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

(ग) भोपाल लोको शैड के इन्चार्ज 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 ?]

रेल मंत्री (श्री गुलजारी लाल नन्दा) : (क) विभाग की ओर से फरवरी, 1970 मे भोपाल लोको शैड मे भण्डार का सत्यापन किया गया था । 1691 मीटरिक टन कोयले की शुद्ध 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 द्वारा 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 (SHRI 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 proof. 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.]

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12 NOON

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED BURNING ALIVE OF FOUR HARIJANS IN VILLAGE TANDI IN SAMBALPUR DISTRICT OF ORISSA

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

श्री ना० कृ० शेजवलकर : (मध्य प्रदेश): श्रीमन्, मेरा एक व्यवस्था का प्रश्न है . . .

श्री सभापति : किस सम्बन्ध में ।

श्री ना० कृ० शेजवलकर : इसी कालिंग अटेंशन के सम्बन्ध मे । मै 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 नही है ।

श्री सभापति : अभी तक मैंने कोई आदेश नही दिया है ।

श्री ना० कृ० शेजवलकर : दो मिनट के लिये मेरी बात सुन लीजिये ।

†[ ] English translation.

श्री सभापति : देखिये, लीडर्स की मीटिंग में मैं कुछ चीजें कंसीडर कर रहा हू । अगर कोई आनरेबिल मेम्बर को कोई खास बात कहनी हो तं वे चैम्बर मे कह सकते है । आप मेहरबानी कर के यहा का टाइम न लीजिये ।

श्री ना० कृ० शेजवलकर : यह चैम्बर की बात नही 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 डी० मिश्र (उत्तर प्रदेश) : श्रीमन्, यह चैम्बर की बात नहीं है । इस सम्बन्ध मे वे व्यवस्था का प्रश्न उठाना चाहते है । इसमें चैम्बर में बात करने का प्रश्न नही है ।

श्री सभापति : अभी मैंने कोई आदेश नही दिया है ।

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, यह आपके आदेश के बारे मे नही है । यह बतला रहे है कि आपने जो कालिग अटेंशन एक्सेप्ट किया है वह आउट आफ आर्डर है । यह इनका कहना है ।

श्री सभापति : आप बैठ जाइये ।

श्री ना० कृ० शेजवलकर : मेरा निवेदन यह है कि यह जो चैम्बर की बात हुई है, इस सम्बन्ध में 18 जुलाई की घटना के बारे मे 27 तारीख को श्री मान सिह वर्मा और मैंने अपने हस्ताक्षर से चैयरमैन के समक्ष इसी विषय पर एक ध्यान आकर्षण का प्रस्ताव प्रस्तुत किया था, जिसके मबारे में 29 जुलाई, 1970 को क्रमाक 140/170 से सूचना दे दी गई है के आपकी अल्पकालीन सूचना गृहीत नहीं की गई है । जिस विषय पर आप चर्चा प्रारंभ कर रहे हैं उसी के बारे मे यह लिखित उत्तर मुझे प्राप्त हुआ है । इसके उपरांत इतना ही नहीं है, 29 तारीख को श्रीमान ने श्री मान सिह वर्मा को सदन मे इस सम्बन्ध में अपनी बात मेंशन करने का अवसर भी दिया और उसमे उन्होने वे सारी बातें बताई जो कालिग अटेंशन मे है । इतना ही नहीं इसके उपरांत फिर दुबारा मान्यवर श्री भूपेश गुप्त, श्री महावीर त्यागी, 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 उपसभापति के द्वारा कि यह सूचना यथा समय सरकार द्वारा उपलब्ध की जानी चाहिये । मैं यह भी निवेदन करना चाहता हूं कि 29 के बाद 30 तारीख को लोक सभा मे इस विषय पर चर्चा भी हुई ।

श्री सभापति : आप यह बतायें कि आप चाहते क्या है ।

श्री ना० कृ० शेजवलकर : मैं यह कहना चाहता हू कि यह रूल 180 के स्कोप के बाहर है । रूल 180 के अन्दर इस प्रकार की सूचना आ नहीं सकती । आप रूल 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 आप किसी को अवसर देना चाहते है तो रूल 176 मे आप शार्ट नोटिस डिस्कशन का मोशन एक्सेप्ट कर सकते है । 180 में इस प्रकार की सूचना गृहीत नहीं की जा सकती । मेरा मतलब यह है कि अर्जेंट पब्लिक इम्पार्टेंस की यह बात नही है । . . .

श्री सभापति : मैं समझ गया आपकी बात । कालिग अटेंशन मोशंस जो होते है उनका, नोटिस जिस दिन मैं उनको देखता हूं

श्री ना० कृ० शेजवलकर : आप जो कहेंगे उसके सम्बन्ध मे मुझे कोई आपत्ति करने का मौका मिलेगा ।

श्री सभापति : आप कितना टाइम लेंगे ।

श्री ना० कृ० शेजवलकर : अगर मैं कोई अवैधानिक या इर्रेलिवेंट बात कह रहा हूं

[श्री ना० कृ० शेजवलकर]

तो आप मुझे रोक दीजिय, उसमे 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 कालिंग अटेंशन नोटिस मेरे सामने आते है, उनमें से एक मुझे चुनने का आख्तियार है रूल्स के अन्दर । जो बाकी नही चुने जाते उसके माने यह नही है कि वे रिजेक्ट हो गये, वे फिर रिन्यू हो सकते है फिर कंसीडर हो सकते है । अगर आपका यह ख्याल है कि चूंकि मैंने उस दिन पहले नही माना, इसलिये वह रिजेक्ट हो गया, फिर कभी हो ही नही सकता, यह बात सही नही है । यही मुझे कहना है ।

श्री ना० कृ० शेजवलकर : मेरा निवेदन इस सम्बन्ध मे यह है कि यह बहुत ही महत्वपूर्ण विषय है । इसके बारे में आपका जो भी निर्णय होने वाला है वह हो जाना चाहिये । यह जो सूचना दी गई है उसमें यह नही बताया गया है। में फिर आपका ध्यान इस ओर आकर्षित करना चाहता हूँ कि यह सूचना 27 तारीख को दी थी । कि **29** तारीख को सुना जाय, **28** तारीख को नही । **29** तारीख के लिये यह सूचना थी । मुझे पूरा विश्वास है कि 27 तारीख को जिस में सूचना दी गई है, उसमें 29 तारीख के लिये कोई सूचना नही थी श्रीमान के विचारार्थ । यह 27 की सूचना 28 के लिये नही दी गई थी, 29 के लिये दी गई थी यह समझ कर कि इसके लिये समय नही मिल जायेगा । हमको जो सूचना दी गई है उसमें "इट है वबीन रिजेक्टेड" लिखा है । यह स्पेसिफिकली लिखा है कि यह सूचना गृहीत नही 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 मे स्वीकार करने का यह है कि रूल 180 में मैटर अर्जेंट पब्लिक इम्पार्टेंस का होना चाहिये । यह सारा सिक्वेंस मैंने इसलिये बताया कि सदन में इसके लिये माग की गई थी कि मंत्री महोदय इस पर प्रकाश 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 नही किया गया है क्योंकि पब्लिक इम्पार्टेंस का मैटर तो यह है, लेकिन अर्जेंट नही है । रूल 180 इस 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 brief statement or ask for time to make a statement . . ."

इसलिये मेरा निवेदन है कि यिह 176 मे शार्ट ड्यूरेशन डिस्कशन के लिये स्वीकार होना चाहिये और फिर इस पर विचार हो ।

श्री एस० डी० मिश्र : 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 वर्मा जी ने और मैंने अलग-अलग 10, 10 और 15, 15 दस्तखतों से आपके पास कालिंग अटेंशन भेजा था । आपने उस दिन उसको रिजेक्ट कर दिया और सबके पास सूचना आ गई कि कालिंग अटेंशन इस सम्बन्ध में अलाऊ नही किया जायगा । मैं आपके पास चैम्बर मे पहुंचा और मैंने यह निवेदन किया कि आप इसको अलाऊ कीजिये । आपने कहा कि नही अलाऊ करूंगा । तो मैंने कहा कि मुझे इसकी आज्ञा दे दीजिये कि मैं इसको इस हाउस मे मेंशन कर सकूं । मैंने यह भी कहा था कि मानसिंह वर्मा जी को आप पहले अवसर दे दें, लेकिन आप नही माने । उसके बाद आपने इस कालिंग अटेंशन नोटिस की आज्ञा दे दी । अब प्रश्न यह उठता है कि लोक सभा में भी यह प्रश्न महत्वपूर्ण रूप से उठाया गया । आपने केवल मेंशन करने की इजाजत दी थी,

रिकंस्ट्रेशन आपने नहीं किया था। जो मैंने और मान सिंह वर्मा जी ने आपसे निवेदन किया था वह यह था कि इसको कालिंग अटेंशन के रूप में परिवर्तित कर दिया जाय। अब एकाएक उन्हीं लोगों के नाम फिर से मेंशन हो गये हैं और कालिंग अटेंशन आ गया है। वैसे आपको अपना डिस्क्रिशन एक्सरसाइज 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 नहीं 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 आज्ञा देख लें।

श्री राजनारायण : आपके यहां से जो व्यवस्था दी गयी वह उचित नहीं है। मैं आपकी सहायता कर रहा हूँ। 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 ज्यादा लोक महत्व का है और अगर एक समान ही लोक महत्व के चार प्रश्न हों तो तो आप उनमें से एक चुन लेंगे, लेकिन बाकी तीन को रिजेक्ट नहीं करेंगे, आप उनको रख लेंगे और जब दूसरा 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, छः दिन बाद के लिए उसको रख लें।

श्री ना० कृ० शेजवलकर : उसके विचाराधीन शब्द काटे गये हैं। विचाराधीन शब्द उसमें होता तो भी मैं समझ सकता था।

श्री सभापति : मुझे देखना पड़ेगा रेकार्ड, जो-जो बातें इस वक्त बतलायी गयी हैं उनका सारा रेकार्ड देखना पड़ेगा और उसमें टाइम लगेगा।

श्री ना० कृ० शेजवलकर : रेकार्ड 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 सफीशियेन्ट रीजन नहीं पब्लिक इंपार्टेंस के लिए।

दूसरी बात 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 मैटर 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 साहेबान ने कहा है, वह मुझे कंसीडर करने दीजिए। मैं उसको देखूंगा और अगर जरूरत होगी तो मैं जो लीडर्स हैं सब पार्टीज के और ग्रुप्स के उनको भी उस मामले में कंसल्ट करूंगा। यह जो सवाल इस वक्त उठाया गया है यह आउट आफ आर्डर है और उसको मैं ओवर रूल करता हूं।

श्री एस० डी० मिश्र : जब आपने आज्ञा दे दी कि यह कालिंग अटेंशन एलाऊ नहीं करता और आप इस विषय को मेंशन कर सकते हैं 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

[श्री सभापति]

उसके लिए इजाजत दे दूं । तो यह सारी बातें मुझे 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 हूं ।

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 proceding 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 been 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.

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) in 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 BHANDARI (Rajasthan) : Who has put that ?

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

SHRI SUNDAR SINGH BHANDARI : Not yet.

श्री मान सिंह वर्मा : श्रीमन्, जैसा कि अभी हमारे मित्र, माननीय सदस्य श्री शेजवलकर जी ने इस ओर ध्यान दिलाया कि 27 तारीख को यह नोटिस दिया गया था और 29 को इसके लिए कालिंग अटेंशन मांगा गया था । किसी कालिंग अटेंशन में महत्वपूर्ण बात यह होती है कि इम्पार्टेंट ईश्यूज पर सरकार का ध्यान दिलाया जाए । इस विषय में जैसा कि अभी बताया गया, उस दिन इस हाउस में भी डिस्कशन हो चुका है और लोक सभा में भी हो चुका है, किन्तु जहां तक इस प्रकार के अत्याचारों का संबंध है यह हमेशा ही महत्वपूर्ण है, उस समय तक जब तक कि इस प्रकार की वारदातें होती रहेंगी । अभी-अभी माननीय मंत्री जी ने स्पष्टीकरण दिया कि किस प्रकार से वहां दो वर्गों में संघर्ष हुआ और उनमें से उन्होंने एक को तो हरिजन बताया और दूसरे को तथाकथित शेड्यूल्ड कास्ट कहा है । इस से पता नहीं लगता कि दूसरा वर्ग शेड्यूल्ड कास्ट का है या नहीं, किन्तु हो सकता है दोनों शेड्यूल्ड हों और उन मछुआरों के आपस के झगड़े के कारण यह सब हुआ । यह इतनी विशेष बात नहीं है । महत्व की बात यह है कि समय-समय पर इस प्रकार की घटनायें घटती रहती हैं । श्रीमन्, दो वर्ष पूर्व तमिल नाडु में तंजौर के पास एक कलिमनि नाम का स्थान है, वहां पर 13 हरिजनों की, जिनमें औरतें भी थीं और बच्चे भी थे, हत्या कर दी गयी, उनको जिन्दा जला दिया गया और वहां पर कमेटी को ले कर मुझे भी जाने का अवसर मिला और मैंने वहां देखा था . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Confine to this question.

श्री मान सिंह वर्मा : उसी पर आ रहा हूं । उसके साथ-साथ मध्य प्रदेश में भी इस प्रकार की घटनायें घटी ।

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

श्री ना० कृ० शेजवलकर : भूमिका बांध रहे है । इसके बिना कैसे होगा ?

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

श्री के० सी० पन्त : उपसभाध्यक्ष जी, यह जो घटना घटी वह बहुत ही भयानक घटना थी । उसमे चार आदमियो की मृत्यु हुई, उनकी हत्या हुई और उनको जला दिया गया । लेकिन जैसा कि मैने आपसे अभी कहा अपने स्टेटमेंट मे इसकी जड में हरिजनो पर दूसरो का अत्याचार नहीं था, बल्कि आपसी झगड़ा था, कुछ फिशिंग राइट्स के बारे मे यह झगडा हुआ । तो जहा यह निन्दनीय है इसके साथ ही उसकी सीमा भी वही है जो मैं ने अपने स्टेटमेंट में बतायी ।

SHRI BANKA BEHARY DAS (Orissa) : One thing is not at all clear from the statement of the Minister, whether the police reached the place after seven days of the incident because it is much more important. Somewhere some incident takes place, whether between the Scheduled Castes and the Scheduled Tribes or between whoever it may be but the much more important thing is when the police reached there. There is no 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 occurrence of this incident after seven days ?

Sir, after these four people were attacked, assaulted 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 other things, they reached there. Therefore I 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—I 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 killed—two 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—I am not saying 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

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dismissed forthwith? Has such action been taken in the case of Orissa and, if it has not been taken, will the Government of India show its concern and specifically advise the Government of Orissa that law and order should be maintained and amity should prevail 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 I have tried to ascertain 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 Bengal): 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 specifically 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 I said, "You enquire."

(Interruptions)

SHRI G. A. APPAN (Tamil Nadu): How is it that even after asking for the facts the Minister cannot have the facts. The phone is there 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. After all, ...

SHRI PITAMBER DAS (Uttar Pradesh): Is it a fact that you asked them only 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. PANT: After all we can only make the best efforts to satisfy the House which we have done. I hope you are satisfied that we have tried to give you the maximum information that we 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

SHRI K. C. PANT : That is so far as the first point is concerned. The second point that he raised was that they are not Scheduled Castes. Now this report we have received from the State Government that they belong to the Scheduled Castes. I am only going by the report that is given to me by the State Government.

Thirdly, he referred to another incident. I do not have the facts about it with me and therefore I cannot comment upon it.

SHRI SANKA BEHARY DAS : About giving instructions to the State Governments ?

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

The fourth point he raised was with regard to instructions from the Centre in regard to action to be taken in case of atrocities against Harijans.

SARDAR NARINDAR SINGH BRAR (Punjab) : Against everybody.

SHRI K. C. PANT : Particularly about Harijans we have been concerned because we want the implementation of the Untouchabilities Act to be stringent. In 1955 itself a circular letter was issued asking the State Governments to set up State level committees which might go specifically into the implementation of this Act and also review annually what progress is being made, whether...

SHRI BHUPESH GUPTA : You know the failure of the Act has been pointed out.

SHRI K. C. PANT : ...it is satisfactory or not satisfactory and so on. Now a number of States have set up such Committees and that will be helpful. The Central Government has also written to all the State Governments I think in May 1969 and one of the points which has been emphasized is that the investigative agencies and the prosecution agencies should both be particularly careful in seeing that any violation of this Act is attended to 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 tours and take action on that basis also.

KUMARI SHANTA VASISHT (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 with 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 win them over politically for the sake of getting votes, etc. Government may watch out for these sections or groups or political parties who are anxious to get them beaten up first and later on rush to their help.

I would also like to point out that during the last session one of our Members, Shri Ganeshi Lal Chaudhary had raised the question of burning of a Harijan girl in Madhya Pradesh. About that calling attention notice no statement has been made so far by the Government. So I would request the Government to make a statement about that also because this is a regular feature that in the last few months Harijans are being regularly persecuted, harassed and burnt.

SHRI K. C. PANT : Personally I do not think that this question should be looked at from the point of view of

[Shri K. C. Pant]

political parties 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 are committed to carry out the provisions of the Constitution in this matter, I hink, owe it to the country to see that the proper climate develops in which such shameful incidents do not take place.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Mr. Kulkarni.

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

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

श्री राजनारायण : आप कब पुकारेंगे। इतनी उदारता क्यों कर रहे है। अगर वह नहीं थे तो हमको पुकार लेते, यह ग़लती, आपने क्यों की।

KUMARI SHANTA VASISHT : Sir, the 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 about calling others?

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I am coming to you.

SHRI CHITTA BASU : My whole point is that you are not going in the order of priority that has been decided in the Chamber. According to the decision arrived at in the Chamber, Mr. Rajnarain was to be called first.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I said I am sorry and I 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 MISRA (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 I know whether the Central Government has asked 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? Let them say it. Then, Sir, particularly I draw the attention 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 I know whether the Government will categorically say that this matter will be taken up again with the Chief Ministers and that the punishment of flogging will be instituted on those culprits? Otherwise, this type of harassment of the weaker sections will

not go out of this country. It will never go out of this country.

SHRI K. C. PANT : So far as the first two points go, it is with reference to the information supplied by the Orissa Government. Whenever we have approached them for information they have said that they would procure the information for us...

SHRI A. G. KULKARNI : When ?

SHRI K. C. PANT : I cannot say that they are non-co-operative in this matter. Such information as I have with me I have placed before the House. Such information as the House wanted but is not with me I have told you quite frankly. So far as the basic question he has raised about the letter written to the State Governments is concerned, he must understand, and I think he does that the Untouchability Act is under the jurisdiction of the State Governments and, while we are deeply concerned, it is for the State Governments to actually implement the provisions of that Act. So far as his specific suggestion with regard to flogging goes, you know, Sir, that there are certain international conventions adopted in the U.N. and it so happens that there is an international convention against flogging also. India is one of the parties to that convention. I do not know whether that is a feasible proposition, but...

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Flogging is too light a punishment for murder.

SHRI K. C. PANT : Quite right. I think he was not referring to murder alone, he was referring to acts of discrimination. So far as the general question of tightening the punitive measures goes, the Ilayaperumal Committee, to which Shri Bhupesh Gupta referred, has made certain recommendations which have been gone into.

SHRI BHUPESH GUPTA : Since they came into operation, only 1000 prosecutions took place over a period of more than ten years. That was pointed out in the disclosures...

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 I am sure will come before the House when the House will have a full opportunity of discussing this matter.

श्री राजनारायण : श्रीमन्, मैं यह सोच नहीं पा रहा हूं कि हमारा नाम इतनी देर बाद क्यों पुकारा गया। एक बात मैं अभी बता दूं कि यह साजिश जो कार्यालय की हो रही है हमसे नहीं चलेगी, हमसे फ्रेंक, सीधी बात, होनी चाहिये।

उपसभाध्यक्ष (श्री अकबर अली खान) साजिश किसी ने नहीं की।

श्री राजनारायण : किसी ने बताया कि आपने एस० एस० पी० के शाही जी का नाम पुकार लिया, वह नहीं थे तो हमको नहीं पुकारा गया।

उपसभाध्यक्ष (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 के नाम से डिक्टेटरशिप नहीं चलेगी। अगर यह तय हो गया कि किस पार्टी के नाम से बुलायेंगे तो आप कैसे कहते हैं...

उपसभाध्यक्ष (श्री अकबर अली खान) : सवाल करिये।

श्री राजनारायण : एक प्रश्न बड़ा साफ है कि सरकार के सामने इस समय थोड़ा बुद्धि भेद है और मैं अपने मित्र मिश्र जी से भी यही पूछ रहा था कि भाई, यह जो मल्लाह होते हैं, हमारे यहां तो यह शिड्यूल्ड कास्ट में नहीं आते, हमारे यहां उत्तर प्रदेश में मल्लाह शिड्यूल्ड कास्ट में नहीं आते।

श्री महाबीर त्यागी : मल्लाह नहीं मछुए।

श्री राजनारायण : हमारे यहां जो मछुए होते है उनके हाथ का पानी तो हम पहले भी पीते थे, वैसे तो हम सभी के हाथ का पानी पीते है । तो मैं यह जानना चाहता हू कि क्या केन्द्रीय सरकार के विभाग मे यह बात आ रही है कि यह जो उत्तर आ रहा है, किसी वस्तुस्थिति को छिपाने के लिये आ रहा है क्या, कि नही, हरिजनो की हत्या नही हुई बल्कि दो हरिजन गुट ही लड़ गये, किसी हरिजन से बडा कहने वाले ने हरिजन को नही मारा बल्कि हरिजन के ही दो गुट किसी तालाब के लिये या मछली मारने की जगह के लिये लड़ गए और मर गए । मै चाहता हूं कि सरकार इसके बारे मे सफायी करेगी क्योकि जो शुद्ध हरिजन है वह तो मरे अगर दो दलो में लड़ाई होगी तो दूसरे पक्ष को भी चोट आयेंगी । मगर वह मरे है और जलाए गये है और उनके जले हुए कुछ अग-भंग मिले है, इसके बारे में आगे चल कर स्पष्ट हुई है । तो यह ऐसा केस नही है जिसके बारे में यह कह दिया जाये कि हा दो हरिजनो के गुट में लडाई हुई, कोई द्विज की ओर हरिजन की लड़ाई नही थी, यह किसी और अपर कास्ट के साथ लडाई नही थी, यह बैकवर्ड और हरिजन की लड़ाई नही थी । लडाई थी एक तरफ गरीब, अकिंचन, भिखारी, और एक तरफ वह लोग थे जिनके पास कुछ था और जो समाज मे भी कुछ ऊचा स्थान पाए हुए है जैसा कि हमारे मित्र बाकी बिहारी ने कहा । उनकी बात को हम भी समझ रहे है कि यह जिसको आप बैकवर्ड कहते हो, जिसको आप शूद्र कहते हो, शूद्र समुदाय और हरिजन समुदाय जिनका आप अस्पृश्य कहते हो, उनमें लड़ाई हुई और हरिजन जलाया गया । और एक चीज मै पूछना चाहता हू कि जो सरकार के उत्तर से निकलता है । श्रीमन्, 15 अगस्त, 1947 को यह मुल्क आजाद हुआ ।

20 साल इस सविधान को लागू हो गये है । यह सविधान बालिग हो गया है और यह संविधान वोटर हो गया है वर्तमान बालिग वोट के मुताबिक, मगर यह दिमाग कब साफ होगा कि इन्सान इन्सान बराबर है । यह समाज कब बनेगा कि समाज में न कोई छोटा है और न कोई बड़ा है । 20 साल किसी मुल्क के इतिहास में एक बडा युग माना जाता है और 20 साल तक यह सरकार बैठी हुई है । अभी भी वह हरिजनो को हरिजन मानती है । अभी भी देश में बहुत सी ऐसी जगहें हैं जहां पर लोग अपने कुएं से इन लोगों को पानी नही पीने देते है और उन्हें मन्दिरो में नही जाने देते है तथा अपने साथ चलने नही देते है । क्या यह सरकार आज इस हैसियत में है कि वह इस बात का ऐलान कर सके कि कोई भी ससद सदस्य, कोई भी विधान मंडल का सदस्य या कोई भी सरकारी कर्मचारी, अगर वह अपने नुक्ते नजर से किसी इन्सान को अपने से छोटा मानेगा या वह छुआछूत का व्यवहार करेगा तो वह अपने पद से डिसक्वालीफाई हो जायेगा और वह न संसद सदस्य, न विधान मडल का सदस्य और न ही सरकारी कर्मचारी रह पायेगा। क्या सरकार आज इस तरह का ऐलान करने की हैसियत में है क्योकि मैं देख रहा हू कि यह सरकार अभी तक अपने उद्देश्य मे बिल्कुल नहीं पहुंची है । हमारे सामने लॉ मिनिस्टर साहब भी बैठे है । जब मैने इनके बारे में पूछा तो मुझे बतलाया गया कि ये श्री हनुमन्तैया जी है । पहले ये पगडी पहिनते थे, लेकिन आज टोपी में दिखलाई दे रहे है । मैं समझ रहा था कि शायद मंत्री बनकर पगडी उतर जाती है, मगर मत्री बनने पर तो पगड़ी और भी बड़ी हो जाती है । हमारे गृह राज्य मंत्री जी के पास कानून मंत्री जी भी बैठे हैं और इस बारे में वे उनसे सलाह ले ले । मगर मैं चाहता हू कि अगर संसद सदस्य, विधान मंडल के सदस्य या सरकारी कर्मचारी के सम्बन्ध मे कोई भी निश्चित शिकायत आ जाय कि उसने समाज मे कुछ लोगो को नीचा माना है, छुआछूत का भेद किया है, तो उसको फौरन डिसक्वालीफाई कराया जाय जिस जगह पर वह है उस जगह पर से । क्या इस तरह की व्यवस्था यह सरकार करेगी । जब तक इस तरह की व्यवस्था नही करेगी, जब तक

नाम के आगे पंत, सिंह, मिश्रा का शब्द जुड़ा रहेगा या कोई विशेषण लगा रहेगा तब तक यह समस्या 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 हैं क्योंकि समाज की बनावट ही ऐसी है। इस तरह का इस सरकार का उत्तर होगा।

मैं चाहता हूं कि हमारे सुझाव को सरकार किस ढंग से अमल में लायेगी या लाने की कोशिश करेगी ताकि नामों के आगे जो जात-पांत के द्योतक शब्द लिखे रहते हैं, सरनेम होते हैं, उन्हें हटा दिये जाये। नामों के आगे जो विशेषण जोड़ दिये जाते हैं वे सब हटा दिये जायें ताकि न कोई सिंह रहे, न कोई मिश्र रहे और न ही कोई पंत रहे। जब तक इस तरह के शब्द नामों के आगे रहेंगे तब तक मामला बिगड़ता ही जायेगा। इसलिए मैं यह जानना चाहता हूं कि समाज के अन्दर इस तरह की घटनाएं भविष्य में न हों, उसके लिए सरकार कौन सा कदम उठाने की बात सोच रही है।

श्री के० सी० पंत : उपसभाध्यक्ष महोदय, पहिला सवाल जो आपने किया वह यह है कि मल्लाह हरिजन हैं या शिड्यूल्ड कास्ट के हैं या नहीं। जैसा मैंने कहा कि उड़ीसा गवर्नमेंट ने हमको जो रिपोर्ट दी है, वह मैंने आपके सामने रख दी है।

श्री राजनारायण : सो काल्ड।

श्री के० सी० पंत : मैंने 'रिपोर्टेड' कहा और जो रिपोर्ट हमें मिली है वही दी है।

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

श्री के० सी० पन्त : इस तरह के मामलों में हम वही चीज दे सकते हैं जो हमको वहां से रिपोर्ट मिलती है। मैं यहां पर खड़े खड़े मैन्युफैक्चर नहीं कर सकता हूं। उपसभाध्यक्ष महोदय, यह विचार किया जा सकता है कि अगर ये लोग हरिजन न भी हों जैसा आप कह रहे थे, तो ये लोग पूंजीपति भी नहीं हैं और न ही महलों में रहने वाले लोग हैं। ये भी मल्लाह हैं और ये लोग भी वहीं कोई काम करते हैं और बहुत बड़ा फासला इनकी हैसियत 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 मैंने अभी अपने स्टैटमेंट में बतलाया कि पहले दिन उनकी आपस में वारदात हुई थी जिसकी वजह से दूसरे गुट वालों को भी चोट आई, लेकिन इस हत्याकांड की जो भयानकता है वह कम नहीं होती है।

अभी आपने पूछा कि लेजिस्लेटिव मेजर्स लिये गये हैं या नहीं। इस सम्बन्ध में मैं यह निवेदन करना चाहता हूं कि इलैयमेरूमल कमेटी की जो सिफारिशें हैं उस पर सोच विचार करने के बाद लेजिस्लेशन लाने की बात है। इस सिफारिश में सभी बातें इस सिलसिले में हैं कि एम० एल० एज० और एम० पीज़, अगर अन्टचेबिल्टी ऐक्ट को इन्फ्रिन्ज करते हैं तो उनको पनिश किया जाय। उनके ऊपर कार्यवाही की जा सकती है, उन्हें डिबार किया जा सकता है, इस तरह की बातें हैं लेकिन मुझे सारे डिटेल्स याद नहीं हैं। जो कुछ उन्होंने इस सम्बन्ध में कहा है उस पर विचार होगा और बाद में हाउस के सामने लेजिस्लेशन आयेगा। मैं श्री राजनारायण जी की इस बात से सहमत हूं कि जो भी चुने हुए लोग हैं चाहे वे असेम्बली के मेम्बर हों या पार्लियामेंट के मेम्बर हों, उनकी एक विशेष जिम्मेदारी है कि वे एक ऐसा वातावरण पैदा करने की चेष्टा करें जिससे इस तरह की चीजें न हों। इस बात को मैं जरूर मानता हूं।

SHRI CHITTA BASU : Sir, it is not only 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 of 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 Chitta Basu]

an idea about the 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 pay special attention with regard to the uplift of the Scheduled Castes and the Scheduled Tribes? In this case, Sir, may I 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 I know whether the Government is prepared to implement a suggestion of such a nature? 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 I also know whether the Government proposes to have a special cell in the Police Administration to 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 Harijan 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 bustee, 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 pre-planned."

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

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

SHRI CHITTA BASU : It is.

SHRI K. C. PANT : As I have said earlier, we are very much alive to the problem we are very much concerned with 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 will continue to take wherever necessary. I have already indicated that detailed instructions or advice or suggestions have gone from the Central Government to the State Governments

SHRI CHITTA BASU : Sir, I wanted to know . .

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 I said, detailed instructions or suggestions have gone. I can certainly give him all the suggestions if he likes. But I think that will take the time of the House. As I said, particularly they relate to the functions of the police, the functions of those who are in charge of prosecuting these offences under the Untouchability Offences Act, and it is this area which is the most important area. Now so far as the suggestion that the Chief Minister should take over Social Welfare, and particularly the welfare of Harijans Scheduled Tribes, etc., is concerned, I 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 VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Whatever it is, he will take the consequences.

SHRI K. C. PANT : I hope I am serious enough. It struck me as a useful suggestion. I do not know the practical implications or the difficulties. I am reacting to what he has said. Sometimes I may be permitted to react also a Member of the House and as a citizen of the country. So, I think that if the highest authority does pay attention to the specific problem, I personally react well to that suggestion. I do not know the implications. There may be difficulties But that is my initial reaction.

Now so far as the suggestion about creation of a special police cell goes, among the suggestions sent to the State Governments was a suggestion to teach the police, through their training syllabi, the details of the provisions of this Act so that the entire police force would, during the course of training, acquire special knowledge of the Act which would help them later on to implement it. I think the Elaya Perumal Committee made an observation that this was required because it did not find that the police authorities everywhere had full knowledge of the details of this Act. Therefore, I do not think a cell itself will do. The entire police force will have to be aware of the Untouchability Offences Act and will have to be prepared to take quick action wherever it is necessary.

श्री राजनारायण : पन्तजी, इसके मुताबिक काम हो रहा है ?

श्री के० सी० पन्त : कमेटी बनी है सब स्टेट्स में.

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

श्री के० सी० पन्त : उपसभाध्यक्ष जी, अगर ऐसा है तो जब एस० एस० पी० गवर्नमेंट में थी उस वक्त निकाल देना चाहिए था ।

(*Interruptions*)

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

श्री राजनारायण : कहने में कुछ है, व्यवहार में कुछ है । हम बार-बार जेल गए हैं, चरण सिंह के राज में जेल गए हैं । हमारा साथी एक था अकबर, हमने उससे कहा जबरदस्ती घुस जाओ भंडारे में । ब्राह्मणों ने कह दिया , जेल सुपरिटेंडेंट ने कह दिया अब कोई खाना नहीं खाएगा, लोग अड़ 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 द्वारा रिक्वेस्ट कर रहा हू पतन्जी से कि आज उनकी सरकार उत्तर प्रदेश में है, उसे यह आर्डर दे कि जेल मैनुअल बदल दिया जाय । किसी भी जेल मैनुअल के मुताबिक भंडारे में हरिजन या मुसलमान को जाने से रोका नहीं जा सकता ।

SHRI K. C. PANT : About the penal measures which my honourable friend suggested, as I have said, certain tightening 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 reaction 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 he will make a statement on the floor

[Shri G. A. Appan]

of 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 passed for taking the following powers: that the welfare of the Scheduled Castes and Scheduled Tribes and their protection vests with 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 be placed in the hands of the Ministers who are also in charge of the police portfolio? May I 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?

SHRI K. C. PANT: Full details are available in the report of the Ilaya Perumal 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 it is necessary to have another body to collect information from all over the country. The real point is whether we can take adequate action on the information that comes up and it is in that context that I have indicated the measures which are under contemplation of 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 separate Minister and a Central legislation is concerned, following the suggestion of the honourable Shri Chitta 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 police 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 first 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 Harijans and some of them take a special sadistic delight, if I may say so, in killing Harijans. The other day a Harijan peasant was murdered in U.P. by the Congress-*cum*-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. He 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 lower level do not even know the existence of the Untouchability Act. The report further makes the staggering disclosure that although this has been taking place all over the country every day from the time of passing 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 into these specific cases. Secondly, I would 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. The 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 there 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?

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 Untouchability 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 were 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 : Do 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, I 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 extremely 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 was—said 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 landgrab 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 Communists instigate them and then they withdraw. They instigate the innocent Harijans 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 : श्रीमन्, एक बात मैं साफ कह देना चाहता हूं कि मैं श्री लोकनाथ मिश्र जी को कांग्रेचुलेट करता हूं, चाहे उन्होंने सवाल न किया हो, लेकिन एक बहुत सही बात उन्होंने कही है। मैं श्री भूपेश गुप्त जी को और उन दलों को कहना चाहता हूं कि जो गरीबों को उभाड़ने और जमीन पर कब्जा करने के लिए लोगों को हिंसक बन जाने को कहते हैं कि अहिंसक क्रान्ति का नेता तो आगे होता है और हिंसक क्रान्ति 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 हूं।

उपसभाध्यक्ष (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 State Government who can take whatever action they like. In all humility I think we should not resist any information of this kind seeing the light of the day because unfortunately there are many such incidents and even in Orissa in the last few weeks there have been other incidents. So we should do a certain amount of introspection in this matter. I think a certain amount of publicity in all these things will help us in tackling this question.

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

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.