन डिसक्वालीकाई कराया जाय जिस जगह पर वह है उस जगह पर में । क्या इम तरह की व्यवस्था यह सरकार करेगी। जब तक इस तरह की व्यवस्था नहीं करेगी, जब तक

नाम के आगे पंत, सिंह, मिश्रा का जब्द जुड़ा रहेगा या कोई विजेषण लगा रहेगा तब तक यह ममस्य। हल नहीं हो सकती है । सरकार भी यही कहेगी और कहती है कि हमारा समाज ही ऐसा है, समाज में कुछ लोग ऐसे होते ही है क्योंकि समाज को बनावट ही ऐसी है। इस तरह का इस सरकार का उत्तर होगा।

में चाहता हूं कि हमारे मुझाव का सरकार किस ढ़ंग से अनल में लायेगी या लाने की कोणिश करेगी ताकि नामों के आगे जो जांत-पांत के द्योतक शब्द लिखे रहते है, सरनेम होते है, उन्हें हटा दिये जाते है वे सब हटा दिये जायें ताकि न कोई सिह रहे, न कोई सिश्र रहे और न ही कोई पंत रहे। जब तक इस तरह के शब्द नामों के आगे रहेंगे तब तक इस तरह के शब्द नामों के आगे रहेंगे तब तक मामला बिगड़ता ही जा देगा। इसलिए मैं यह जानना चाहता हू कि तमाज के अन्दर इस तरह की धटनाएं भविष्ठ में न हों, उसके लिए सरका? कौन सा कटम उठाने की बात मोच रही है।

श्री के॰ सी॰ पंत : उपमभाष्यक्ष महोदय, पहिला सवाल जो आपने किया वह यह है कि मल्लाह हरिजन हे या णिड्यूल्ड कास्ट के है या नहीं। जैसन्मैने कहा कि उड़ीसा गवर्तमैंट ने हमको जो रिपेर्ट दी है, वह मैंने आपके सामने उख दी है।

श्री राजनारायण: सो काल्ड।

श्री के० सं।० पंत: मैंने रिपोर्टेड' कहा और जो रिपोर्ट हमें मिर्ल: है वहीं दी है ।

SHRI BANKA BEHARY DAS : Mr. Vice-Chairman, Sir...

श्री के० सां० पन्त : इस तरह के मामलों में हम वहीं चांख दे सकते हैं जो हमको वहां से रिपोर्ट मिलतो है । मैं यहां पर खडे कड़े मैन्युफैक्चर नहीं कर सकता हूं । उपसमान्यक्ष महोदय, यह विचारं किया जा सकता है कि अगर ये लोग हरिजन न भी हों जैसा आप कह रहे थे, तो ये लोग पूजीपति भी नहीं है और न ही महलों में रहने वाले लोग हैं । ये भी मल्लाह हैं और ये लोग भें। वहीं कोई काम करते है और बहुत बड़ा फासला इनकी हैमियत में और दूसरों की हैसियत में नहीं हो सकता है, ऐसी बात मैं समझता हूं।

यह दूसरी बात है——जैसा उन्होंने कहा कि दूसरों को चोट क्यों नहीं आई। जैसा मैने अभी अपने स्टैटमेंट में वतलाया कि पटले दिन उनकी आपस में वारदात हुई थी जिसकी वजह मे दूसरे गुट वालों को भी चोट आई, लेकिन इस हत्याकांड की जो भयानकता है वह कम नही होती है।

अभी आपने पूछा कि लेजिस्लेटिव मेजसं लिये गये है या नहीं। इस मम्बन्ध में मैं यह निवेदन करना चाहता हं कि इलैयमेरूमल कमेटी की जो सिफारिकों हैं उस पर सांच विचार करने के बाद लेजिस्लेशन लाने की बात है। इस सिकारिश में सभी बातें इस सिलसिले में है कि एम० एल० एज० और एम० पीड. अगर अन्टचेबिल्टी ऐक्ट को इन्पिन्ज करते हैं तो उनको पनिश किया जाय । उनके ऊपर कार्ववाही की जा सकती है, उन्हें डिबार किया जा सकता है, इस तरह की बातें हैं लेकिन मझे सारे डिटेल्स याद नही हैं। जो कुछ उन्होंने इस सम्बन्ध में कहा है उस पर विचार होगा और वाद में हाउस के सामने लेजिस्लेशन आयेगा। मै श्री राजनारायण जी कः इस बात से सहमत हूं कि जो भी चुने हुए लोग हैं चाहे वे असम्बली के मेम्बर हों या पालियामेंट के मेम्बर हों, उनकी एक विजेप जिम्मेदारी है कि वे एक ऐसा वातावरण पैदा करने की चेण्टा कर जिससे इस तरह की चीउँन हों। इस वात को में जरूर मानत। हं ।

SHRI CHITTA BASU : Sir. it is not j a matter confined to a particular State, but as I mentioned earlier, I have got certain figures to suggest that during the year 1969. 93 harijans were killed as reported by the Home Ministry. The office or the Commissioner of Scheduled Castes and Scheduled Tribes has reported that during the same period there have been 355 cases of harassment. That would naturally give you

#### [Shri China Basi>]

an idea about (he magnitude of the problem. May I know from the hon'-ble Minister what specific steps the Government propose to take to arrest this kind of injustice being perpetrated on the weaker section of the community ? May I know from the hon'ble Minister whether they propose to take steps or instruct the State Governments to pa) special attention with regard to the uplift of the Scheduled Castes and the Scheduled Tribes ? In this case, Sir, may ! suggest that the Chief Ministers of all the States should retain the portfolio of the welfare of the Scheduled Castes and the Scheduled Tribes because presently the uplift of these under-privileged is being tagged on to the various Departments of the States ? May 1 know whether the Government is prepared to implement a suggestion of such a nature 7 Even at the Central level the Prime Minister should retain the portfolio for social welfare because it is also related very vitally With other Departments because without co-ordination of other Departments the weaker sections of the community cannot be properly protected. May 1 also know whether the Government proposes to have a special cell in the Police Administration t0 take necessary action as and when a situation of this nature arises "

Then, Sir. it is also reported in the press that human sacrifices take the Harijau as the victim. May I know what special provision the Government proposes to enact with regard to revising the entire Penal Code in this regard ?

Coming to Orissa, I have got certain information with regard to a bustce, Musanigaon, in the district of Dhankamal. A senior police officer who is investigating the incident said :—

"The arson and the attack on the Harijan bustee. Musanigaon, was deliberate and preplanned."

May I know the report of the Home Minister of Orissa Government who also happens to be the Chief Ministet of that State ? If he has given a report in that connection, may I know what steps the Government of India proposes

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to take ? I again emphasise that the Constitution enjoins upon the Government of India to take a particular action for the protection of the Scheduled Castes and the Scheduled Tribes. Unless that is done it will be a dereliction of duty on the part of the part of the Government of India.

SHRI K. C. PAN 1 : There is no question of derelection of duty on the part of the Government of India.

#### SHRI CH1TTA BASU: It is.

SHRI K. C. PANT : As 1 have said earlier, we are very much alive to the problem we are very much concerned w ith it. There is no question of even transferring the burden on to other shoulders. We will take resolute steps and we are taking them and we wiH continue to lake wherever necessary. 1 have already indicated that detailed ins-tructions or advice or suggestions have gone from the Central Government to the State Governments.

SHRI CHITTA BASU : Sir. 1 wanted to know  $\ldots$ 

SHRI K. C. PANT : Your first point was. with regard to instructions. Probably you have forgotten it as you made a long speech. {Interruptions) Sir. as 1 said, detailed instructions or suggestions have gone. I can certainly give him all the suggestions if he likes. But I think that will take (he time of the Hottse. As I said, particularly they relate to the functions of the police, the function-, DI those who are in charge of prosecuting &» se offences under the Untouchability Offences Act. and it is this area which is the most important area. Now so far as the suggestion lhal the Chief Minister should take over Social Welfare, and particularly the welfare of Harijans Scheduled Tribes, etc.. is concerned. 1 think it is a good suggestion and it is certainly worth .. •

SHRI LOKANATH MISRA : It is not a good suggestion, . A Scheduled Tribes man is in charge and you want to divest him of this ? Sir, he is making a serious statement.

THE VK IE-CHAIRMAN (SHRI AK.BAR ALI KHAN) : Whatever it is, he will take the consequences.

SHRI K. . PANT : 1 hope I am serious enoug'i. It struck me as a use-tul suggestior 1 do not know the practical imp tcations or the difficulties. I am reactin; to what he has said. Sometimes I may be permitted to react also a Mcml r of the House and as a citizen of thi country. So. I think that if the highes authority does pay attention to the specific problem. I personally react w II to that suggestion. I do not know th • implications. There may be difficulties But that is my initial reaction.

Now so ft r as the suggestion about creation o( a special police cell goes, among the suggestions sent to the State Governments was a suggestion to teach the police, il ough their training syllabi, (he details o the provisions of this Act so that the entire police force would, during the c Rirse of training, acquire special know ledge of the Act which would help hem later on to implement it. 1 hink the Elaya Perumal Committee I mile an observation that i this was req tired because it did not | find that the police authorities every- | where had f ill knowledge of the details of this Act. Therefore. I do not think a cell itself will do. The entire police force will hive to be aware of the Untouchabil :y Offences Act and will have to be r repared to take quick action wherever it -s necessary.

श्री राजनारायणः पन्तजी, इसके मृताविक काम हो रहा है ?

श्वी के० मी० पन्तः कमेटी बनी हैं सब स्टेट्स में..

श्री राजनारायण : आप के राज्य उत्तर प्रदेश में जेल ...मैनुअल में लिखा हुआ है कि भंडारे में केवल बाह्यण रहेगा । उत्तर प्रदेश के जेल मैनुअल के मुताबिक भंडारे में हरिजन नहीं जा सकता ।

श्री के० सी० पन्त : उपमभाष्यक जी,

#### अगर ऐसा है तो जब एस० एस० पी० गवनंमेंट में थी उम वक्त निकाल देना चाहिए था ।

#### {Interruptions)

THE VICE-CHAIRMAN (SHRI AKBAR AL1 KHAN) : Please, let him finish.

श्री राजनारायण : कहने में कुछ है, व्यव-हार में कुछ है। हम वार-वार जेल गए है. चरण सिंह के राज में जेल गए हैं। हमारा साथी एक था अकवर, हमने उससे कहा जबर-दस्ती घुस जाओ भंडारे में । ब्राह्मणों ने कह दिया , जेल सूपरिटेंडेंट ने कह दिया अब कोई खाना नहीं खाएगा, लोग अड गए कि हम भी खाना नहीं खाएंगे, जेल में तसला बजा, हमने कहा हमारा मुसलमान भंडारे में जायगा, हमारा चमार भंडारे में जायगा. हम जेल मैनुअल को संविधान के ऊपर नहीं मान सकते । मैं आप के ढ़ारा रिक्वेस्ट कर रहा हं पतन्जी से कि आज उनकी सरकार उत्तर प्रदेश में है, उसे यह आईर दें कि जेल मैनुअल बदल दिया जाय । किसी भी जेल मैनुअल के मुताबिक भंडारे में हरिजन या मुसलमान को जाने से रोका नहीं जा सकता ।

SHR1 K. C. PANT : About the penal measures which my honourable friend suggested, as I have said, certain lightening of penal measures is under consideration and we will come before the House with our proposals. Human sacrifice is obviously a very extreme form. And I think penal measures are lacking to deal with such things.

SHRI BHUPESH GUPTA: Mr. Pant, what will be your personal reac-lion if we say that some of the Ministers be put in jail for fifteen days ?

SHRI K. C. PANT : It depends on the several Ministries in India. Then, Sir. the last question was in respect of some other incident. I cannot say offhand about that.

SHRI G. A. APPAN : May I ask the honourable Minister whether he will give an assurance before the House that lie will make a statement on the floor

IShri G. A. Appan] oi the House within two or three days about the various questions that Mr. Banka Behary Das put about the time-lag when the police officers went, about the burning of the Harijan girl in Madhya Pradesh and about the shooting of Harijans in Puri district ? I know the sincerity with which the Minister speaks. His statements are nothing short of sincerity. May I also request the honourable Minister to please see that a Central legislation is •ed for taking the following powers: that the welfare of the Scheduled Castes and Scheduled Tribes and their protection vests vvith the Home Ministry or with the Prime Minister at the Centre, and, in the States with the Home Minister and the Harijan Welfare Minister: and that these departments

placed in the hands of the Mini I who are also in charge of the police portfolio ? May 1 also request him to see to the constitution of committees for the protection of the Scheduled Castes and Scheduled Tribes in every block, in every taluka, in every district. in every rural area, consisting of able and honest Harijans and people belonging to backward classes, police officials and revenue officials, so that they investigate such atrocities on the spot, or at least within twenty-four hours of their occurrence ? Will the honourable Minister also present to the Houses of Parliament a list of all such atrocities committed throughout the country, State-wise and district-wise, to discuss such things 7

SHRI K. C. PANT : Full details are available in the report of the Ilaya Peru-ma] Committee which has gone into this matter. That Committee has interviewed various people and has gone to the various States and has brought forward much useful information. Apart from this there is a report of the Commissioner for Scheduled Castes and Scheduled Tribes. I do not think i( is necessary to have another body to collect information from all over the country. The real point is whethei can take adequate action on the information that comes up and it is in that context that I have indicated the mea-tires which are under contemplation of

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the Central Government. Now my friend has referred to some other incident. If he wants any specific information, there are ways open to him to seek that information. I will be glad to get him the information.

So far as his suggestion for a separ Minister and a Central legislation is concerned, following the suggestion I the honourable Shri Chilta Basu earlier I find that there is one difficulty here in. for instance, the Chief Minister being made the Minister in charge of Scheduled Castes and Scheduled Tribes. Article 164 of the Constitution says : -

"The Chief Minister shall be appointed by the Governor and- the other Ministers shall be appointed by the Governor on the advice of the Chief Minister and the Ministers shall hold office during the pleasure of the Governor •

Provided that in the States of Bihar, Madhya Pradesh and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work."

In other words the Chief Minister cannot hold this portfolio.

#### 1 P.M.

SHRI BHUPESH GUPTA: Sir. the replies have not been very satisfactory although the Government is trying to make out that it is giving all the information possible. Sir, how is it that the Government do not even know exactly when the peiice appeared on the scene ? It is quite clear from the statement which has been made on the floor of the House that the police initially completely ignored this ghastly crime of killing Harijans in this manner, whereas it should have been on the spot immediately thereafter. We need an explanation for this from the Central Government and the Central Government should get the explanation from the State Government. If the State Government do not want to give it to the Central Government, having regard

to the special obligations in this particular matter, the Central Government can in the firsy instance give direction to the State Government under Art. 256 of the Constitution and at the same time can ask its own agencies to make investigation and send reports to them and the Parliament. Why has this not been done? It is quite clear that the vested interests people do kill Hari-jans and son e of them take a special sadistic deligl t, if I may say so, in killing Harijans. The other day a Harijan peasant was murdered in U.P. the Congress-CKm-BKD coalition only because Harijans were leading some struggle for the occupation of some land. They were singled out to be killed. Others were only arrested. This has been going on all over the country. Hi has referred to the Perumal Committee report. I have gone through that report. What does it say ? It says that most of the law enforcement officials at the lpwer level do not even know he existence of the Un-touchability Act. The report further makes the daggering disclosure that although thi\* has been taking place all over the co intry every day from the time of pa?^ng this Act, merely one thousand prosecutions have taken place. Many other disclosures are also there. Government should go very fast in this matter. I should like to know why the Government is not holding specific investigations ito these specific cases. Secondly, I vould also like to know whether the Central Government is trying to find out the real culprits of such crimes and ensure that effective steps are taken in the matter. I suggested that the property of those who inspire these crimes should be confiscated and those who commit the crimes should, in addition to being given capital or whatever punishment, be flogged and the property of the guilty should be seized. T'le officers in the area concerned who are responsible for these should be summarily dismissed or at least suspended, wherever such an occurrence takes place on the assumption that the-e has been gross dereliction of duty on the part of those officials. What does the Central Government propose to do in the light of these suggestions ? 32RS/70-

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SHRI K. C. PANT : So far as the delay coming in or not coming in goes, I am holding no brief for the Orissa Government. I am merely giving the House information that I have. So far as the question of the Perumal Committee report goes, I did say in answer to an earlier question that one of their observations was that they found that the lower officials in the police and civil administration were not fully aware of all the provisions of the Untoucha-bility Act. May be some of them were not. But, anyway I saw one of the observations of the Committee and it is precisely because of this reason the Centre had written to all the States and in that various suggestions have been made. One of these suggestions is with regard to the training institutions for policemen, police officers, revenue officers and magistrates and they should include in their syllabi special courses on the sociological and legal aspects of untouchability, and knowledge of the provisions of the Act should be made compulsory for the trainees who should be tested in them.

SHRI BHUPESH GUPTA : You are quoting the Ramayana and the Mahabharata...

#### (Interruptions)

SHRI K. C. PANT : He talks of the Ramayana and the Mahabharata. He is committed to them....

#### (Interruptions)

SHRI BHUPESH GUPTA : You are committed to them; you are committed to them.

SHRI K. C. PANT : I think you have raised the question. Anyway, so far as the number of cases goes, I found 4,540 cases wete registered in the course of a year and not a thousand. But as I said earlier,...

#### (Interruptions)

SHRI BHUPESH GUPTA: You should know this.

SHRI K. C. PANT : It is something (Interruptions). But these figures are too small compared to the prevalence of the malady.

SHRI BHUPESH GUPTA : D0 not say 'it is something'. Say, 'It is nothing.'

SHRI K. C. PANT : Now, Sir, it is a difference in expression.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Yes, yes, you carry on with your expression.

SHRI BHUPESH GUPTA : In an ocean it is a drop of water.

SHRI K. C. PANT : So far as the suggestion of flogging is concerned, 1 have stated that we are parties to an international convention against flogging. Therefore, there are obvious difficulties in that.

So far as the general proposition that the law should be vigorously implemented is concerned well, it should be vigorously implemented and with firmness.

SHRI LOKANATH MISRA : Sir, this forum has been taken advantage of by some of my colleagues to malign...

(Interruptions')

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : What is the question, please ?

SHRI LOKANATH MISRA: Sir, they had their say. But when I come last, you ask me to restrict myself to questions.

Sir, many of my hon. colleagues here took the opportunity of using this forum to malign the Orissa Government which is not here, which is not represented here. .. (Interruptions). Even though I cannot agree, I must say that the Home Minister has very ably represented the case of Orissa. Whatever information has been furnished by the Orissa Government was very well put forward by the Home Minister. Now, I would like to know...

#### (Interruptions)

AN HON. MEMBER : You are defending again.

SHRI LOKANATH MISRA: I am not defending the murder. I am ex-

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tremely ashamed of it. I say it again. I am ashamed of the four murders committed in Orissa. But some of the hon. Members in this House try to give an impression as if whatever the State Government had said was wrong. The newspaper which was responsible for spreading such a wrong news item in the initial stage-I do not know who the reporter wassaid that the-what should I say-the superior section of the people in the Hindu society had probably indulged in this sadist murder of four Harijans. That is what it comes to and therefore, Shri Man Singh Varma got very much upset and he had reasons to be upset. I was myself very much upset. If any of the Brahmins or anybody from my caste had done it, I would have definitely taken strong objection and I would have urged the Orissa Government to do something in the matter. And what has happened here, as is clear from the statement of the hon. Minister, is that there are two sections, one section belonging to the 'Dhebar' community which, I am told, is considered as a Scheduled Caste in Sambalpur and the other was naturally the Harijan community and they fought between themselves for some fishery rights and the rights probably belonged to the 'Dhebar' community and thereafter it came to this murder, this unfortunate murder of Harijans. May I know from the hon. Minister what steps he is taking against the journalist, against the particular journalist, who had indulged in this kind of setting one section against the other and creating this cleavage between two sections, thereby spreading a sense of panic among the Harijans and a sense of fear complex among the Harijans and a permanent cleavage is attempted to be perpetuated ? What action has been taken against that kind of a journalist who probably fell a prey to the cheap slogans of some of the leftist parties and tried to malign the Orissa Government?

Now, Sir, I want to know whether the hon. Minister knows that in many places in this landgtab movement the leftist parties push forward the innocent Harijans beyond a certain limit and they themselves withdraw for political reasons. (Interruptions). That is what is happening and that is leading to many murders in many places. The Communis is instigate them and" then they withdraw. They instigate the innocent Hsdjans who murder one another and these people here talk about them and shed crocodile tears. What action has been taken against the journalist who attempted to spread this news?

#### (Interruptions)

श्री राजनारायण : श्रीमन, एक बात मैं साफ कह देना चाहता हूं कि मैं श्री लोकनाथ मिश्र जी को कांग्रेचुलेट करता हूं, चाहे उन्होंने सवाल न किया हां, लेकिन एक बहुत सही बात उन्होंने कही है । मैं श्री भूपेय गुप्त जी को और उन दनों को कहना चाहता हूं कि जो गरीबों को उभाड़ने और जमीन पर कब्जा करने के लिए लोगों को हिंसक वन जाने को कहते हैं कि अहिंसक कान्ति का नेता तो आगे होता है और हिंसक कान्ति और बल्वे का नेता होता है पीछे । इसलिए नेता भागे नहीं, आगे रहे । अगर नेता भाग जायगा तो झगड़ा हो जायगा । इसलिए मैं उन की तारीफ करता हं ।

#### उपसभाष्यक्ष (श्री अकबर अली खान) : तारीफ आप बाद में कर लीजियेगा ।

SHRI K. C. PANT; Sir, there was only one suggestion, namely, that action should be taken against the journalist. I think that advice can well be directed to the Stai:; Government who can take whatever a :tion they like. In all humility I thin! we should not resist any informatior of this kind seeing the light of the day because unfortunately there are r lany such incidents and even in Orissa n the last few weeks there have beei other incidents. So we should do a certain amount of introspection in his matter. I think a certain amount of publicity in all these things will help us in tackling this question.

THE VICE-CHAIRMAN (SHRI AKBAR /LI KHAN) : Papers to be laid.

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SHRI LOKANATH MISRA : Sir, I rise on a point of order. He said that the Orissa Government should take action against the newspaper which had written such things. The Information and Broadcasting Ministry is not in the hands of the Orissa Government. This Ministry regulates the papers and it is in the hands of the Central Government. What action can the Orissa Government take in the matter ? Sir, he cannot evade the issue like that. Everybody knows fully well that the Information and Broadcasting Ministry at the Centre controls the newspapers and nobody else in this country controls them.

SHRI BHUPESH GUPTA : Sir, there is something in what he said. I think the 'Statesman' and other papers should be condemned for writing editorials against the Chief Minister of Orissa.

#### {Interruptions)

SHRI LOKANATH MISRA : If anybody has been condemned in this country, it is the Communist Ministry in Kerala and in West Bengal.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : It was not a point of order but he wanted only some supplementary information. If the Minister wants to give any supplementary information, he can give it.

SHRI BANKA BEHARY DAS : On a point of order. I want to know whether the Minister in charge of Tribal Welfare and Scheduled Castes, Shri Santanu Kumar Das, had told the press that the assailants and those who have burnt those people are not Scheduled Castes ? You can see the papers.

SHRI LOKANATH MISRA; Mr. Santanu Kumar Das is not the Minister in charge of Tribal Welfare.

SHRI BHUPESH GUPTA : He said he is the Vice-Chairman. He does not know the Rules.