

Obviously they have not tried to get it for their own reasons. May I know, Sir, how many former Ministers at least and/or defeated candidates in the elections are currently employed in public sector undertakings or in Foreign Service? I am narrowing down the question so that he can give the answer,

SHRI VIDYA CHARAN SHUKLA: Sir, as usual the hon'ble Member is quoting only what suits him. Here the question says:—

"whether it is a fact that many ex-M.P's. defeated in the Fourth General Election have been appointed to various Committees, Public Sector Projects and Foreign Service recently?"

There are so many committees appointed at so many places. We do not have this information because various departments appoint these committees. If it was a question of only Foreign Service we could have got the information and given it to the hon'ble House. I want to assure the House that we are not interested in hiding any information. And, Sir, if you so direct we shall collect the information and lay it on the Table of the House. We have no inhibitions about this matter.

SHRI BHUPESH GUPTA: The position is quite clear. Suppose I ask information about the Himalayas or the Indian Ocean then I can understand. For giving particular information about the Indian Ocean one need not go to the Indian Ocean. If he does not have the information he can certainly say. But he can certainly say how many are in Foreign Service. Will you kindly pass a stricture? If they do not have hundred per cent, information, certainly, there is no reason why they should not give 10 per cent. information. And Foreign Service is a Central subject. Again and again I say that Foreign Service is a Central Department and the States do not come in. Why are they hiding the information?

SHRI VIDYA CHARAN SHUKLA: I am not hiding. Sir, if you so direct, I will

I am prepared to collect the information and lay it on the Table of the House under your direction. I have already stated that I am not interested in hiding any information from the House.

MR. CHAIRMAN: You may collect the information and lay it on the Table. The Question Hour is over.

12 NOON

SHORT NOTICE QUESTION AND ANSWER

BURNING ALIVE OF A PERSON BELONGING TO SCHEDULE CASTE IN ANDHRA PRADESH

7. SHRI KOTA PUNNAIAH: t

SHRI M. V. BHADRAM:

SHRI KESAVAN (THAZHA-VA):

SHRI N. PATRA:

SHRI Y. ADINARAYANA REDDY:

SHRI PATIL PUTTAPPA:

SHRI K. P. MALLIKARJUNUDU:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a person belonging to Scheduled Caste was burnt alive in village Kanchaka-cherla in the District of Krishna, Andhra Pradesh;

(b) if so, what are the facts of the case; and

(c) what action has been taken by the Central Government in the matter?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): (a) to (c) A statement is laid on the Table of the House.

The question was actually asked on the floor of the House by Shri Kola Punnaiah.

STATEMENT

Burning of a person belonging to Scheduled Caste in Andhra Pradesh.

According to the information received from the Government of Andhra Pradesh, on 24th February, 1968, a Harijan boy was caught by villagers of Kanchikacherla, Krishna District, for committing the theft of some brass vessels. He was taken to a hotel where he had sold the vessels and the stolen articles were thereupon recovered. The villagers then took him to a pandal and tied him to pole, beat him and set fire to his clothes which resulted in extensive burns. He went to a Police Station and made a complaint. The police registered a case under Section 326 IPC and sent him to Nandigama Government hospital and from there he was shifted to Vijayawada hospital for treatment. He died on 26th February, 1968. The accused persons are absconding. Vigorous efforts are being made to apprehend them. The Central Government are in touch with the State Government.

SHRI G. RAMACHANDRAN: May I suggest that in view of the importance of this matter, the answer may be read so that the House may listen to what the statement says.

SHRI VIDYA CHARAN SHUKLA: It is there in the Notice Office

SHRI G. RAMACHANDRAN: I know it is there. But still the matter is of such importance, that I would suggest that the statement may be read.

SHRI Y. B. CHAVAN: I have no objection if you order it, Sir.

SHRI BHUPESH GUPTA: It is a small thing.

SHRI Y. B. CHAVAN: Sir, according to the information received from the Government of Andhra Pradesh, on 24th February, 1968, a Harijan boy was caught by villagers of Kanchikacherla, Krishna District, for committing the theft of some brass vessels. He was taken to a hotel

I where he had sold the vessels and the stolen articles were thereupon recovered. The villagers then took him to a pandal and tied him to a pole, beat him and set fire to his clothes which resulted in extensive burns. He went to a Police Station and made a complaint. The police registered a case under section 326, I.P.C., and sent him to Nandigama Government hospital and from there he was shifted to Vijayawada hospital for treatment. He died on 26th February, 1968. The accused persons are absconding. Vigorous efforts are being made to apprehend them.

SHRI KOTA PUNNAIAH: May I know how many villagers were involved in tying him to a pole, beating him and setting fire to his clothes which resulted in his death? Will the hon'ble Minister be kind enough to give the names and also tell us how many days our kind Government will take to apprehend the culprits who are absconding?'

SHRI Y. B. CHAVAN: Sir, I have not got the names of all persons concerned because it is again a matter of investigation and most of them are absconding. But certainly, Sir, I do consider this as a very sad, shame-j ful, condemnable and barbarous act, and I can understand the anger with which the hon'ble Member is putting his questions. I can assure him that I will impress upon the Andhra Government to look at the matter very seriously. I will personally talk to the Chief Minister.

SHRI KOTA PUNNAIAH: As this incident is not a rare one and as there have been many such incidents where Harijans were murdered, will the Central Government investigate the case and see that justice is done to the Harijans in general and to the family of the deceased in particular?

SHRI Y. B. CHAVAN: Sir, formerly some incidents were mentioned here and we had asked the State Governments to make investigations about the matter, I do not know exactly what he has in his mind. But unfortunately some cases were reported from Madhya Pradesh and in Bihar. I do not remember the place exactly

AN HON. MEMBER: Aligarh, U.P.

SHRI Y.B. CHAVAN: Yes, it is U.P. So, Sir, in these matters, as I have said, certainly the State Governments are taking necessary steps.

SHRI BHUPESH GUPTA: They are not taking action.

SHRI RAJNARAIN: Sir...

MR. CHAIRMAN: There are seven names here. It is but just and proper that I should exhaust these names first and then come to you. Mr. Bhadram.

SHRI M. V. BHADRAM: Sir, before I put my supplementary, I would like to draw the attention of the Home Minister to an incident in the Aligarh University. A Harijan student was elected as one of the officebearers of the Aligarh University and some of the students and the Principal of the college also persuaded him to resign from that post, but he refused. Later on he was found murdered. Therefore, insecurity for the Harijans is the main problem that has come up. It also came up on the Moor of the House regarding Madhya Pradesh. In this particular case, the incident took place on 24th February and the boy died on the 26th February. To-day is 20th March. Yet the culprits have not been apprehended so far. The statement says that they are evading arrest, that they are absconding. I would like to know whether some of the Congress M.L.As. of that State are interested in the main person whose name is Gadde Veera Nagiah, who is responsible for this. They are interested in him. So he is not being arrested by the police in this connection. Will the Government take serious steps now to see that the culprits are apprehended in this case?

SHRI Y. B. CHAVAN: Sir, I object to this sort of suggestions being made that some party member was involved in this or that. It is a very wrong way of looking at the matter. I have condemned this thing and I know the State Government is taking interest in the matter.

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SHRI KESAVAN (fTHAZHAVA): Sir, very often we hear that Harijans are attacked, they are killed, their houses are burnt and their properties are looted. So, also we hear that Muslims are attacked, their houses are burnt and their properties are looted.

MR. CHAIRMAN: You please ask with reference to this case. There is no use of putting it in a general way. Of course, we all sympathise.

SHRI KESAVAN CTHAZHAVA): I am asking my question. Thife is such a very dangerous and deep-rooted disease as to mar the good name of our country and to deter the progress and unity of the country. What I want to know is whether the Government has got any shock treatment so that this dangerous disease can be eradicated once and for all? If so, what is that treatment?

SHRI Y. B. CHAVAN: Sir, I think the most important thing in this matter is that when siHch heinous crimes are committed, when antisocial attitudes are asserted this way the law must assert itself very firmly against such things. That is one thing.

SHRI KESAVAN (JTHAZHAVA): The law must be set in motion very fast to apprehend those who are at the bottom of these most barbarous acts.

SHRI Y. B. CHAVAN: Whoever they are, thoy must suffer the consequences. I have no doubt about it in my mind.

SHRI N. PATRA: Sir, medieval methods of torturing people to death are being practised even after 20 years of independence. It is a shame to all those who have taken the responsibility of representing people in the legislature and who have taken up the administration of the country. In the elections, though we call ourselves representatives of different parties, still we depend upon casteism, to get elected. This is a deep-rooted malady. Therefore, I want that the Government should take deterrent steps whenever such occasions arise.

SHRI Y. B. CHAVAN: I agree with the hon. Member.

श्री राजनारायण : जो मंत्री जी ने उत्तर दिया उसमें लिखा है कि वह पन्डाल में ले जाया गया और वहाँ एक खम्बे में बांध दिया गया और फिर उसमें आग लगा दी गई। इसके बाद आगे कहा गया है कि वही आदमी जिस के कपड़े पर तेल छिड़क कर आग लगाई गई थी, वह खुद पुलिस स्टेशन पर गया और जाकर रपट लिखाई। हमारे सजग घर मंत्री जी को जो रपट मिली है।

अब आगे देखा जाए। मैं यह जानना चाहता हूँ कि साढ़े तीन बजे शाम आग लगी, वह पुलिस स्टेशन पर कब गया, उसको खम्बे में किसने छड़ाया, जब तक उसके तमाम कपड़े जल नहीं गये वह अपने से गिर गया या कंगे गिर गया, यह सब रहस्य है और इस सम्बन्ध में कुछ नहीं बताया गया है। जिन लोगों ने उसके कपड़े पर किरोसीन आवन डालकर उसके कपड़े में आग लगाई वे एक था या दो थे? सीधा सीधा सवाल है फिर भी एक महीने की देर हो गयी 24 फरवरी को एक महीना पूरा हो रहा है और अभी तक वे गिरफ्तार नहीं किए गए, वे एव्सकोड कर रहे हैं। यही उत्तर घर मंत्री को अगर यहाँ देना है और इसी से वे अपने को जस्टी-फाइंड समझते हैं तो खुदा या भगवान हम लोगों को बचा पाएगा या नहीं यही हमारा सवाल है। जो लोग एव्सकोड कर रहे हैं उनकी संपत्ति जल गई या नहीं यह भी अभी तक मंत्री जी ने नहीं बताया। उनको गिरफ्तार करने के लिए जो कानून के अन्दर तमाम मेजसे हो सकते हैं वे अस्तियार किए गए या नहीं, इसकी कोई जानकारी माननीय घर मंत्री एक महीने के बाद भी नहीं दे रहे हैं। इसलिए श्रीमन् मैं आपकी शरण में आ रहा हूँ कि आप माननीय घर मंत्री जी से कहें कि कम से कम जो पूरी कार्रवाई कानून के तहत इतने घृणित, अमानवीय और

नारकीय काम करने वाले के विरुद्ध होनी चाहिये वह क्यों अभी तक नहीं की गई ?

SHRI Y. B. CHAVAN: Sir, the hon. Member has always the habit of either misunderstanding things or misrepresenting things. This thing happened on 24th February but I had no notice of it here. I received this question as Short Notice Question and I accepted it. to focus the attention of this hon. House on this incident. And whatever information I could get by a wireless message, I have tried to give. Naturally I will have to go into the details of it.

SHRI BALACHANDRA MENON: In view of the fact that the accused absconding, will the Centre at least be pleased to tell the State Government to declare these people as absconders, so that every policeman will be out to get at these people?

SHRI Y. B. CHAVAN: I am sure the State Government itself is aware of the seriousness of the offence committed. I can assure the hon. Members that I will certainly convey the feelings of this hon. House and talk to him personally.

"Attempt to murder. culpable homicide not amounting to murder."

SHRI Y. B. CHAVAN: Yes, quite natural; that, is very obvious. This offence was

श्री जिलोकी सिंह : क्या इस बात को ध्यान में रखते हुए कि इस लड़के को पीटा गया, खम्बे में बांधा गया। उसके कपड़ों में आग लगाई गई और उसके बाद उसकी मौत हो गई, माननीय मंत्री जी आंध्र प्रदेश की सरकार को लिखने की कृपा करेंगे कि 326 ताजीरात हिंद की जो दफा लगाई गई है वह मुनासिब नहीं है बल्कि इसमें इन तमाम बातों का ध्यान रखना जरूरी है क्योंकि इसमें यह जुर्म भी है।

probably registered on the first, day when he went with a complaint. But as the offence developed, it certainly is changing its seriousness. But this is a matter of

further investigation when they put in the charge-sheet, etc. The hon. Member is a lawyer. I think he knows the procedure.

SHRI BHUPESH GUPTA: Sir, the hon. Home Minister should not give this answer. He says "..... as the offence developed.....". The statement is on the basis of what the Andhra Pradesh Government has supplied to him. It is said:

"The police registered a case under Section 326 IPC and sent him to Nandigama Government Hospital and from there he was shifted to Vijayawada hospital for treatment. He died on 26th February, 1968".

The answer is being given almost after a month but there is no indication at all whether the charge-sheet or the challan has been changed. Now that shows the way they were dealing with this matter. Actually it is a clear case of murder—302. I do not know whether you have been charged for murder in your life. I have been. But how can you be charged? You are a Gandhi-ite.

SHRI G. RAMACHANDRAN: What do you mean by saying "You are a Gandhi-ite"? How can a Gandhi-ite come into the picture of murder with which you are dealing now?

(Interruptions)

SHRI BHUPESH GUPTA: I say he has not been charged for murder

..... (Interruption). All that I wanted to say is that people will not know unless they face such things. My friend has not faced any such thing, I know. Therefore here was a clear case of charging with murder, at least an attempt to murder—307. Even section 307 is not mentioned. Assuming that the person has not died, at that time surely the case was such as to suggest that it was an attempted murder. But nothing has been done. I should like to know whether it is a fact that action is not being taken because some landlord element is trying to exert his influence in order to see that the case is not seriously pursued and at

least there is no murder charge or similar charges. Is he aware of it

SHRI Y. B. CHAVAN: I am not aware of such things but if there are such things, certainly they will have to be fought with very seriously. I can assure this hon. House that we will take up this matter very seriously and pursue it.

SHRI G. RAMACHANDRAN: Sir even if this was a case of ordinary murder, the law would take its own course. The law always takes its course, where there are acts of this kind. Naturally, therefore the same thing will happen. But there is an additional element in this. It was a Harijan boy, not only a Harijan but a boy. Now I want the Home Minister not to treat this as a normal murder under normal conditions. I am glad that when I say to the Home Minister "Will you please read it?" he has the humility, he has the goodness to read it, though his Minister of State arrogantly waved his hand and said "The paper is on the Table". I would ask Mr. Shukla to learn the lesson of humility from his senior Minister. Now, Sir, I want you to realise that this is a very, very serious thing, as I know you will. An answer must go out from this House of the Parliament which will ring across this country to prove that this is a kind of thing which this nation will never tolerate. Therefore, I would make this suggestion, because you are one of those who respond to a suggestion like this in a better spirit of accommodation than your Minister of State. Now what do I say? Please send a representative, a special representative, a senior officer or somebody in whom you have complete confidence. Let him fly out tomorrow, let him reach the place, let him get into touch with everybody and let his report come to you and you give us the substance of that report and the action you take. I am quite sure this is the least that this nation will demand from you in the case of the murder of a Harijan boy.

SHRI Y. B. CHAVAN: Sir, I must say that I certainly agree and share his sentiments. It is exactly with that attitude of protest against this very

idea of such a thing happening that I accepted this Short Notice Question, so that we can focus the attention of the country and certainly this Parliament will have the opportunity to express its concern over this matter. I look at this question this way. So whether I should send an officer immediately or not, it is a matter which I think he can leave to my judgment. If that is necessary, I can think of that also. But I do not want to rush in like that. I think you can leave that matter to my judgment. I am answerable to this House and I will come back with more facts.

SHRI A. P. CHATTERJEE: Whenever such questions arise, we always hear this statement that the law will take its course. As I see it, the law is not a volitional creature and whenever something wrong takes place, the law does not begin to activate itself on its own motion. The law merely is an instrument in the hands of the ruling party. Therefore, the instrument has to be used. The point is this. Has this instrument of law which is at present in the hands of the ruling party in Andhra Pradesh been used or is going to be used properly and efficiently? Will the Home Minister assure the House that this instrument of law will be set in motion and will be properly used and he will see to it that it is properly used? I am raising this apprehension for this reason that the law as an instrument has not been used in Andhra Pradesh because though the man died on the 26th, yet, the charge is framed under Section 326. The Home Minister said that the charge develops. I am a practising lawyer. I do not know how actually he can say it. A person is burnt alive and the police gives a charge-sheet or challan under Sections 307 or 302. How the charge develops? If that is the way in which the Home Minister's mind is working, then I have grave doubts that the instrument of law will not be properly used at all. The Home Minister should have come forward and said: 'Yes, the law, as an instrument has not been used properly and efficiently by the Andhra Government and we shall see that it is properly and efficiently used' Will the Home Minister in-

stead of trying to shield the action of the authorities there, assure the House that the law will be used properly and efficiently?

MR. CHAIRMAN: After what the Minister stated, I think you are exuberating the matter.

SHRI Y. B. CHAVAN: Sir, I must answer this. The Member is a lawyer. I thought he is a good lawyer but he does not understand the process of investigation. What I read was, the offence was registered under Section 326 and it was registered when the man himself went with a complaint. So when that man was complaining about an offence how could it be registered under Section 302? If the man subsequently dies, then certain things develop. It is a matter of common sense. He says he is a practising lawyer. Possibly he only functions at the High Court level and does not know how a case is constructed at the level of the lower courts. I am a lawyer who has also practised in the lower courts.

SHRI BHUPESH GUPTA: That I agree with and every day we realise it.

श्री राजनारायण : अगर, श्रीमन् घर मंत्री लाइयर हैं तो जानते होंगे कि अगर कोई मर जाय तो उसे मरने के बाद सेक्शन बदल जाता है। जिस सेक्शन में केस रजिस्टर हुआ थाने में उस सेक्शन की इन्फार्मेशन नहीं आनी चाहिए। अगर ये लाइयर हैं और नीचे के कोर्ट्स में इन्होंने प्रेक्टिस की है तो इन्हें समझना चाहिये कि जब एक आदमी मर गया तो जो दफा थाने में लिखी गई थी वह अपने आप बदल जानी चाहिए। यह सूचना आनी चाहिए थी कि अब उसके ऊपर कौन सी दफा चल रही है।

SHRI P. N. SAPRU: The matter is of deep concern to us all and it is a matter of great reflection that a thing like this should have happened twenty years after independence in this country that a Scheduled Caste boy is killed. I would like a small action of two or three Members

IV(ni Parliament to go to the spot with officers deputed by the Home Minister, so as to show that Parliament is concerned with what has happened. It will be a gesture of humanity on the part of Parliament to do this.

SHRI Y. B. CHAVAN: If Members of Parliament want to go on their own, it is a different matter but I will not suggest a team of Members going. When investigation is going on there, I do not think it will be proper but as far as the concern of Parliament is concerned, it was exactly for that very purpose that I accepted this question, and I have repeated it again and again.

WRITTEN ANSWERS TO QUESTIONS

DREDGERS AT COCHIN PORT

*691. SHRIMATI DEVAKI GOPI-DAS: Will the Minister of TRANSPORT AND SHIPPING be pleased to state:

(a) the present number of dredgers which are available at the Cochin Port and how old they are and whether sufficient dredging is being carried out there to enable the ships to moor ashore; and

(b) whether it is a fact that enough facilities for the shipping traffic are not available there?

THE MINISTER OF TRANSPORT AND SHIPPING (PROF. V.K.R.V. RAO): (a) There are at present three dredgers at Cochin Port viz. Suction dredger 'Lord Willingdon', the Bucket dredger 'Lady Willingdon' and Suction dredger 'Gunga' recently acquired by the Cochin Port authorities from the Calcutta Port Commissioners. The dredgers were built in 1926, 1937 and 1923 respectively. Subject to the limitations of the capacity of the dredging fleet, the Cochin Port authorities have been carrying out the maximum possible amount of dredging in the approach channel and the berths,

(1.) The Cochin Port authorities, for some time past have been unable to provide a draft of 30 ft. to ships, which they are normally expected to provide, as they had been unable to undertake the requisite dredging in the channel and the berths on account of the insufficiency of their dredging fleet. Remedial measures are under way. The dredger 'Lady Willingdon' was worked on a double shift of 12 hours each for dredging the inner channel for four months from 4-9-1967. A second hand dredger 'Gunga' has recently been acquired by the Cochin Port authorities from the Calcutta Port Commissioners. Tenders have been received for the acquisition of a new suction dredger and a grab hopper dredger and are under scrutiny by the Port Trust. Specifications for a new bucket dredger are being drawn up by the Port Trust and in the meantime, the proposal is being processed for financial sanction. It is hoped that, with the operation of dredger 'Gunga' and the proposed acquisition of new dredging craft, the port authorities will be able to meet their dredging commitments and overcome the problem of siltation which has been responsible for the inadequacy of facilities for the Shipping Traffic.

SELECTION OF CANDIDATES BY INDIAN AIRLINES TO TOUR FOREIGN CITIES

*693. SHRI B. V. ABDULLAH KOYA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that candidates have been selected by the Indian Airlines to tour foreign cities like Washington, Tokyo, Frankfurt etc. for attracting to India foreign tourists and projecting the image of Indian Airlines; and

(b) if so, whether this scheme has been introduced with the approval of the Ministry of Finance?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR KARAN SINGH): (a) No, Sir,

(b) Does not arise.