

policy of the Board, half of it being foreign component? Therefore, is it not good that the hon. Minister should circulate the agreement and related matters to the university professors and others, Vice-Chancellors and so on, and seek the opinion of the teaching community in the country as to how they view this matter instead of trying to brush aside what I have said by saying that I draw a red herring?

SHRI M. C. CHAGLA: Before this announcement was made there were consultations in Delhi between the Minister of Education, the University Grants Commission and the American Embassy. Details have not been worked out, but I again want to give an assurance to my hon. friend and to this House that in determining the policy it will be a policy which will be of benefit to our country and will in no way be influenced by American pressure or American opinion.

MR. CHAIRMAN: The House stands adjourned till 2.30 in the afternoon.

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

The House reassembled after lunch fit half-past two of the clock, The Vice-Chairman (SHRI M. P. BHARGAVA) in the Chair.

SHORT DURATION DISCUSSION RE TRIBAL UNREST IN BASTAR AND THE GOVERNMENT OF INDIA'S ATTITUDE THERETO

SHRI BHUPESH GUPTA: (West Bengal) : Mr. Vice-Chairman, Sir . . .

SHRI K. K. SHAH: (Maharashtra) : Sir, I want to raise a point of order. The matter that is . . .

THE VICE-CHAIRMAN: (SHRI M. P. BHARGAVA) : You want to raise a point of order on what? On what is before the House?

SHRI K. K. SHAH: Notice has been given and the motion has been admitted. Therefore, . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Let him move.

SHRI K. K. SHAH: Even before that I am entitled to raise a point of order. After

he has moved, the discussion is likely to go on . . .

SHRI BHUPESH GUPTA: On a point of order . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Gupta, let me first I hear him.

SHRI K. K. SHAH: Mine is a question 'about the admissibility of this motion. I raise the question about the motion itself! now, not after the motion is moved. Sir, it is before the House and it has been circulated and therefore I am entitled to raise, the question about the admissibility of this motion and you are entitled to reconsider it even though you have admitted it. I am not challenging the authority of the Chair to admit the motion. But I am entitled

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : May I know, Mr. Shah, which is the motion you are referring to?

SHRI K. K. SHAH: About the notice of the motion that is given and which is admitted and which has been circulated.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : What I have before me is: "Shri Bhupesh Gupta to raise a discussion on the recent tribal unrest in Bastar and the Government of India's attitude thereto."

SHRI K. K. SHAH: May I point out that under Rule 176 and Rule 167 . . .

SHRI DAHYABHAI V. PATEL (Gujarat) : Rules 176 and 167 are all the same.

SHRI K. K. SHAH: Rule 167 says:

"Save in so far as is otherwise provided by the Constitution or by these rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Chairman."

The next is :

"Notice of the motion shall be given in writing addressed to the Secretary."

That is Rule 168.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Rule 168?

SHRI K. K. SHAH : Yes, it says :

"Notice of the motion shall be given in writing addressed to the Secretary."

Therefore, no motion can be mad* unless the notice is admitted.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You are probably referring to a wrong chapter. The discussion is being raised under Rule 176.

SHRI K. K. SHAH : Even in Rule 176, Sir . . .

SHRI BHUPESH GUPTA : What is it ? His point of order was in regard to a particular rote. Now he is shifting hit ground.

SHRI K. K. SHAH: Sir, both the rules are the same. In both the things . . .

(Interruptions)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Let him have his say.

SHRI K. K. SHAH : Rule 176 says :

"Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised :"

Therefore, when a notice is given, unless the notice is accepted, it cannot be raised before the House. Notice has been accepted . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I may tell you, Mr. Shah, that the Chairman has admitted this discussion and after his consent it has come on the Order Paper. Mr. Bhupesh Gupta.

SHRI K. K. SHAH: Sir, I want to bring to your notice that you are entitled to revise your opinion about admitting a motion. I am clear . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I do not want to revise it at this stage.

SHRI BHUPESH GUPTA : Such is the confusion in the ruling party; I can understand your confusion.

Mr. Vice-Chairman, I rise to raise a discussion on one of the greatest crimes perpetrated by this regime in Madhya Pradesh

for which generations of Indians will hang their heads in ihame and in profound ' sorrow . . .

SHRI AKBAR ALI KHAN (Andhra Pradesh) : Sir, may I request you to allow him to sit down and speak because he is suffering from a severe pain in his legs ?

SHRI BHUPESH GUPTA : When I am up against this haughty power, I forget all my pain.

Now, I would like to say that what happened in Bastar was nothing but mass massacre and slaughter, calculated and cold-blooded. The offensive was all along on the side of the power that be and the police force. Mr. Vice-Chairman, we attach great importance to this discussion in this House and in the other House because it looks as though we are entering from the parliamentary arena into an arena where absolute lawlessness, authoritarianism, blood-bath and agony prevail. (Interruptions) I am not going into the subject very much because on behalf of our party, we sent Comrade M. N. Govindan Nair and Comrade P. K. Kuma-ran, two Members of this House, and Shri Mishra, a Member of the other House, to that area, Jagdalpur and other places, and they have brought what we all want to know. They got as much material as they could gather there, a tale of murder, a tale of crime, a tale of shame, a tale of villainy, on the part of those people who are sitting there. Well, I have not specially in my mind Madhya Pradesh. Therefore I leave it to my esteemed colleague, Comrade Govindan¹ Nair to relate to this House in all seriousness and solemnity the tale of this great and monumental crime. I would only appeal—reserving to myself the right of reply—to the hon. Members opposite : Do not, please, treat as a party issue this subject. The men who are still there perhaps do not belong to any of the parties represented in this Parliament. The Rajah belonged to the vested interest. Well, you know what is our stand with regard to it. But for the sake of civilisation and for the future of Indian democracy, for the sake of decency and morality in public life, please be seized of this matter in an objective spirit and in a manner in which responsible men should consider and discuss it. The guilty must be called to

account, indicted and punished. In any other country, Mr. Vice-Chairman, the Government would have been shaken by such developments.

SHRI K. K. SHAH : Sir, I rise on another point of order. The point of order is this that he has described it as a grave crime and all that and he is requesting this House to take an objective view. This matter is already before a court of law

SHRI ATAL BIHARI VAJPAYEE (Uttar Pradesh) : Not before a court of law

SHRI K. K. SHAH : Will you bear with me?

SHRI BHUPESH GUPTA: We will not bear with you, You cannot ask us to bear with you.

SHRI K. K. SHAH : Please bear with me. A Judge has been appointed to look into the incidents of Bastar and a court of inquiry is a court of law. Even though there is no corresponding rule in this House, there is a rule framed in the Lok Sabha which bars discussion on any issue which is before a court of inquiry or before any court or before any inquiry that is conducted by a High Court Judge. The very grave point that is involved in this issue is this that it is laid down in all the judgments of High Courts that anything which is likely to affect—it may not affect, but I know that it is likely to affect—the mind of a Judge making an inquiry into the incident should be avoided. And therefore

SHRI M. N. GOVINDAN NAIR (Kerala) : On a point of order

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : He has not finished.

SHRI K. K. SHAH : Therefore, when a reference to the incident

SHRI BHUPESH GUPTA: Sir, I ask : It he speaking on a point of order?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Yes.

SHRI K. K. SHAH : My friend just now requested that we take an objective view

(Interruptions)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Please.

SHRI K. K. SHAH : I am only saying that this matter is being inquired into by a Judge of the High Court and any matter which is likely to affect even his opinion—it may not affect—should not be discussed on the floor of the House. This is a cardinal principle accepted in any legislature. It may be that tempers may be running high, it may be that we are vitally upset. But still there is a greater and a more vital principle and that principle is that anything that is likely to affect the mind of the Judge should not be raised on the floor of the House.

SHRI ATAL BIHARI VAJPAYEE: Sir, with your permission

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Well, this House has always conducted its proceedings in a graceful and dignified manner. I would appeal to all Members not to get excited, but to say gracefully and calmly what points of view they have to press before the House. And there should not be any excitement. Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA: Sir, I am glad that you have treated this point of order in the manner in which it deserves to be treated. I congratulate you.

SHRI AKBAR ALI KHAN : He has not given any ruling on the point of order.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Bhupesh Gupta, I do not want to have an argument on the point of order. I would appeal to the House. I have not called the Law Minister to explain his point of view. If you go into that, there will be a debate on the point of order. You carry on in a calm and peaceful atmosphere.

SHRI BHUPESH GUPTA: That is why I congratulated you, Sir.

(Interruptions)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Please, order, order. Let him continue now.

SHRI BHUPESH GUPTA : let me at least calmly congratulate you. Now the position is this. My friend, Mr. M. N. Govindan Nair, will be telling you all that he has seen on the subject.

SHRI ARID ALI (Maharashtra) : Sir, what is your order about the point of order ? It has to be disposed of first.

SHRI BHUPESH GUPTA : Do I have to speak on the point of order?

THE VICE-CHAIRMAN (SHRI M. f. BHARGAVA) : Does the House want to discuss the point of order first ?

SOME HON. MEMBERS : No, no.

SOME HON. MEMBERS : Yes.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I will ask the Law Minister to explain the position. Mr. Bhupesh Gupta, please sit down.

SHRI BHUPESH GUPTA : How is it ?

SHRI ATAL BIHARI VAJPAYEE: How does the Law Minister come into the picture ? May I submit that an hon. Member has raised a point of order. Now we should be allowed to contest that point of order. Where does the Law Minister come into the picture ?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The Law Minister comes into the picture to give legal opinion on the matter raised. I am not giving a ruling at this moment. I want to hear what the people have to say on the point of order. When the point of order is decided, only then the debate will proceed.

SHRI ATAL BIHARI VAJPAYEE: You should allow us to tell the House our view point so that the Law Minister may give his opinion on our view point also.

SHRI LOKANATH MISRA (Orissa) : After the point of order was raised, you wanted the opinion of the House whether *yan* should discuss the point of order or not. The House was of the opinion that it should not be discussed.

SHRI BHUPESH GUPTA: I want a division on it.

AN HON. MEMBER : No division. You keep sitting there.

SHRI M. N. GOVINDAN NAIR : To*ny want to waste the time of the House by raising a point of order.

SHRI BHUPESH GUPTA : May I help you. Mr. Vice-Chairman, in the matter?

(Interruptions)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : One at a time, please.

SHRI BHUPESH GUPTA : We should try to help you even if you may not need our help. You asked and it was very nice of you—whether we should discuss the point of order. There were voices. According to us it was "No" while according to some it was "Yes". One does not know where we stand.

SHRI AKBAR ALI KHAN : But the Chairman has decided that U is "Yes".

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Akbar Ali Khan, please.

SHRI BHUPESH GUPTA: Now, here in the House an Hon. Member raises a point of order. Now the point is if somebody there wants to oppose this point of order, the next chance should be given to us if we want to support the point of order. He can also speak. In that context, I do not know what the Law Minister is going to say. Having known our Law Minister all this time, we have not much faith in him

THE VICECHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Bhupesh Gupta, no remarks, please.

SHRI BHUPESH GUPTA : I am entitled to remarks.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No. Let us consider the point of order. This kind of remarks I will not permit.

SHRI BHUPESH GUPTA : You need not permit this thing. But is it unparliamentary or against the rule ?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You should not say

SHRI BHUPESH GUPTA: How do you know what I am asking for? I have not said whether it is good or bad. Having

known our Law Minister, as he is, I have not much faith. It is a personal matter.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Anything said on the Hoar of the House is not a personal matter.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, I do not have faith in this Government. Mr. Vice-Chaxman, I have faith in you but I do not have any faith in this Government. Can I not say this thing? Therefore, I say, you hear us on the point of order. He has raised the point about constitutionality. You will see there is no constitutional bar to discussing this thing at all. That is number one. Number two, something is being said about this matter. I will remind you of precedents. When the Chagla Commission—there sits our gentleman—was discussing the L.I.C. thing, we not only discussed it, we raised questions, supplementaries, calling attention and so many things. Thirdly, it is not a question of some individual accused as in a court of criminal law. Here it is a question of the Government and authority. Certain provisions are being investigated into, certain occurrences. Therefore, nobody that way is being pre-iiidided. I assume the Government is in-.e-rcsted in the discovery of truth. Therefore, herein it is not a question of prejudicing anybody as against anybody. It is a question of searching for the truth. Maybe, I may do it in a particular way and others may do it in another way. But there is no conflict in this matter so as to be contended by anybody that a particular party to a litigation or a dispute will be prejudiced. Therefore, the question does not arise.

As regards the question whether the Judge will be prejudiced, I take it our Judges' mind cannot be so easily influenced. Am I right, Mr. Chagla? Therefore, the question does not arise. And we shall not like to prejudice anybody's mind. Here the Indian Parliament will sit to search the truth in its own wisdom. It is a search through discussions and debates, leaving it to the Judge or, for that matter, anybody to consider as to whether the divergent opinions expressed in the country are right or wrong; to what extent, if anything, it is right or otherwise. Therefore, all these things are frivolous, unwarranted.

obstructive and, as such, should be rejected straightway by you, Mr. Vice-Chairman, without involving us into the intricacies of needless and wasteful discussion.

श्री अटल बिहारी वाजपेयी : उपसभाध्यक्ष जी, मैं इससे पहले कि व्यवस्था के प्रश्न पर कुछ कहूं मैं एक बात कहना चाहता हूं कि इस सदन में सभापति महोदय ने एक विषय पर विवाद की अनुमति दी है। इस विषय में इस देश की जनता की भावनाएं संबंधित हैं। क्या विवाद के विषय में बाधाएं उत्पन्न कर के कुछ सदस्य यह धारणा पैदा करना चाहते हैं कि वे सत्य के प्रकटीकरण के खिलाफ हैं और सच्चाई से डरते हैं।

श्री आबिद अली : विल्कुल नहीं।

(Interruptions)

श्री अटल बिहारी वाजपेयी : इसलिये मैं कहना चाहता हूं और मैं आपको बता देना चाहता हूं कि आपने प्वाइंट आफ आर्डर सुनने के बाद भी श्री भूपेश गुप्ता से कहा कि वे अपना भाषण जारी रखें। लेकिन फिर कुछ सदस्यों ने मांग की और प्वाइंट आफ आर्डर पर फिर से विचार शुरू हो गया। यह परम्परा अच्छी नहीं है।

मैं दो बातें निवेदन करूंगा। मेरा कहना यह है कि कमिशन आफ इनक्वायरी, यह कोर्ट नहीं है, यह अदालत नहीं है। यह जजमेंट है हाई कोर्ट का, सुप्रीम कोर्ट का—
M. B. Rajwade Versus S. M. Hasan and others.

मैं आल इंडिया रिपोर्टर से कोट कर रहा हूं :—

"The Commission, governed by the Commission of Inquiry Act, 1952, is appointed by the State Government for the information of its own mind in order that it should not act in exercise of its executive power otherwise than in accordance with the dictates of justice and equality in ordering a departmental enquiry against its officers. It is, therefore, a fact-finding body meant only to instruct the mind of the Government without producing any document of a judicial nature."

[श्री अटल बिहारी वाजपेयी]

एक सुप्रीम कोर्ट का जजमेंट है। रामकृष्ण डालमिया वसेंज जस्टिस टंडोलकर, आल इंडिया रिपोर्टर, पेज 546 :

"A clear distinction must, on the authorities, be drawn between a decision which, by itself, has no force and no penal effect and a decision which becomes enforceable by some action being taken. Therefore as the Commission we are concerned with is merely to investigate and record its findings and recommendations without having any power to enforce them."

और हाई कोर्ट की भी यह राय नहीं, सुप्रीम कोर्ट ने यह फैसला दिया कि कमीशन आफ इन्क्वायरी कोर्ट नहीं है, अदालत नहीं है। इस समय बस्तर का मामला अदालत के विचाराधीन नहीं है और इस सदन को अधिकार है कि बस्तर के मामले के हर एक पहलू पर विचार कर सके।

श्री निरंजन सिंह (मध्य प्रदेश) :
उपसभाध्यक्ष महोदय, मेरा यह कहना है कि यह तो जजमेंट है। उसके साथ साथ जो अभी ट्रिब्यूनल अपाइन्ट हुआ है उसने मेमो-रेंडम मांगा है। मेमो-रेंडम मांगने के माने यह है कि आज हम जो कह रहे हैं वह भी मेमो-रेंडम में शामिल है। तो यह तो फ़ैक्ट फाइंडिंग कमेटी है।

How will it be prejudicial against the Court?

श्री उद्धवराव साहेबराव पाटिल (महाराष्ट्र) : जिस कानून के तहत यह कमीशन मुकर्रर किया है उसमें जो जूडीशियल प्रोसीडिंग्स की डेफिनीशन है वह मैं आपके सामने रखना चाहता हूँ।

Section 5 of the Commission of Inquiry Act, 1952 reads :

"Any proceedings before the Commission shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 Of the I.P.C."

इन्क्वायरी एक्ट में इंडियन पीनल कोड की ये दो सेक्शन हैं, 193 और 228, लेकिन

इसका मतलब यह नहीं है कि ये जूडीशियल प्रोसीडिंग्स समझी जायेंगी। 228 इसलिए रखा गया है कि प्रोसीडिंग्स में कोई इन्सुल्ट न करे और काम काज में इन्टेरप्ट न करे। इंडियन पीनल कोड की जो 193 सेक्शन है वह सिर्फ पब्लिक ऑफेंस फार फाल्स एविडेंस के लिए है। ये दो ही सेक्शन इंडियन पीनल कोड के हैं। ये इसलिए रखे गए हैं कि कमीशन को इन्क्वायरी करते वक़्त गलत गवाहदत न दी जाय। इसने चार सेक्शन 175, 178, 179 और 180 महसूब इसलिए रखे गए हैं कि किसी शख्स को डाकूमेंट पेश करने के लिए कमीशन हुकम दे तो वह जूडीशियल हुकम होगा। इसमें यह कहीं नहीं है कि पूरी प्रोसीडिंग्स जूडीशियल प्रोसीडिंग्स समझी जायगी। इसलिए बस्तर के बारे में जो कमीशन मुकर्रर हुआ है उसकी प्रोसीडिंग्स अदालती हैं और उस पर चर्चा नहीं होनी चाहिए, यह कहना मेरी राय में गलत है।

SHRI D. L. SEN GUPTA (West Bengal) :
Mr. Vice-Chairman, the point of order raised!, in my submission, has no teg to stand upon for the very simple reason that the object of the inquiry and the object of the discussion here are two different things. Assuming for a moment that the existence of a Court of Inquiry or a Commission of Inquiry somewhere in this country on a matter is there and the same matter cannot be discussed in the Houses of Parliament, even assuming that, let us see what is the matter that we are-going to discuss here. The Order Paper says : "To raise a discussion on the recent tribal unrest in Bastar and the Government of India's attitude thereto." I can confidently say that the Government's attitude thereto is not the subject-matter of any Court of Inquiry or any Commission whatsoever nor the recent tribal unrest in Bastar is the matter for enquiry. The matter of enquiry may be the act of murder, and the act of unprovoked vandalism at Jagdalpur, in which an ex-Ruler and many others were killed. The number may be 400 or 500, that is a different matter absolutely not in any way directly involving the matter. Hence the joint of order has no relevance.

SHRI M. M. DHARIA (Maharashtra): With due respect to Mr. K. K. Shah, I am not here to support the point of order raised by him. I feel that this Court of Inquiry appointed under the Commission of Inquiries Act of 1952 cannot be a court in the real sense of the term as has been interpreted by my friend Mr. Shah. I feel that it is a fact-finding Commission and the notice which has been accepted by the Chairman has been rightly accepted but I would like to appeal to this House that a Court of Inquiry has been appointed, a High Court Judge has been appointed and no aspersions whatsoever should be cast on that High Court Judge in this House because that Court of Inquiry is going to proceed further and if the discussion in this House is going to affect it in any way, or affect that Court of Inquiry it will not be fair on the part of this House. Therefore my appeal to you would be to restrain all the Members in casting any aspersions against the members of the Court of Inquiry. At the same time I feel that this point of order should not be allowed and the discussion should be allowed to continue.

THE MINISTER OF LAW (SHRI G. S. PATHAK) : Sir, I do not dispute the proposition that the Commission of Inquiry is not a court in the strict sense of the term. There are three questions before you. One is—and that is the very first question—what is the item on the agenda before you? I will read it:

"The recent tribal unrest in Bastar and the Government of India's attitude thereto".

Now the incident which took place is not the subject-matter of this item and therefore . . .

SHRI ATAL BIHARI VAJPAYEE: It is altogether a different point of order. Is he speaking on the point of order of Mr. Shah? He is raising another point of order.

SHRI G. S. PATHAK : I am entitled to raise it if it is another point of order.

SHRI ATAL BIHARI VAJPAYEE: Let the first point of order be decided.

SHRI G. S. PATHAK: I submit that this is a ground in support of the same

point of order raised, namely, that you cannot discuss matters which are already referred to that Commission.

SHRI BHUPESH GUPTA : Mr. Vice Chairman ...

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Gupta, please resume your seat. Let me hear him also. I have to decide the point of order.

SHRI LOKANATH MISRA : The Law Minister is not an authority by himself.

SHRI BHUPESH GUPTA : He is not entitled to that way. This is precisely what I am saying. On a point of order

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : What is your point of order?

SHRI BHUPESH GUPTA : The Law Minister can certainly give his opinion on a point of order as a Member of the House. As a Member of this House certainly I am not questioning his right, but what I say is, getting the opinion of the Law Minister does not arise here. Here the issue is whether the House can discuss a particular matter or not. As a Member he can say whatever he likes, in due course, in a proper way, but when you wanted to hear the Law Minister, why not ask us also? We want to hear all of them

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Yes, Mr. Pathak.

SHRI G. S. PATHAK : In order to make the position clear I want to read the terms of reference to the Commission of Inquiry.

"In exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (being Act 60 of 1952), the State Government hereby appoints a Commission of Inquiry . . ."

- (a) inquire into the report on the disturbances in Jagdalpur on the 25th and 26th of March, 1966 resulting in the deaths of some persons;
- (b) report on whether the firing was justified; and
- (c) report on the adequacy or otherwise of the action taken to deal with these disturbances."

[Shri G. S. Pathak]

Therefore, Sir, the incidents which are mentioned in this reference are specific, and the question before the Chair is whether the item on the agenda is or is not the matter referred to. If it is not, then the position would be that they are not entitled to discuss anything which is not on the agenda. Then, even if the item—I am assuming that for the sake of argument; I am not conceding it—even if the item on the agenda were the same as the terms of reference, then the question that arises is whether it is open under the law to discuss the item. And this is the second point. And the third point would be whether it would be open to this House to discuss it as a rule of discretion, a rule of prudence. Now these three matters, I will beg of the Chair to consider. Now so far as the second matter is concerned, the position is this. Although there is a rule in Rajya Sabha Rules, which relate to matters pending before courts, the Rajya Sabha Rules appear to be silent on matters pending before Commissions of Inquiry.

SHRI ATAL BIHARI VAJPAYEE :
The silence is deliberate.

SHRI G. S. PATHAK : Whether it is deliberate, or an omission, is a different matter, but if you hear me, you will find the answer even if it is deliberate. Now Rule 59 of the Lok Sabha Rules is specific on the point. Now the position therefore is this; I am not saying that you follow what we have, but please listen; kindly have patience for a few minutes.

AN HON. MEMBER : To be educated. AN

HON. MEMBER : For how long ?

SHRI ATAL BIHARI VAJPAYEE :
When the Law Minister is referring to a Lok Sabha Rule in the Rajya Sabha, how can we be patient ?

SHRI BHUPESH GUPTA : You want our patience.

SHRI AKBAR ALI KHAN : He is building up the argument and they must appreciate that the argument has to be built up, I mean, let him finish it.

SHRI BHUPESH GUPTA : Will you kindly tell him that this is not a District Judge's Court ?

THE VICE-CHAIRMAN (SHRI** P. BHARGAVA) : Whenever I feel necessary, I will tell.

SHRI LOKANATH MISRA : A lot of time is being consumed this way.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : As far as time is concerned, the House is always the master of the time.

SHRI G. S. PATHAK : The question then is : supposing there were no rules even in Lok Sabha, it must be conceded that the English rule of practice, the rule of the House of Commons shall be followed.

SHRI BHUPESH GUPTA : What is that ?

SHRI AKBAR ALI KHAN : Be patient.

SHRI BHUPESH GUPTA : What is that rule ? Which page of May's Parliamentary Practice, and which chapter ? I see him arguing as a big lawyer in the lower courts. Tell me which chapter, which section and which edition of May's Parliamentary Practice.

SHRI G. S. PATHAK : That is precisely what I am going to do.

SHRI C. D. PANDE (Uttar Pradesh):
He is quiet.

SHRI G. S. PATHAK : It is 17th edition of May's Parliamentary Practice and on pages 352 and 353 of it the heading is Examples of Inadmissible Questions. This is the heading. In the light of these general rules the following types of questions have been ruled out of order. Number 8 on page 353, "Dealing with matters referred to a Royal Commission", and the

matters there—in England—are matters like the matter with which we are concerned now, that is to say, the matter which has been referred to the Commission of Inquiry used to be referred to Royal Commissions, and in order to show that that was the practice, you may have a look at Anson, Volume I on "Parliament" at page 400, and there a similar Act has been passed, an Act similar to the Commissions of Inquiry Act—we have really borrowed from them. I quote :

"The executive can always through the agency of Royal Commissions hold inquiries on its own account, and is responsible for the appointment of such Commissions, and the conduct of their inquiry, etc."

In the same page reference is made to the Act which was later enacted. Therefore, the practice in England is that if a matter is referred to a Royal Commission for inquiry and, for that reason, to a Commission of Inquiry, whether it is a Royal Commission or a Commission under the Act is a mere matter of form—the basis of this rule is the rule of prudence, namely that, where a certain body has to examine a question it must be examined on the evidence produced before the body in the presence of the persons affected by that inquiry. Under a judicial process, the power to administer oath is given to that body, and the further rule is that you should not prejudice the investigation by that body by discussing it elsewhere. Now this rule is based upon that principle. It is not confined to courts, and that principle would apply to Commissions of Inquiry, which have got the power to administer oath, take evidence, hear parties and then arrive at findings.

Now as to the ruling which was mentioned by my friend, Mr. Vajpayee, in the Dalmia case. I had the honour to appear in that case, and I know something about it.

SHRI BHUPESH GUPTA : Which side you appeared on ?

SHRI G. S. PATHAK : The question in that case was whether it was open to a Commission of Inquiry to pass certain orders which may be enforceable like the orders of a court. They said that it is not possible but they also said that it is a fact-finding commission. The procedure is laid down in the Act itself, that they can administer oath, and they have got the powers of a court under the Code of Civil Procedure, etc. That is mentioned in the Act itself.

Therefore, although it may be that the *Commission* has got no power to pass an enforceable order or to punish any person, according to the findings of that Commission, findings based on evidence on oath and in the presence of all the parties, I might inform the House that such finding

can be taken to the Supreme Court under article 136 because it will be a determination. The findings of an Income-tax Investigation Commission result only in a recommendation. Still that case was admitted. Therefore, the position here is that there is a body charged with the duty under the statute passed by Parliament, to arrive at findings on evidence recorded by it on matters referred to it. Now, will it be proper under the law, under the rule of practice, to have this discussion ? I submit, Sir, that the Lok Sabha has adopted the English Rule specifically. If this House has not adopted that rule, then, in that case, the English rule of practice which is presumably the basis for the Lok Sabha rule governs the procedure here.

SHRI BHUPESH GUPTA : The whole thing is wrong. I will show you.

SHRI G. S. PATHAK : Sir, this is not an administrative body like an officer of the Government determining a particular matter. It may not be judicial in the sense of being a court. Yet it is a body exercising judicial functions. Now the result, therefore, is that, according to the English practice, Parliament never discusses or never allows questions to be raised which relate to matters pending before a commission for the obvious reason which I have already stated, namely, that people will be prejudiced and you cannot forestall decisions which have to be arrived at by the commission of enquiry, and you cannot, decide any matter here or discuss any matter here. How unfair and unjust it is to discuss any matter here which affects the honour of people who are not here in the House ? How unfair it is to discuss a matter in the complete absence of evidence ? There is no evidence whatsoever in this House. Therefore by reason of prudence also, the rule of prudence and the rule of fairplay, fairness and justice, these matters should not be discussed,— without evidence and in the absence of matters which affect other people— and without evidence and in the absence of those people.

SHRI G. RAMACHANDRAN (Nominated) : Do you also add the rule of evasion ?

SHRI BHUPESH GUPTA : I think ! ignorance should be fully exhibited, not partially.

SHRI G. S. PATHAK : I submit, Sir, that the point of order raised is a valid point of order and it should be upheld.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, I asked for the particular chapter and the relevant quotation from May's Parliamentary Practice.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You asked for the pages, not only the chapter.

SHRI BHUPESH GUPTA: Now, I have a copy and

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No second speech, Mr. Gupta, on a point of order.

SHRI BHUPESH GUPTA : Mr. Vice-Chairman, it occurs on page 353 and it relates to something else. The heading is "Limitation of the number of oral questions". But is that what we are discussing ? We are not discussing or asking oral questions. See the section that the hon. Minister read. This is how lawyers function sometimes.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Bhupesh Gupta, please resume your seat. It is not possible to continue the debate like this with a Member speaking again and again on a point of order.

SHRI BHUPESH GUPTA: But he missed the point completely.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No, no. I have heard.

SHRI BHUPESH GUPTA : I only say that page 353 contains what he read out and it relates to the admission of oral questions and nothing else. As far as other things like parliamentary privileges are concerned, we have under our Constitution formulated our rules and

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Bhupesh Gupta, that will do, nothing further. I have heard the hon. Members. The mover has not mentioned under what rule he raises the point of order. I am of the view that the debate can proceed. However, I shall again appeal to the House to discuss the matter objectively and as far as possible not to refer to matters of fact but exercise their

discretion so as not to prejudice the enquiry by the Commissioner. I will regulate the debate accordingly. Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA : As I said, Mr. Vice-Chairman, I reserve my right to reply. My time will be given to comrade Shri M. N. Govindan Nair.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You have finished ? Then Mr. Lokanath Misra.

SHRI LOKANATH MISRA : Mr. Vice-Chairman, I am extremely thankful to you, Sir, for

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Just a minute. I may just inform hon. Members that I have got a very long list of hon. Members who want to take part in this debate. Therefore, I will request the leaders of the groups to restrict their speeches to 15 minutes and other Members to 10 minutes.

SHRI G. RAMACHANDRAN : I hope, Sir, you will keep this time-limit because very often

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Ramachandran, it is for me to see, it is not for you. Please take your seat.

SHRI G. RAMACHANDRAN ; I am not casting any reflection on the Chair, Sir. But I have noticed that even after the minutes are apportioned they are not kept either by the speakers on the floor of the House or by the person seated on the Chair of authority.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Yes, Mr. Lokanath Misra.

SHRI LOKANATH MISRA : Mr. Vice-Chairman, I am extremely grateful to you for having permitted this discussion on a subject which is almost a repetition of the Jallianwala Bagh massacre.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Lokanath Misra, please do not bring in extraneous things. Let us objectively discuss the issue. Do not bring in other things. Let us be graceful.

SHRI LOKANATH MISRA : There cannot be any other comparison.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No comparison is required.

SHRI LOKANATH MISRA : I bow to your instruction, Sir. All the same this has been a great massacre of human beings and all this arose out of some ill-will on the part of the administrative machinery there towards the ex-ruler of Bastar because he was extremely popular. Even after his deposition he remained very popular with the people and, therefore, some of the members of the ruling party, I may inform the House, Sir, had gone over to Jagdalpur to request the late Shri Pravin Chandra Bhanj Deo to join this ruling party. Prior to that somehow he had decided and made up his mind and he opposed the ruling party and got all their members in the Bastar district defeated. Previously this party had made endeavours to declare him to be insane or to be suffering from megalomania or something. Subsequently many attempts were made and many allurements were thrown to him. But somehow he did not stoop as low as the Congress could go. Ultimately some pressure was brought upon him and he joined the Congress. After joining the Congress they declared he was a completely sane man, as sane as any Member here of the ruling party.

SHRI BHUPESH GUPTA : You mean they should be in the lunatic asylum?

SHRI LOKANATH MISRA : I am grateful to my hon. friend Mr. Gupta.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No cross-talks please.

SHRI LOKANATH MISRA : At least my hon. friend Mr. Bhupesh Gupta got the hint all right and I am thankful to him. I think hon. Members here would feel surprised if I say that one of the Chief Ministers of Madhya Pradesh had written a letter to the late Pravin Chandra Bhanj Deo saying that he should go out of Bastar because he started opposing the ruling party.

Again he went out of the Congress because he felt that the Congress was not a party where he could stay, where any gentleman could stay. Once earlier I have said that there is a division among the people of India; one section is the Con-

gressmen and the other is the gentlemen, and I reiterate it here.

{Interruptions}

Sir, Mr. Noronha who is the Chief Secretary now was the Commissioner for the last nine or ten years of Raipur. He is the person who got terribly annoyed with Pravin Chandra Bhanj Deo. Because of his popularity Mr. Noronha could not exploit the Adivasis to the extent he could have done if there was no leader of the Adivasis. And this young ex-ruler somehow happened to be their leader. Therefore he carried a grudge against Pravin Chandra Bhanj Deo all the time as District Magistrate of Bastar, as Commissioner of Raipur Division and subsequently he is at the helm of affairs now, being the Chief Secretary of the State. Therefore, Sir, people have great misapprehensions about it because this particular Chief Secretary in the capacity of District Magistrate and Divisional Commissioner had all the time harassed this young man. He was all the time acting against him and he was responsible for his deposition also. He is the person who had recommended that this young man should be deposed.

श्री राम सहाय (मध्य प्रदेश) : मैं एक बात अर्ज करना चाहता हूँ और वह यह है कि जैसी अभी आपने रूलिंग दी और उस रूलिंग के मुताबिक जो बातें यहाँ पर नहीं कही जानी चाहियें उसके बारे में आपका ध्यान आकर्षित करना चाहता हूँ। ताकि आप सदस्य का ध्यान इस तरफ़ दिला सकें।

SHRI LOKANATH MISRA : I must make it known to the ruling party that if you start interrupting me, there would be no end to the debate.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You go ahead with your speech.

SHRI LOKANATH MISRA : Sir, Bastar¹ is a District which has a tribal population of 85 per cent. Of the sixteen lakhs population in Bastar twelve lakhs are Adivasis. The Centre has failed all through in its duty to look after the Adivasis even though it is a special responsibility of the Centre. The refugees were sent from different parts to be settled in Dandakaranya. Bastar comes under Dandakaranya and the tribals do not have the facilities which even the

[Shri Lokanath Misra.]

refugees have. A refugee can cut down any tree; the refugee is given Rs. 2,500 or something and he is given a plot of land to build his own hut or house but in the case of the tribals if he cuts down a tree, he goes to jail for three months, not to speak of any financial aid or anything of that sort. Anyway the areas that were being occupied by the Adivasis are gradually being taken over by the Government to rehabilitate other people. That has been the grievance of the tribal people there. After independence they were neglected and now their land is being taken over by the Government for rehabilitating people who come either from East Bengal or other places.

SHRI N. PATRA (Orissa) : Do you mean to say that they are not Indian citizens?

SHRI LOKANATH MISRA : They are Indian citizens all right but the tribals are as good Indian citizens as my friend, Mr. Narayan Patra here.

Now, very recently, Sir, this Bastar ex-ruler look up another cause of the Adivasis. In Jagdalpur you would be surprised—it is not believable—that the ration given by tin's gracious Government is one kilo per head per month. In the town of Jagdalpur that is the case.

SOME HON. MEMBERS : Shame, shame.

SHRI LOKANATH MISRA: As there was the scripture of the Law Minister here for the Adivasis the scripture of the Food Minister was—and the proverb in English is that the Devil quotes the scripture—that they should live on maize and jowar and that they cannot look forward to get even an ounce of rice. They must live a life of sub-human status and this Pravin Chandra Bhanj Deo went on fast some time in February, maybe the 8th of February or the 9th of February, to bring pressure on the Government that the Adivasis should get their share of rice. The District Magistrate or some other officer conceded on that point and an agreement was reached between the late Pravin Chandra Bhanj Deo and the Government but nothing was done.

Then on the Navarathri Day I am told there was a procession and the police started interfering even with this procession. If in a democratic country we cannot take out even a ceremonial procession on one of our festival days, then I cannot call it a democratic country. On this Navarathri Day the police interfered with the procession and started beating up the tribal ladies. Since there has been a directive from the Chair that I cannot go into the incidents I will not go any further but all the same there was no reason whatsoever to provoke these Adivasis when a silent procession was proceeding to their place of worship and thereafter this Jalianwala Bagh massacre came about.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Two minutes more.

SHRI LOKANATH MISRA : All right. Sir.

AN HON. MEMBER : He has no points.

(Interruptions)

SHRI LOKANATH MISRA : Who says that I have no points ?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You continue your speech; you have only two minutes more.

SHRI LOKANATH MISRA : Now, Sir, the point is the approach of this Government in this particular instance was a mediaeval one. The mythical socialistic pattern of society has evaporated .

SHRI G. RAMACHANDRAN : Why do you insult the mediaeval people in that way ?

SHRI LOKANATH MISRA: I agree; I stand corrected.

SHRI BHUPESH GUPTA. Call it barbarous.

SHRI LOKANATH MISRA : It is a barbarous fascist tendency that has got into the Government. Now that there is chaos everywhere, now that this Government cannot control even the administration properly they want to resort to means that even the worst of the Fascists would not think of. I would definitely depend upon the Commission. I cast no reflection on the Member of the Commission but there has been a little suspicion and if there *it* any doubt anywhere I would humbly submit through you to the Government that they

ivould reconstitute it. Sir, in case of appointments of previous Commissions during the late Pandit Jawaharlal Nehru's time it was always a Supreme Court Judge who was appointed; whether it was an enquiry against the late Mr. Kairon or whether it was against Mr. Malviya, it was always a Supreme Court Judge because the late Pandit Nehru wanted that there should not be any doubt in the mind of anybody. I say I cast no reflection thereby but the better course here would be that the Government should review it and appoint a Supreme Court Judge to head this Commission so that there is complete satisfaction in everybody's mind that we shall be getting justice in the recommendations of the Commission. Justice should not only be done, but should appear to have been done.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Your time is up.

SHRI LOKANATH MISRA : Thank you.

SHRI ARJUN ARORA (Uttar Pradesh): Mr. Vice-Chairman, not long ago this House discussed a private Member's Resolution saying that capital punishment should be abolished and there was overwhelming support for the Resolution from both sides of the House, though the Resolution was ultimately withdrawn. Now we find that there are occasionally police firings. These firings have become frequent. There is difference between this and capital punishment. People die in both the cases. But in the case of a police firing people die without any enquiry and without any opportunity to defend themselves. Therefore, it is only proper that whenever any person dies, as a result of a police firing, there should be a judicial enquiry. I am one with the Opposition when the Opposition demands a judicial enquiry into any police firing. I think there should be a salutary rule that whenever any person loses his life as a result of police firing, there should be a judicial enquiry. So far I *m one with the Opposition. Where I differ from the Opposition is in their refusal of a judicial enquiry in the case of Bastar.

SHRI M. N. GOVINDAN NAIR : Who is against it ?

SHRI ARJUN ARORA : In the case of Bastar, as soon as the firing took place and news reached the Government of Madhya Pradesh, they ordered a judicial enquiry and that has been the starting point of the campaign against the Madhya Pradesh Government.

SHRI M. N. GOVINDAN NAIR: Now, we understand the motive.

SHRI ARJUN ARORA : I will come to your motive, gentleman. The fact that the Madhya Pradesh Government ordered a judicial enquiry was the starting point of a campaign against the Madhya Pradesh Government. Some of the enthusiastic Members of the Opposition say that there was some motive, there was some plan and it has been said on the floor of this House» unfortunately by a Member of the Opposition, for whom I have the greatest respect, that the judicial enquiry was part of a plan. In the case of West Bengal the grouse was and is that there is no judicial enquiry. When the Chief Minister of Madhya Pradesh has learnt some lessons from the experience of West Bengal and

has appointed a Judge for enquiring into the Bastar incident, the complaint is that it is part of a plan. If it was a retired Judge, whom the Chief Minister had appointed on his own, I would again have

I been one with the Opposition. But I find the Chief Minister was very careful. He asked the Chief Justice of the High Court in Madhya Pradesh to suggest the name of a Judge for the enquiry. When people complain against this enquiry, they are not

I complaining against the Chief Minister. They are complaining against the Chief Justice and his nominee. They do not realise that they are damaging the very litigation in the country, which is the greatest defender of civil liberties and people's rights, *i.e.*, the High Court. By attacking Mr. Pande, the Judge, who was suggested by the Chief Justice himself, they are attacking the High Court and I am sorry for them. They do not realise how big a damage they are doing to the cause of civil liberties and to the cause of the High Court. If people's confidence in the judiciary is shaken, if people begin to discriminate between a Judge and a Judge, if people accuse a Judge merely because he is a Kanyakubj Brahmin .

SHRI C. D. PANDE : He is not a Kartyakunj Brahmin.

SHRI ARJUN ARORA : Well, he is a Brahmin all right. If people begin to attack a Judge merely because he is a Brahmin and not a Khattri, the country will go to dogs. People's Fundamental Rights will not be protected and people will not know what to do. There is a clamour that instead of one Judge, there should be three Judges, instead of three Judges of the High Court, there should be a Supreme Court Judge. There has been a suggestion, that instead of a Supreme Court Judge there should be a parliamentary enquiry. I submit that all these suggestions are aimed at shaking people's faith in democracy and that is a very dangerous thing. Bastar has again come into the limelight and I take this opportunity to draw the attention of the House to the backward state of affairs in Bastar.

Bastar is an area which has no railways. It is an area which has no industries. It has very few roads. If the Opposition was wise, if the Opposition was enlightened, it would have attacked the Government again and again for not developing that area and keeping it backward. But I find, that during the last six years that I have been in this House, no section of the Opposition has ever cared to advocate the industrialisation of Bastar. No section of the Opposition has ever questioned the Railway Minister as to why it is that there are no railways in that neglected area.

{Interruptions}

SHRI R. S. KHANDEKAR (Madhya Pradesh) : I have done it.

SHRI ARJUN ARORA : Mr. Khandekar is an exception. I concede he is an exception. He should be with us . . .

श्री विमल कुमार मन्नालालजी चौरडिया :
(मध्य प्रदेश) : आप प्रोसीडिन्स देखेंगे तो पता चलेगा ।

SHRI ARJUN ARORA : For example, the Madhya Pradesh Chief Minister is being attacked in rather an uncivilised language by my esteemed friend, Mr. Bhupesh Gupta, today. He has been running to the Centre for the sanction of a cement factory in the Bastar area. He wants a cement factory in that area and

I there a cement factory is not sanctioned because there are no railways. And railways are not sanctioned because there are no industries. Now, I would have been with the Opposition, and not with Mr Pathak and Mr. Nanda, if the Opposition had pressed for the industrialisation of Bastar, for a railway network in Bastar and for an enquiry as to why Bastar has remained so backward.

SHRI BHUPESH GUPTA : Ho is discussing something else.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Arora, one minute more.

SHRI ARJUN ARORA : Sir, firings are not an infrequent phenomenon in this country. There were more firings before he Congress Government came into power.

SHRI DAHYABHAI V. PATEL (Ouja rat) : Now, they are catching up.

SHRI ARJUN ARORA : But this time I find that very much heat has been generated because a Ruler is also involved. I people are angry, not because people have been killed, but a Ruler has been killed and what sort of a Ruler was he ? What sort of an ex-ruler was he ? He was steeped in superstition. He was relying upon his own divine right. He was relying upon his own divine privileges. Once upon a time we used to give him a privy purse of more than Rs. 20,000 per month. It is pertinent to find out how he was spending that huge sum every month, how he was educating his people. Did he during his lifetime, when he was the ruler, build any schools ? He built only temples. Mr. Vajpayee may be enthusiastic about a person who builds temples but not Mr. Bhupesh Gupta, Mr. Govindan Nair or Mr. Sen Guota.

श्री निरंजन सिंह : उपसभाध्यक्ष महोदय, सबसे पहले मैं इन चीजों को लेना चाहता हूँ क्योंकि मैं उसी प्रान्त का हूँ। जब से यह बस्तर कांड शुरू हुआ है तब से यह मेरी जानकारी में है। अभी मेरे पूर्व-वक्ताने कहा कि क्लर थे, लेकिन वह प्रीस्ट थे, मन्दिर बनाते थे। मैं निवेदन करना चाहता हूँ कि जब मेजर हुआ तब बना, उसके पहले तो माइनर था।

इस सरकार की जो नीति रही है उसकी बैकग्राउण्ड मैं आपके सामने रख देता हूँ। अभी सिविल सर्जन हैं, जिन्दा है, उनसे यह कहा गया था कि इस आदमी को पागल करार दो। यह नीयत है इस सरकार की। इसलिए मैं कहना चाहता हूँ और प्रगट करना चाहता हूँ कि सिविल सर्जन ने कहा कि मैं आपकी सविस् को छोड़ने को तैयार हूँ, लेकिन मैं उसको पागल करार नहीं दे सकता। जब सन् 1961 में गोलीकांड हुआ तो मजिस्ट्रेट से—फस्ट क्लास मजिस्ट्रेट से—वहाँ की सरकार ने यह कहा कि तुम इस पर लिख दो कि मेरे कहने से यह फायरिंग हुई है। उसने कहा कि मुझे नौकरी से प्यार नहीं है, मुझे जीवन से प्यार है, मैं ईमानदारी से रहना चाहता हूँ, मैं नौकरी छोड़ सकता हूँ, मैं यह नहीं करूँगा। परिणाम यह हुआ कि जिन आदमियों के ऊपर चार्ज लगाया गया था—करीबकरीब 60-70 आदमी थे—वे सब निर्दोष छोड़े गए। यह सरकार पकड़कर उनको बन्द करना चाहती थी, उन पर मुकदमा चलाया गया था। उसने यह कहा था उन लोगों ने पहले वार किया, इसलिये पुलिस ने फायर किया। यह सारी बैकग्राउण्ड है। इसमें यदि यह सरकार देखना चाहती है और जनता देखना चाहती है तो देख सकती है कि वहाँ पर शुरु से 15 सालों से बराबर सन 51 से लेकर आज तक ये सारी घटनाएँ हो रही हैं इन आदिवासियों के साथ और दूसरे आदमियों के साथ। यह सब परदे के पीछे है।

मैं एक बात और कहना चाहता हूँ नोरोन्हा के सम्बन्ध में कहिए, कलेक्टर के सम्बन्ध में कहिए, जो कमिश्नर हैं उनके सम्बन्ध में कहिए, जहाँ तक मेरा व्यक्तिगत सवाल है, वे अच्छे आदमी हैं। उनमें खराबी क्या है? खराबी यह है कि यदि रात को उनका मिनिस्टर कहे दिन है तो वे दिन कहेंगे, यदि दिन को उनका मिनिस्टर कहे कि रात है तो रात कहेंगे। एक क्रिश्चियन है, एक मुसलमान है और तीसरा एक राजघराने में पला है। जब कलेक्टर था तब दो बार

L44RS/66—4

झगड़े हुए। उसके बाद कमिश्नर हुआ तब गोलीकांड हुआ। अब की बार चीफ सेक्रेटरी है तब फिर गोलीकांड हुआ। यह जो सरकार है उसके ऊपर लांछन आता है। वह करप्ट है यह सब जानते हैं, छिपी हुई बात नहीं है। थोड़े-बहुत तो सब बुरे आदमी हैं, लेकिन इनको करप्ट करने वाला कौन है। मैं तो यह कहता हूँ कि उन्हें ईमानदारी से काम करने दिया जाय। कांग्रेस सरकार की मर्जी हो उसके मुताबिक जहाँ काम करना चाहिए वहाँ कहते हैं कि नहीं करो, जहाँ नहीं करना चाहिए, वहाँ कहेंगे कि यह करो। यह सारा दोष उस सरकार का है जिसने यह सब काम करवाया है।

मैं आपसे कहना चाहता हूँ चीफ मिनिस्टर के बयान के बारे में। उनका बयान है 11 बजे दिन में फायरिंग हुई, रात भर चली है, सबसे 9 बजे तक चली है। कौन आदमी होगा, कौन सी गवर्नमेंट होगी—जहाँ वायरलेस है और सब कुछ है—जिसको इनफारमेशन न हो सके। यदि उस आदमी ने किया है तो इस इन्क्वायरी की जरूरत क्या थी। पहले ही उस आदमी को सस्पेंड कर सकते थे, निकाल सकते थे। यह सरकार ने कराया, उनकी निगरानी में हुआ। इसको तोड़-ताड़ कर कहना चाहते हैं कि फायरिंग हुई है, बराबर 9 बजे से हुई है, 11 बजे से हुई और रात भर चली, मुझे मालूम नहीं हुआ। यह कैसे हो सकता है? फिर इतना ही नहीं, कमिश्नर कहता है कि वहाँ पर चार हजार आदमी थे, दूसरी बार कहते हैं कि पांच सौ आदमी महल से निकल गए। वे आदमी कहाँ गए? कूद सकते नहीं, बाहर भागेंगे कैसे। एक तरफ एक स्टेटमेंट में कहते हैं कि चार हजार आदमी, दूसरी तरफ यह कहते हैं कि पांच सौ आदमी भाग गए। बाकी कहाँ गए। इस पर वहाँ की जनता में आतंक होता है, सारे देश में आतंक होता है। हम लोग जाकर देखते हैं पूछते हैं। इसके लिए दोषी कौन है? यह सरकार है या जनता है या अपोजीशन वाले हैं? अपोजीशन वालों

[श्री निरंजन सिंह]

के लिए कहा जाता है कि रोज रोज प्रचार हो रहा है, अपोजीशन इसका उपयोग कर रहा है। मैं यह कहना चाहता हूँ कि अपोजीशन इसलिए प्रयोग कर रहा है जिससे इसकी रिपोर्ट हो आपके पास, आप एडमिनिस्ट्रेशन में बैठें हैं, आपको इन्क्वायरी करानी चाहिए। इन्क्वायरी नहीं करना चाहते तो वहाँ से हटना चाहिए। मैं आपसे यह कहना चाहता हूँ कि जो कुछ वहाँ हुआ है गवर्नमेंट की नेगलीजेंस से हुआ है।

वहाँ पर क्या था ? लैंड रेवेन्यू सस्पेंड कर दिया गया था। आप लोग बताइए कि कहीं पर लैंड रेवेन्यू सस्पेंड किया जाय, वहाँ पर लेवी ली जाती है। यह सरकार का आर्डर है कि लैंड रेवेन्यू नहीं देते, हम लेवी वसूल करेंगे इससे सिवाय इस सरकार की मलामत हो जो इस तरह का काम करना चाहती है, और कुछ नहीं हो सकता। उनके पास खाने को नहीं, लेकिन सरकार कहती है कहीं से लाओ, डाका डालो, हमें लाकर दो। या तो आपको रेवेन्यू सस्पेंड नहीं करना था, सस्पेंड किया है तो लेवी कहां से लेंगे। जब लैंड रेवेन्यू चार आने वसूल हुआ है, लगान नहीं दे सकते, चार रुपए लगान नहीं दे सकते, फिर आप लेवी कैसे वसूल कर सकते हैं। कहते हैं कि यह राजा है, यह आदिवासी है, ये लोग काबू में नहीं हैं, उनको गोली से मार दो। यह कहां का न्याय है।

मेरे मित्र ने बताया कि वहाँ की जनता दशहरा मनाती है और चैत मनाती है। यह चैत खान तौर से किसानों के लिए होता है। इस अवसर पर वे बीज लाते हैं, बीज माता के सामने रखते हैं या राजा के सामने रखते हैं। उसको अभी भी वे राजा मानते थे। यह गवर्नमेंट की गलती है कि उसने यह प्रकट नहीं किया उन पर कि यह अभी राजा नहीं है। अखबारों में तो निकालते हैं कि राजा नहीं है, लेकिन कोशिश यह होती है कि जब काम चलाना होता है तब कहेंगे कि राजा है,

राजा बताकर उससे काम चलाते हैं। फिर उसके बाद उसकी प्रथाओं को तोड़ते हैं। आप रिफार्मस कीजिए, सुधार कीजिए, लेकिन यह एकदम से नहीं हो सकता। मुझे एक उदाहरण मालूम है। जब पहले बस्तर मध्य प्रदेश में मिला तो आदिवासियों ने जाकर रिजर्व्ड फारेस्ट में झाड़ों को काटा। वे तो चूहे खाते हैं, बन्दर खाते हैं। झाड़ू इसलिए काटते थे कि बन्दर को कैसे मारा जाय। बन्दर को मारने के लिए झाड़ू काटने के बाद शिकायत हुई कि हमारे रिजर्व्ड फारेस्ट को काट रहे हैं। जबतक उनको आप समझायेंगे नहीं, तब तक गोली से यह काम नहीं हो सकता। वे त्योंहार मनाने आ रहे थे। चीफ मिनिस्टर कहते हैं कि मिजो जैसी स्थिति उत्पन्न हो गई थी। आपने इसकी सेन्ट्रल गवर्नमेंट को खबर नहीं दी। प्रवीण चन्द्र भंजदेव का बारवार नाम लिया जाता है। मैं जानना चाहता हूँ कि—मेरे पास कई चिट्ठियाँ आईं, मैं नहीं जा सका—क्या प्रांतीय गवर्नमेंट के पास, सेन्ट्रल गवर्नमेंट के पास उसकी चिट्ठियाँ नहीं आईं। होम मिनिस्ट्री ईमानदारी से कहे कि उसकी चिट्ठियाँ नहीं आईं, और जब चिट्ठियाँ आईं थीं तो यह सब कुछ कैसे हुआ, सरकार को देखना चाहिए। अब जुडिशियल इन्क्वायरी हो रही है, इसलिए कहते हैं कि हम नहीं बोल सकते। मुझे यह भी मालूम है कि चीफ मिनिस्टर ने होम मिनिस्टर को डांटा है, नन्दा जी को डांटा है। उन्होंने इस तरह का प्रचार किया है कि मैंने इस तरह से नन्दा जी को डांटा कि खबर पहुँचे। तो जिस तरह से मुगल साम्राज्य के समय में सारे गवर्नर अपनी मनमानी करते थे, सेंटर को अलग रख दिया था, उसी तरह से कहा गया कि इन्दिरा गांधी को हमने बनाया, यह होम मिनिस्टर नहीं बनने वाले थे इनको होम मिनिस्टर हमने बनाया, मेरा कोई बाल बांका भी नहीं कर सकता है। यह बात सच नहीं है तो बताइये।

तो मेरा कहना है कि सारी जिम्मेदारी गवर्नमेंट के ऊपर है, उसे अवायज नहीं कर सकते हैं यह कह कर कि यह मैटर जुडीशियल है, यह मैटर सब-जुडिस है। मैं कहता हूँ कि आज वहाँ उन्हें मेमोरेंडम कौन देगा, वहाँ लोग भरते हैं, भूखों मर रहे हैं, उनके पास में बुद्धि नहीं है, पैसा नहीं है, और आप कहेंगे कि मेमोरेंडम नहीं दिया इसलिये ट्राइब्यूनल ने कोई फैसला नहीं किया। इसकी जिम्मेदारी, फेक्ट फाइंडिंग की जिम्मेदारी आप पर है, किसी जुडीशियल कमिशन की या कोर्ट की जरूरत नहीं है। मैं तो कहता हूँ कि कोई भी मिनिस्टर वहाँ जाय तो देखेगा कि कैसे गोष्ठी मारी गई है। मैं कोई खास बात नहीं कहना चाहता, वहाँ जा कर आप अपनी आँखों से देखिये। यदि जवाहर लाल जी होते तो मैं समझता हूँ कि इतना झगधरा नहीं होता। लेकिन स्थिति क्या है। आज आप कमजोर हैं, आप मुट्ठी में हैं और इसलिए आप कुछ नहीं कह पा रहे हैं। तो मेरा यह कहना है कि आदमी कहते हैं कि साहब हाई कोर्ट के जज के ऊपर शरोंसा नहीं है—आपको मालूम है कि अभी सलेक्शन पैटिशन के ऊपर उसने क्या जजमेंट दिया—इस तरह की बातें करने से फायदा नहीं है, आदमी के ऊपर विश्वास जमाने की जरूरत है कि हम कितने फेयर माईडेड हैं, हम ईमानदारी से जनता का साथ देना चाहते हैं, ईमानदारी से न्याय के साथ हैं, ईमानदारी से न्याय करवाना चाहते हैं, यह चीज होनी चाहिये अनिश्चित इसके कि साहब वहाँ का आर्गुमेंट यह वहाँ का आर्गुमेंट यह, इस तरह से जोड़ने से कुछ नहीं होता। तो मेरा यह कहना है न वहाँ के कनेक्टर की जरूरत है न किसी की जरूरत है अगर आप ईमानदारी से चाहते हैं तो गवर्नमेंट को बदलिये, यह दूसरी बात है कि नहीं बदल सकते इसलिये मैं दूसरा सुझाव देना चाहता हूँ कि जब तक यह इन्वॉयरी है तब तक सेंट्रल गवर्नमेंट के हाथ में उसका एडमिनिस्ट्रेशन ले लीजिए, उसके बाद में यदि आप यह कहते हैं तो तीसरी चीज मैं यह

कहना चाहता हूँ कि इसमें कोई आपत्ति नहीं है कि आप ट्राइब्यूनल एप्वाइंट करते, उसमें एक सुप्रीम कोर्ट का जज कर दीजिये। यह सारी कांट्रोवर्सी है, अभी तक ऐसा कोई मैटर नहीं उठा। और जैसा कि हमारे भाई ने कहा कि यह क्लर का मामला है, मैं कहना चाहता हूँ कि यह क्लर का मामला नहीं है, यह मामला है उन गरीब निहत्थों का जो बेचारे अपनी कमाई करने आते हैं और जिनको मार कर भगाया जाता है। यह उन आदमियों का मामला है। इसलिये मैं निवेदन करना चाहता हूँ कि इसके लिये आप जिम्मेदार हैं। आपने देखा होगा

उपसभाध्यक्ष (श्री महाबोर प्रसाद भागंब) : आपके दो मिनट और हैं।

श्री निरंजन सिंह : एक मिनट में मैं खरम करता हूँ। जो अंठमान में जातियाँ हैं उनके लिये अभी एक अलग खेत बना दिये गये, इन आदमियों के लिये कहा गया कि अलग खेत नहीं करेंगे, आपने बंढकारण्य बना दिया वहाँ की जमीन को लेकर के। ये शिपिटिंग कल्टीवेशन वाले हैं और आप कहते हैं कि शिपिटिंग कल्टीवेशन वाले वहाँ नहीं रह सकते। आप वहाँ चले जाइये, आप देखिये, यह तो खेत का महीना है जब कि वह जंगल में जायेंगे। यह मैंने आपसे कहा। होता यह है कि अनाज लिया और उसके बाद एक महीने के लिये निकल बाते हैं, जंगल में जाते हैं, जगह बमह जाते हैं और उनकी प्रथा है, गरीब होने के नाते उनका यह कर्तव्य हो जाता है कि जो चूहे हैं, जो जानवर उनको मिलेंगे उन सब को मार कर खाते हैं।

तो उनके साथ मैं यह अन्याय कर रहे हैं कि इसके लिये आपको मेमोरेंडम देना पड़ेगा उसके बाद आपको प्रबन्ध करना पड़ेगा। यह होम मिनिस्ट्री का कर्तव्य है उनको सलाह दें। जिस तरह से मर्डर में कोई बेचारा गरीब आदमी होता है तो गवर्नमेंट उसकी पीरकी करती है, उसके लिये बकील लगाती है, उसी तरह से आपका यह कर्तव्य

हो जाता है कि उनके लिये पूरी तरह से सहायता दें।

श्री निरंजन वर्मा (मध्य प्रदेश) : माननीय उपाध्यक्ष, श्रीमान्, सारे सदन के माननीय सज्जन इस बारे में एकमत हैं कि हम सब यहां पर लोक-कल्याणकारी भावनाओं से इकट्ठा हुए हैं और हम किसी पर दोषारोपण भी नहीं करना चाहते। लेकिन अत्यंत खेद की बात है कि जिनके हाथ में आज शासन-सत्ता है वह पूरी तरह से अपनी जिम्मेदारी निभा नहीं रहे हैं।

पिछले दिनों में बस्तर में जो कुछ हुआ है हम उसी बस्तर प्रदेश के पास के रहने वाले हैं। बस्तर कोई छोटा सा जिला नहीं है, मध्य प्रदेश में सब से बड़ा जिला है, वहां पर साढ़े-न्यारह लाख के करीब आदमी रहते हैं और उसमें से साढ़े-आठ लाख आदिवासी रहते हैं, यह एक ऐसा आदिवासी इलाका है जहां रेलवे के रायपुर से जगदलपुर जाने के लिए 180 मील की सड़क यात्रा करनी पड़ती है, जहां पर सड़कें नहीं हैं, जहां पर कोई बहुत बड़ा स्कूल, अस्पताल नहीं है, केवल जगदलपुर में एक अस्पताल है। हमारे एक योग्य मित्र ने अभी कहा है कि राजाओं के समय में उन्होंने मंदिर बनवाये स्कूल क्यों नहीं बनवाये, हम उन्हीं की भाषा में उनको उत्तर देना चाहते हैं श्रीमान् कि 19 वर्ष के शासन में उन्होंने यह कृपा क्यों नहीं की कि दूसरा भी स्कूल बना दें। नहीं बना पाये, यह भी दुख और खेद की बात है, इसके बाद पिछले वर्षों में वहां पर जो कुछ हुआ यह इस बात का प्रतीक है कि राजनैतिक कारणों से वहां पर बार बार गोलियां चलाई गईं और बार बार लोगों को तस्त किया गया उस इलाके में। श्रीमान्, जहां पर फारम G.D.-II नलालिया नाम का गेहूं पैदा नहीं होता, जहां वासमती नाम का चावल पैदा नहीं होता, जहां गरीब आदमी प्रातः-काल से ले कर शाम तक मजदूरी करता है और अपने सिर पर कोदों नाम की घास ले

कर आता है और उसी से अपने जीवन का भरण-पोषण करता है, ऐसे इलाके के लिये बार बार इस तरह बगावत की संज्ञा देना वास्तव में एक बड़े दुख की बात है। पिछले समय में राजनैतिक कारणों से वहां पर कभी-कभी कोई दूसरे प्रकार के अफसर भेजे गये और उन अफसरों के जाने के परिणामस्वरूप इस प्रकार की संज्ञा दी गई जैसे कि बस्तर का इलाका शासन से बगावत कर रहा हो। मैं श्रीमान् के समक्ष यह भी निवेदन करूंगा कि हमारा शासन, हमारी सरकार ब्रिटिश से भी एक कदम आगे बढ़ गई है। उस समय राजाओं के विषय में हमने देखा था, नाभा के महाराज के साथ क्या हुआ, इन्दौर के महाराजा के साथ क्या हुआ और इसी तरह से अलवर के महाराजा के साथ क्या हुआ, एक अंश उससे बढ़ कर मैं कहूंगा कि मुगल सम्राट बहादुर शाह के साथ क्या हुआ, जिन्होंने कि हिन्दुस्तान की आजादी के लिये अंग्रेजों से लड़ाई लड़ी थी? उनको भी गोली नहीं मारी गई, उनको नजर कैद कर के दूसरे इलाके में भेजा गया। पर यह क्या कारण है कि श्रीमान् कोई आदमी जो सब बात कहने के लिये आगे आये उसे गोली से भूँज दिया जाय। यह तो शासन की व्यवस्था ही नहीं सकती, यह तो प्रजातंत्र की व्यवस्था ही नहीं सकती। वहां के राजा का, वहां के आदिवासियों का कसूर क्या था। वहां पर लेवी जबरदस्ती उगाही जा रही है। चावल उनके पास देने को नहीं है। जबरदस्ती लेवी वसूल करने के लिए गिरदावर जाता है, पटवारी जाता है और जब गिरदावर को, पटवारी को, दोनों को लेवी नहीं मिलती तो पुलिस का वारंट जाता है, उनको पकड़ कर लाते हैं, पकड़ कर लाने के साथ उनकी दुर्दशा की जाती है। वह ऐसा प्रदेश है जहां जगदलपुर शहर में केवल एक महीने में एक आदमी को खाने के लिए एक किलो चावल दिया जाता है, उन इलाकों में जो कि और भीतर हैं वहां के निवासी किस तरह से रहते होंगे क्यों कि वहां यह एक किलो भी नहीं दिया जाता। इस तरह

शासन ने ध्यान भी नहीं दिया। इस तरफ भी शासन ध्यान नहीं देता कि एक किलो चावल की कीमत वहां ढाई रुपये से लेकर तीन रुपये तक है और कुछ जगहों ऐसी हैं जहां कि चावल किसी कीमत पर भी नहीं मिल रहा है। ऐसे समय में, ऐसी दशा में, हमारे यहां के, बस्तर के, निवासी वहां के मंत्रालय के पास गये, फल कुछ नहीं निकला। एक बात और भी है। निश्चित रूप से बस्तर की जो कुछ घटना है वह भारत सरकार के खाद्य मंत्रालय और गृह मंत्रालय की असफलताओं का परिणाम है, दोनों मंत्रालय इसकी जिम्मेदारी से बच नहीं सकते, एक मंत्रालय ने भी वहां की तरफ ध्यान नहीं दिया, शासन की बागडोर एक निरंकुश व्यक्ति, अथवा निरंकुश व्यक्तियों के हाथ में सुपुर्द कर दी; वह वहां जो कुछ भी करें हमारा गृह मंत्रालय कुछ भी देखने को तैयार नहीं है। क्या हमारे योग्य मित्त श्री नन्दा इस बात से इंकार करेंगे कि वहां का राजा, वहां के लोगों का डेपुटेशन, उनमें पास मिलने को गया, वहां के 10 नरों के पास गया, वहां के चीफ मिनिस्टर के पास गया। क्रमशः सब के पास गया लेकिन न्याय नहीं मिला, आशवासन नहीं मिला। तो जब एक तरफ लोग इतनी अच्छी अवस्था में रहते हैं बहुत अच्छी तरह से अपना जीवन व्यतीत करते हैं, तो दूसरी ओर क्या इस प्रजातन्त्र में मरीच आदमियों को रहने का अधिकार नहीं है जो तबस्त हैं, पिसे हैं, जिनकी आवाज दिल्ली के दरवार में पहुंच नहीं सकती उनको भी अवश्य प्रजातन्त्र में जिन्दा रखना है, जीवन-दान देना है। यह बात निश्चित है कि जो न्याय, आप दूसरों के साथ करते हैं, वही न्याय उनके साथ भी करना पड़ेगा। अगर कोई राजा है तो राजा केवल खिल्ली उड़ाने के लिये नहीं है। इस प्रजातंत्र में राजा भी प्रजा भी, रंक भी और बड़ा आदमी भी सब बराबर के अधिकारी हैं, एक अधिकार जो दूसरों को दिये गये हैं वह सब को मिलना चाहिये, सब को बराबर का अधिकार मिलना चाहिये। लेकिन

वहां पर पिछले दिनों जो कुछ हुआ वह भारतवर्ष के लिये, एक प्रजातंत्र के लिये बड़े खेद की बात है और बहुत बुरी बात है। अभी पिछले दिनों में वहां पर जो कुछ भी गोलीकांड हुआ उस गोलीकांड के लिये यहां के कुछ दूसरे व्यक्ति कुछ न कह सकें इसके लिये येन केन प्रकारेण बहाना बनाकर लोगों की जवान बंद रखी जा रही है, लोगों के मुंह बंद रखने का यत्न किया जा रहा है। और क्या कहूं, अभी हमारे विधि मंत्री महोदय ने कुछ लंगड़े तर्क यहां उपस्थित किये और उनके द्वारा उन्होंने यह सिद्ध करना चाहा कि जो पार्लियामेंट की ब्रिटिश परम्परा है उसके अनुसार वहां नियुक्त कमीशन के बारे में हम कुछ नहीं कह सकते। लेकिन हमारा विश्वास है कि यहां पर 1954 के नागपुर हाईकोर्ट की रिपोर्ट के द्वारा जो बात कही गई है, और उसके बाद अपने यहां सुप्रीम कोर्ट ने सन् 1958 में जो डालमिया के फैसले में जो निर्णय किया है, उससे एक बार सारी स्थिति स्पष्ट हो जाती है और उस दशा में हम समझते हैं कि जो कुछ भी उन्होंने यहां पर किया है उस पर जिम्मेदारी से प्रकाश डाला जा सकता है। रही बात यह कि किसी जज के बारे में टीका टिप्पणी न की जाय, यह अच्छी बात है। कोई आदमी टीका टिप्पणी करने से गुरेज करेगा और न करना चाहेगा, लेकिन हमारे गृह मंत्री क्या उत्तर देने वाले हैं? लोगों में जो शंकाएं फैली हुई हैं उनका समाधान करने के लिये आप ही उत्तरदायी हैं? मैं पूछना चाहता हूं क्या वे इसका समाधान करते हैं, जिससे हम लोगों को ही नहीं सारे भारत की जनता को समाधान हो जाय, हम को भी समाधान हो जाय, कि श्री पांडे के बड़े भाई वहां की सतकंता समिति के, एक सदाचार समिति के जो वहां बनी है, उसके अध्यक्ष नहीं बनाए गए? क्या यह बात सही नहीं है कि श्री पांडे जिन्होंने शासकीय सेवा में भाग लिया है... (Interruption) में अत्यन्त नम्रता से श्रीमान् के सामने यह तथ्य रख रहा हूं, मैं किसी प्रकार की टिप्पणी नहीं कर रहा हूं। मैं कहता हूं, गृह मंत्रालय

[श्री निरंजन वर्मा]

अधिक सजग है और वह हमारी आशंकाओं पर विचार करके, उत्तर देने की क्षमता रखे और अगर यह बात सही है तो कह दे सही है और अगर गलत है तो कह दे इसमें तथ्य नहीं है। तो श्रीमान्, हम आपके द्वारा दूसरा प्रश्न यह भी रखना चाहते हैं कि उनका केरियर किस प्रकार से प्रारम्भ हुआ और आज भी वे जज की हैसियत में किस प्रकार बैठे हैं, इन दो बातों का उत्तर वे दे दें और खुलासा कर दें, सदन को शांकाओं से निर्मूल कर दें तो अच्छा रहेगा और हम समझते हैं देश भर में जो व्याप्त धारणा है वह भी इस प्रकार से निर्मूल हो जायेगी।

हमारे मित्रों ने अभी जो कुछ भी कहा है, एक माननीय सदस्य श्री अर्जुन अरोड़ा ने अभी सीमेन्ट के क्षेत्र के बारे में कहा और इस क्षेत्र में उन्होंने श्री द्वारिका प्रसाद मिश्रा के काम की बहुत प्रशंसा की। हम कहते हैं, श्रीमान्, जब हम इस सदन में आए हैं तो चारण और भाट बन कर नहीं आए। जैसी स्थिति हो बैसा कहना चाहिये, जो सच है उसके बारे में सच कहना चाहिये, अगर कोई प्रशंसा की बात करता है तो प्रशंसा करनी चाहिये। लेकिन जो प्रशंसा का पालन नहीं है उसके बारे में प्रशंसा की बात कह दी जाय यह काम विवेकशील व्यक्तियों का नहीं है। सीमेन्ट फैक्टरी के बारे में कहा गया है तो हम समझते हैं कि अंग्रेजों ने देश में क्या नहीं बनाया, क्योंकि अंग्रेजों ने सीमेन्ट से भी बड़ी फैक्टरियां खोली थीं।

कई माननीय सदस्य : नहीं, नहीं।

श्री अर्जुन अरोड़ा : कहां खोले ?

श्री निरंजन वर्मा : बहुत से खोले। श्रीमान्, इसके बारे में मैं माननीय सदस्यों का ध्यान आकृष्ट करूंगा कि ये इतनी मोटी बातें हैं कि इस पर विवाद करके हाउस का समय व्यर्थ में नहीं गँवाया जाना चाहिये। सब पढ़े लिखे व्यक्ति हैं, सब विद्वान् हैं, सब समझते हैं कहां क्या-क्या हुआ है। तब भी श्रीमान् मैं एक बात निवेदन करना चाहता हूँ और वह यह

कि बस्तर में जो कुछ घटनायें हुई हैं वे घटनायें ऐसी न समझिये कि केवल आकस्मिक चीजों के परिणाम थे। वहां पर पिछले 20 वर्षों से ये घटनायें चल रही हैं, वहां के राजा ने उन आदिवासियों के नेता के रूप में बार-बार भारत सरकार का ध्यान आकर्षित किया, हमारे यहां के गृह मंत्री का ध्यान आकर्षित किया, और उन्होंने कई स्थानों पर ये बातें जाकर समझ बताई, उन्होंने मेमोरेण्डम भेजा, वहां के आदिवासी स्वयं मिलने के लिये आए। श्रीमान्, एक बात और मैं निवेदन करना चाहता हूँ। क्या जब तक कोई व्यक्ति कांग्रेस में रहता है तब तक वह महापुरुष रहता है और उसके पश्चात् जब वह कांग्रेस को छोड़ देता है तो क्या वह छोटा हो जाता है? यही वहां पर चरितार्थ हुआ है। जब तक वहां के राजा कांग्रेस में रहे उनको कोर्ट आफ वाइस से विमुक्त कर दिया गया और उनको अधिकार दे दिये गये और जैसे ही वह कांग्रेस से हट गये, उसके बाद बराबर लगातार इन दस वर्षों में वहां का जो इतिहास रहा वह इतिहास लोमहर्षक आपस की फूट, लड़ाई और अत्याचार का इतिहास रहा। उन्होंने समय-समय पर शिकायतें कीं लेकिन उन शिकायतों पर भी हमारे जितने भी अधिकारी हैं वे बराबर चुप रहे। एक मिस्टर नरीना वहां पर कलेक्टर के रूप में रहे और कलेक्टर के रूप में रहने पर वे भी चुप रहे। श्रीमान्, हमें अत्यन्त दुःख और खेद के साथ कहना पड़ता है कि एक बार भी अभी पिछले दिनों हमारे यहां के मुख्य मंत्री महोदय ने भारत की जनता की निगाह बटाने के लिये एक बात कह दी और यह कि बस्तर की समस्या मिजोलेण्ड की समस्या, नागा लेण्ड की समस्या जैसी है। हम समझते हैं कि इससे ज्यादा अविवेकशील बात और कोई नहीं कह सकता। मैं उस प्रदेश का रहने वाला हूँ। मीजाज ने भारत सरकार के साथ असहयोग किया, उन्होंने हिन्दुस्तान को खंडित कर के एक स्वतन्त्र राज्य की मांग की थी और उसी तरह नागाओं ने किया। लेकिन बस्तर के आदिवासियों ने ऐसा कसूर नहीं किया। उन्होंने हिन्दुस्तान की

सरकार के साथ बगावत कभी नहीं की, उन्होंने अपने क्षेत्र को अलग करने की क्षमता कभी प्रदर्शित नहीं की। अगर उनका कसूर था तो केवल यह था कि वे दंतेश्वरी देवी के मानने वाले उपासक थे। जैसे भारत की संस्कृति और सभ्यता पर अमरुत काल से दूसरे लोग विश्वास करते हैं वैसे ही आदिवासी भी विश्वास करते रहे हैं और क्या यही कारण है कि नागा और मिजो के साथ भी व्यवहार नहीं हुआ वह उनके साथ हुआ या उससे भी बदतर। आज पता नहीं कि उनमें व्यक्ति वस्तु हैं, आज पता नहीं कि उनमें व्यक्ति मारे गये, किस्ती जाँच मिली और उनका क्या हुआ। लेकिन इस पर ध्यान नहीं दिया गया। सबसे बड़ी आशंका तो लोगों को यह है कि ये सब घटनाएँ होती रहीं, और घटनाएँ होने के तत्काल बाद, किसी व्यक्ति की जाँच जमा ही जाय और वह तब जलाई जा रही थी जब सदन में मुख्य मंत्री व्याख्यान देने का यत्न कर रहे थे। यह बात ऐसी है जो सदन में पहले ही प्रकट कर देनी चाहिये थी और जब हुत्वाकांड की सूचना मिल गयी थी तो सारे बातों को उसी समय प्रकाशित करना चाहिये था।

एक बात और है श्रीमन्, कि साधारण सभ्यता इस देश की ऐसी है, इस देश की संस्कृति ऐसी है, कि जिस व्यक्ति की मृत्यु हो जाती है उसकी महिलाओं को रोने का समय भी दिया जाता है, उन महिलाओं को अपने पति का मुँह देखने के लिये समय दिया जाता है। लेकिन इस अभाग्य राजा की पत्नी के लिये, अपने पति का मुँह देखने का समय भी नहीं दिया गया, जल्दी से जल्दी उनकी लाश को जलाया गया। श्रीमन्, यह सत्य स्वयं अपने आप में साधारण जनता के मन पर, हमारे मध्य प्रदेश की सरकार की अक्षमता पर प्रकाश डालने की लिये काफी है। अगर भारत सरकार का गृह मंत्रालय इस बात के लिये उदासीन रहता है तो हम समझते हैं भारत के दुर्दिन दिन आ गये और निश्चित रूप से कुछ अप्रत्याशित अमरुत होने वाली हैं। हम चाहते हैं वस्तर कांड की ओर अधिक से अधिक ध्यान दिया जाय

और ऐसे आदमी जो मूक प्राणियों की तरह हैं, मूक पशुओं की तरह हैं, जिन का कोई सहायक नहीं है, जिनकी सच्ची कथा सुनाने के लिये यहां के दरबार में आने के लिये कोई तैयार नहीं है, ऐसे व्यक्तियों की दशा देखने के लिये यहां से कोई आदमी जाना चाहिये।

उपसभाध्यक्ष (श्री महाबीर प्रसाद भागवत) : आपके दो मिनट ओर हैं।

श्री निरंजन वर्मा : बहुत अच्छा। श्रीमन्, मैं समझता हूँ कि हमारे यहां का एक कमीशन बहाल जाना चाहिये। हमारी पार्लियामेंट के सभी दलों के कुछ सदस्यों को वहां पर जाना चाहिये। यह बात निश्चित है, श्रीमन्, कि चाहे यहां पर बहुमत के आधार पर कांग्रेस के विद्वान मित्र हम लोगों को दबा लें, लेकिन मध्य प्रदेश की सारी जनता आज मिश्र मंत्रिमंडल में अविश्वास प्रकट करती है, उसके प्रति उनको विश्वास नहीं रहा है और हम समझते हैं कि जब तक मिश्र जी वहां पर हैं तब तक वहां की जनता को कभी न्याय नहीं मिल सकता। वे स्वयं अपने आप में भले हुये हैं, उन के चारों तरफ जो जाल हैं उनमें वे फंसे हुये हैं इन उलझनों के कारण वहां की जनता को क्या राहत दी जाय इस पर वे कभी विचार कर नहीं सकते। इसी तरह से मिस्टर नरोना जो वहां के आदिवासियों के धातु के नाम से प्रसिद्ध हैं, जो अपना धर्म फैलाने के लिये बारम्बार यत्न करते हैं और असफल होते हैं, उनके द्वारा भी प्रशासन का यत्न कभी सफल नहीं हो सकेगा।

इन शब्दों के साथ श्रीमन्, मैं फिर प्रार्थना करता हूँ कि गृह मंत्रालय इन सब बातों पर ध्यान दे, खाद्य मंत्री जी वहां की खाद्य समस्या की जांच करें। श्रीमान् के द्वारा हम यह भी निवेदन करते हैं कि यहां से सात-आठ आदिमियों का एक डेपुटेशन जाय और सारी परिस्थिति की जांच करे और जांच करने के पश्चात् यहां पर रिपोर्ट पेश करे। उस डेपुटेशन के द्वारा वहां पर वर्णित जो चीज होगी उसके द्वारा सारी बातें प्रकट हो जायेंगी, ऐसी हमारी आशा है और विश्वास है।

श्री राम सहाय : उप सभाध्यक्ष महोदय,

[श्री राम सहाय]

बस्तर के प्रश्न पर जिस प्रकार से चर्चा की जा रही है मुझे उसके बारे में आपत्ति है। यह मसला केन्द्रीय सरकार की नोटिस में है। मेरा यह कहना है कि हमें संविधान के तहत काम करना चाहिये। संविधान के तहत जो बातें केन्द्र के अधिकार की और स्टेट के अधिकार की हैं, वे अलग अलग खास तौर पर बताई गई हैं। मेरा यह निवेदन है कि ला एण्ड आर्डर, पुलिस और एडमिनिस्ट्रेशन आफ जस्टिस, ये तीनों बातें स्टेट के अधिकार क्षेत्र में आती हैं।

श्री अटल बिहारी वाजपेयी : केरल में संविधान का क्या हुआ ?

श्री राम सहाय : उनमें किसी प्रकार का इन्टरफियरेन्स करना कभी मुनासिब नहीं है।

मैं यह देखता हूँ कि हमारी गवर्नमेंट, हमारा मंत्रिमंडल ऐसे अवसरों पर कुछ कमजोरी जाहिर करता रहा है क्योंकि वह समझता है कि चूंकि हमारी कांग्रेस गवर्नमेंट है, इसलिए हमें संस्था के नाते जो कुछ करना है वह यहां पर भी कर सकते हैं। अभी पिछले दिनों जब पंजाब के बारे में एक प्रश्न उठा था और पंजाब के चीफ मिनिस्टर के खिलाफ इन्क्वायरी चली थी। अभी एक साहब ने पंडित जवाहरलाल जी का नाम लिया था। मैं अर्ज करना चाहता हूँ कि मैंने ही पंडित जी से इस हाउस में पूछा था कि क्या केन्द्रीय गवर्नमेंट को इस बात का अधिकार है कि वह किसी प्रान्तीय सरकार या चीफ मिनिस्टर के खिलाफ इन्क्वायरी करे? उन्होंने साफ कहा था कि नहीं कर सकती है और यह बात इस हाउस की प्रोसीडिन्स में मौजूद होगी। उन्होंने कहा था कि हमें कोई अधिकार नहीं है, लेकिन हम कांग्रेस संस्था के नाते ऐसा करते हैं। मेरे अर्ज करने का मतलब यह है कि इस तरह की कमजोरी दिखाना अच्छा नहीं है और इससे विरोधी दलों को उत्तेजना मिलती है और वे जब मौका आता है तब इस तरह की बातें यहां पर ले आते हैं। इसलिये मैं सरकार से निवेदन करूंगा कि अगर वह इस तरह की कमजोरी दिखलाती रहेगी तो वे गवर्नमेंट को दबाने का हमेशा प्रयत्न करते रहेंगे।

अब जहां तक बस्तर के बारे में जो इन्क्वायरी हो रही है, मैं उस पर कुछ नहीं कहना चाहता हूँ। लेकिन मैं यह कहना चाहता हूँ कि इस संबंध में बस्तर के राजा का इतिहास देखा जाना चाहिये। उससे मालूम होगा कि वहां पर क्या स्थिति है। मैं उन बातों के संबंध में जिस की वजह से वहां पर इस तरह की घटना हुई है कोई बात अर्ज नहीं करना चाहता हूँ। लेकिन अभी इस इन्क्वायरी के संबंध में श्री पांडे जी का नाम लिया गया और कहा गया कि उन्हें इस इन्क्वायरी को करने के लिये किसी विशेष उद्देश्य से मुकर्रर कर दिया गया है। मुझे बड़े अफसोस के साथ कहना पड़ता है कि उनके बारे में यहां पर इस तरह की बातें कहीं जाती हैं और यह कि मध्य प्रदेश शासन ने डाइरेक्ट उनका नाम मुकर्रर किया। लेकिन मैं यह कहना चाहता हूँ कि वहां के जो चीफ मिनिस्टर हैं उन्होंने उनका नाम तजवीज नहीं किया बल्कि उन्होंने चीफ जस्टिस से कहा कि आप किसी जज का नाम इस इन्क्वायरी को करने के लिये तजवीज कर दें इस पर हाईकोर्ट के चीफ जस्टिस ने उनका नाम बतलाया।

श्री अटल बिहारी वाजपेयी : क्या यह सच बात नहीं है कि वे जज नियुक्त होने से पहले ला सेक्रेटरी थे ?

श्री अर्जुन अरोड़ा : अब वे हाईकोर्ट के जज हैं।

श्री राम सहाय : तो वहां पर असल दिक्कत विरोधियों को क्या है? इस संबंध में मैं यह कहना चाहता हूँ कि जब से मिश्र जी ने मध्य प्रदेश का शासन अपने हाथ में लिया, उस समय से उसमें बहुत कुछ सुधार किया है और वह अब एक मजबूत शासन हो गया है और विरोधी दलों को मनमानी करने में अब दिक्कत हो गई है। वे लोग उसी कारण अब कुछ खीज गये हैं क्योंकि मनमानी नहीं कर पा रहे हैं। बस्तर से पहले ही से तरह-तरह की बातें आ रही थीं लेकिन आपोजीशन वालों ने इस

बात को लेकर अकारण उधम मचा दिया है। मैं यह अर्ज करना चाहता हूँ कि हमें यह देखना चाहिये कि दरअसल बस्तर की स्थिति क्या है और इसके बारे में जो इन्क्वायरी हो रही है वह इस वाक्य के बारे में क्या राय कायम करती है।

अभी हमारे मित्र श्री निरजन वर्मा जो मेरे जिले के ही रहने वाले हैं यह कहा कि मैं बस्तर के करीब का रहने वाला हूँ। लेकिन मेरा ख्याल है कि वे भूल गये हैं कि वे कम से कम 800 या 850 मील दूर बस्तर से रहते हैं। उन्होंने एक बात और कही कि वह एक बड़ा जिला है और प्रान्त का सबसे बड़ा जिला है। यह बात भी सही नहीं है। वह जिला तो केवल 11 लाख आबादी का है जबकि मध्य प्रदेश में 18 लाख और 20 लाख आबादी के जिले हैं। इस तरह के जो बातें उन्होंने कहीं, मैं समझता हूँ मुनासिब नहीं है। मैं इस हाउस में इस बात को चैलेंज देकर कहता हूँ कि शायद ही कोई ऐसा व्यक्ति होगा जो इस जिले के अभूजमाढ़ इलाके में गया होगा। उस इलाके में पैदल जाना पड़ता है और मैंने खुद वह इलाका देखा है क्योंकि मैं वहाँ पर गया और एक हफ्ता करीब घूमता रहा। वहाँ पर जो आदिवासी हैं वे बहुत सीधे सादे हैं और उन्हें जरा में ही फुसला दिया जाता है और उसका फायदा हमारे राजा साहब उठाया करते थे। मेरा यह अर्ज करना है कि हमको यह देखना है कि वहाँ पर जो बातें हुईं व कहीं पैदा हुईं। मैंने वहाँ के बारे में सदन में कई प्रश्न रखे थे, मैंने प्रेजीडेंट को भी लिखा था, मैंने होम मिनिस्ट्री को भी लिखा था और हमारे शिड्यूल्ड कास्ट के और शिड्यूल्ड ट्राइब्स के जो चेयरमैन श्रीकान्त जी थे, उनको भी मैंने इस बारे में लिखा था।

आपोजीशन की तरफ से श्री नरोना के बारे में बहुत सी बातें कही गई हैं, लेकिन मैं यह पूछना चाहता हूँ कि ऐसा कौन डिस्ट्रिक्ट आफिसर है जो कि उस इलाके में अभी तक गया हो? क्या अभी तक किसी आफिसर ने अभूजमाढ़ इलाके में दौरा किया है? वहाँ

4 या 5 साल से पहले तक किसी आफिसर ने दौरा नहीं किया। लेकिन मैं यह कहना चाहता हूँ कि वहाँ पर एक ऐसा आफिसर है, एक ऐसा व्यक्ति है जिसका नाम नरोना है जिन्होंने वहाँ जाकर बहुत काम किया। मैं यह बात आज ही नहीं कह रहा हूँ बल्कि इससे पहले भी मैं अपनी स्पीचों में कह चुका हूँ। श्री नरोना ही ऐसे आफिसर हैं जिन्होंने आदिवासियों के इस इलाके में दौरा किया है।

अब मैं यह कहना चाहता हूँ कि यहाँ पर कहा गया है कि मध्य प्रदेश के मुख्य मंत्री ने इन्क्वायरी कमिशन क्यों मुकर्रर कर दिया। इसके संबंध में मैं यह अर्ज करना चाहता हूँ कि जो यह बात मुख्य मंत्री जी के खिलाफ कही जाती है कि उन्होंने बड़ी चतुराई से इस कांड को छिपाने के लिये कमिशन मुकर्रर कर दिया। तो मेरा निवेदन यह है कि 25, 26 मार्च को यह बात हुई और 27 को उन्होंने इस के बारे में इन्क्वायरी सेट अप कर दी। अगर उन्होंने इस तरह की बात की तो क्या बुरा किया? अगर वह इस तरह की इन्क्वायरी नहीं कराते तो आप लोग कहते कि इसके बारे में इन्क्वायरी बिठलाई जानी चाहिये। जब इन्क्वायरी बिठला दी गई तो अब चिल्लाते हैं कि क्यों बिठलाई गई। यह तो ऐसी बात हुई कि 'करे तो डर, न करे तो डर'। मैं तो यह समझता था कि हमारे पार्लियामेंट में समझदार लोग हैं और वे इस तरह की इन्क्वायरी का विरोध नहीं करेंगे। लेकिन जब इन्क्वायरी बिठला दी गई है तो वे कहते हैं कि क्यों बिठलाई गई, इसके अन्दर भी कोई राज होगा। अगर नहीं बिठलाई जाती तो उस समय भी कहा जाता कि इन्क्वायरी नहीं बिठलाई जा रही है। तो मेरा निवेदन यह है कि इस प्रकार की जो बातें सदन में कही जाती हैं वे मुनासिब नहीं हैं। हमारे अपोजीशन के एक भाई ने जातीयता की बात कही, मैं उनसे निवेदन करना चाहता हूँ कि अगर आप वहाँ के एडमिनिस्ट्रेशन को इस खयाल से देखना चाहते हैं तो अभी जो वहाँ वाइस चान्सलर युनिवर्सिटी के मुकर्रर हुए

[श्री राम सहाय]

हैं, उनकी मिसाल देना चाहता हूँ। इस प्रकार की भावना फैलाना, इस प्रकार की बातें कहना किसी तरह से भी मुनासिब नहीं है। मैं आप से यह अर्ज करना चाहता हूँ कि विरोधी दल की ओर से इस तरह की जो बातें कही जाती हैं उनके बारे में बहुत सतर्कता से विचार करना चाहिये और उनके कहने पर नहीं आना चाहिये। उन्होंने इस तरह की बातें करके देश को नुकसान पहुंचाया है। अगर इस हाउस के इतिहास को देखा जाए तो निश्चय ही यह मिलेगा कि विरोधी दल के कहने पर अमल करने से देश को किस तरह का नुकसान पहुंचा है। मैं पंजाब की मिसाल आपके सामने रखना चाहता हूँ जिसको देखने से आपको मालूम हो जायेगा कि हमारे सामने कितनी दिक्कतें सामने आईं। इसलिए मेरा निवेदन है कि विरोधी दलों की हर बात को मानना नहीं चाहिये और उनकी बातों में आकर कोई बात नहीं करनी चाहिये। इसलिये मैं शासन से निवेदन करूंगा, मंत्रिमंडल से निवेदन करूंगा, कि भविष्य में विरोधी दल चाहे कोई भी बात कहें, चाहे वह उसे कितनी ही उचित बतायें, विरोधी दल को खुश करने के लिये उनकी बात को नहीं मानना चाहिये। आप उन्हें कितना ही खुश क्यों न करें, वे खुश होने वाले नहीं हैं, क्योंकि उनका उद्देश्य कोई सुधार का नहीं है। हमारे यहां संस्कृत में एक श्लोक है जिसका आशय है कि निन्दक को पड़ोस में रखना चाहिये ताकि हमें अपने अवगुण मालूम हों सकें। इस वक्त विरोधी दल हमारे साथी हैं, लेकिन हमारे विरोधी दल वालों को कम से कम इस बात का जरूर ध्यान रखना चाहिये कि उनको जो मुझाव हों वे अनैतिक न हों और कायदे कानून के अन्दर हों।

उपसभाध्यक्ष (श्री महाबोर प्रसद भार्गव) : आपका सिर्फ एक मिनट रह गया है।

श्री राम सहाय : मैं अब खत्म कर रहा हूँ। मैं यह निवेदन करना चाहता हूँ कि इस मामले के बारे में जो हाईकोर्ट का जज नियुक्त किया गया है उसके बारे में हमें कोई ऐसी बात नहीं

कहनी चाहिये जिससे उन्हें जो काम सुपुर्द किया गया है उसमें किसी प्रकार की कोई बाधा उत्पन्न हो। मेरा ख्याल ऐसा है कि उनकी तकुरंरी के संबंध में जो बात कही गई है वह ठीक नहीं कही गई है। मैं यह निवेदन करूंगा कि आगे जो भी मित्त इस संबंध में बातें कहें वे इस बात का अवश्य खयाल रखें कि उनकी नियुक्ति के बारे में कोई बात न कहें। आपने जो क्लिग दी है उससे स्पष्ट हो जाता है कि इस तरह की कोई बात नहीं कही जानी चाहिये, न कोई ऐसा नाम इस प्रकार लिया जाना चाहिये, जिससे कमिशन को अपने काम में दिक्कत पेश आये। यहां पर नाम लिये गये और तरह-तरह के इल्जाम लगाये गये। मैं समझता हूँ कि इस तरह की बातें हमें नहीं कहनी चाहिये। यहां पर यह भी कहा गया कि उनकी वाइफ को पूरी जानकारी नहीं थी और उन्हें रोने तक का मौका नहीं दिया गया। इस तरह की जो बातें कही गई हैं वे ठीक नहीं हैं। इसलिये मेरा निवेदन है कि इस तरह की बातें आगे नहीं कही जानी चाहियें।

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Govindan Nair. Fifteen minutes.

SHRI M. N. GOVINDAN NAIR: Mr. Vice-Chairman, Sir, as mentioned by my leader, comrade Bhupesh, three of us, myself, Mr. Kumaran and Mr. U. Mishra from the other House visited Bastar on the 1st of this month. We were there for two days. The alarming reports about the killings there and the shocking statement of the Chief Minister that the people in Bastar are in revolt as in Mizo Hills district and Nagaland and the studied silence of this Home Minister made us decide to go there and make an on-the-spot study of the affair. Within the short time at our disposal we tried to meet as many people as possible and collect as much information as we could. We met the present Raja. We met some Adivasis, some advocates, and people of different vocations. We had occasion to discuss the developments in Bastar with them. The authorities were kind enough to allow us to see the scene of occurrence. They also permitted us to meet the S.S.P.

leaders, Mr. Ravi Shankar Vajpayee and one Mr. Nigam. We tried to get the official version from the Collector, but like our Home Minister he refused to say anything on the matter. Well, now I find that, in this House, even about the area and .. population there is controversy. From my understanding of the papers supplied by the Government, this district of Bastar is slightly larger than my State of Kerala. It is 1500 square miles; no, it is 15,000 square miles; I hope my friend will not dispute that fact. The population is more than 11,000; more than no, it is 11.00,000.

SHRI ARJUN ARORA : Your facts are all wrong.

SHRI M. N. GOVINDAN NAIR : Please do not interrupt me.

SHRI ARIUN ARORA : Very confused observation.

SHRI M. N. GOVINDAN NAIR: Don't try to confuse me.

SHRI M. P. SHUKLA (Uttar Pradesh): You are already.

SHRI M. N. GOVINDAN NAIR: I am not confused; I am very clear after seeing the things myself.

Now, of these more than eight lakhs are Adivasis, that is, 72.27 per cent of the population are Adivasis, and 5.49 per cent of the population are Scheduled Castes; the total Will make a percentage of 77.76. I am quoting this because this figure is very important. Now in the affairs of Bastar this 77.7 per cent of people had no hand, had nothing to do with the administration there. In the so-called democracy these people are out of the pale of democracy. This is one fact. Secondly, during these eighteen years of Congress rule the revenue of the State has increased from Rs. twenty lakhs to nearly Rs. 3.25 crores. That is also true. It is also true that millionaires have sprung up in that region of Bastar, through forest contracts, through control of transport, through trade. So there is a prosperous section. But the unfortunate fact is that the poor tribals have been robbed of their means of existence. They were living in the forests and they were leading the most primitive state of life. I have no time and so I do not want to go into all those

details, but then they were mainly depending on the forests for their sustenance. During the lime of the Raja (hey could move about from one part of the forest to the other; they could collect forest ami somehow exist living in the most primitive way. But now forest administration has improved. There have been reforms after reforms by which the

i forest wealth is very well exploited adding , to the revenues of the Government leaving 72 per cent of the population to die of starvation. This is the state of affairs. And at least they could have allowed these people to die in peace with their miseries and that way there would have been some consolation for them. We had never allowed them to live freely like that after independence. You have been harassing them like anything, not now, not in the last month of April, but from the time you took over the administration there. You are now treating them worse than the Britishers did. You are now treating them worse than the Rajas did. During the time of the Rajas forest administration was a nominal one. There was only one D.F.O. there; now you have hundreds of

I them. During the time of the Rajas they could collect forest wealth and live on it somehow. Now you are not allowing them to do so. You are stealing from them now the forest wealth lhat they used to have freely before. At best you have made them wild animals for you to exploit them and, if necessary, to exterminate them. This is the attitude of the ruling party. Now I was being asked whether I had facts. Now I am quoting from a Congress M.L.A. of 1957-58. He was a Congress M.L.A. from Bastar and he, after touring his constituency, has submitted a memorandum to the Chief Minister of Madhya Pradesh. I have no time to read the whole thing but one paragraph. One page i I propose to read, time permitting.

SHRI AKBAR ALI KHAN: How did i you get it ?

SHRI M. N. GOVINDAN NAIR: That is why I went there; you don't know that. Now I read it.

"Before I state other details, the first grievance of the people of the district is that there is a planned programme manoeuvred by the Deputy Commissioner and the District Superintendent

[Shri M. N. Govindan Nair] of Police to harass the villagers and public on a false and imaginary fear that they are people of a rebellious nature. Their blind faith in religion and Maharaja have been the basis of this imaginary fear."

Now here I ask, excuse me, if the Home Minister can have faith in the astrologers . . .

SHRI AKBAR ALI KHAN: He has not.

SHRI M. N. GOVINDAN NAIR: If my friend, Mr. Vajpayee, can have faith in the cows, why should we not allow the poor aboriginals to have faith in some god ?

Why not?

AN HON. MEMBER : You have no faith.

SHRI M. N. GOVINDAN NAIR: We are speaking of the Maharaja here.

SHRI ARJUN ARORA : We will permit Mr. Govindan Nair to ...

SHRI M. N. GOVINDAN NAIR: You sit down there.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Govindan Nair . . .

श्री राम सहाय : यह डाक्यूमेंट जो आप रेफर कर रहे हैं, उसे क्या हाउस की टेबिल पर रखेंगे ?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No, it need not be placed.

SHRI M. N. GOVINDAN NAIR: That is exactly what I want.

SHRI BHUPESH GUPTA : Let it be placed on the Table of the House.

SHRI M. N. GOVINDAN NAIR: Since the hon. Member has demanded it I am prepared to place it. I am only reading out certain sentences from here.

"As is well known to the world, these tribal people are very loyal to the administration, simple, truthful and honest. I feel we should win them over by love, by doing good to them.

Our approach should be non-violent as violent action sows seeds of hatred, distrust and leads to ruin."

SHRI M. M. DHARIA: What is the relevant point ?

SHRI M. N. GOVINDAN NAIR: The point is that even from the very beginning from the time you took over the administration of that area, you were harassing these people.

श्री राम सहाय : मैं यह अर्ज करना चाहता हूँ कि जो कागजात हाउस में पढ़े जायें वे हाउस की टेबिल पर भी आने चाहिये ।

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I do not want to allow it to be placed on the Table of the House. Don't raise that question again and again.

SHRI M. N. GOVINDAN NAIR: I may tell you who the author of this document is.

AN HON. MEMBER : Pravir Chandra Bhanj Deo.

SHRI M. N. GOVINDAN NAIR: >e>s, Shri Pravir Chandra Bhanj Deo is the author. Why do you laugh ? Well, he was a loyal Congressman and he wanted to serve your organisation and after his visit to this district he has said that these were the things that should be done. He said that these people should be treated with love and affection and given some better facilities. That was the only demand that he made. Now, Sir, to cut a long story short . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Yes, yes. Only two minutes more. Go ahead and finish in another, two minutes.

SHRI I. K. GUJRAL (Delhi) : Give him a longer rope.

SHRI BHUPESH GUPTA : Mr. Vice-Chairman how is that when this serious matter is being discussed the House is full of laughter?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Order, order.

SHRI M. N. GOVINDAN NAIR: As the hon. Member who spoke earlier pointed out, the whole trouble started owing to the recent policy of procurement and levies from these people. For the procurement of levies in Madhya Pradesh there are certain rules which are applicable to other people. Those people who own less than five acres of land are exempted. And the levies are assessed on the basis of the actual production. Unfortunately the Administration among the tribals were extorting the procurement of rice in a very arbitrary manner and thh caused great distress among the people. They started pouring into the city and to the place of the Maharaja which was the only place where they could go. Now it has been sought to be made out that these people were on revolt. This is one point *an* which we tried to find out whether there is any such development there as is taking place in other tribal areas. I will quote a few things here :

"On the 18th there was the Dev Purni Cholla Khamb and a procession of Adivasi"

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Govindan Nair, we are working on a very tight schedule. I am afraid I shall not be able to give you more time. You must wind up in another one minute.

SHRI M. N. GOVINDAN NAIR: Yes, Sir. At that time the police beat them up, I mean when they were going out on that procession and so they complained to the Commissioner and here is the letter which 26 Adivasis have signed and sent to the Commissioner, Raipur. I will read just a small portion.

"Last Friday, at 3 p.m. Adivasi men were taking Dev Purni Chotla Khamb. After they passed through the forest check-post, while reaching the main gate of the palace with Adivasi women singing "chait" festival song, the police captain Viswanath Singh got down from the jeep and started beating men and women Adivasis at random."

(Interruption)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Please let him finish.

SHRI M. N. GOVINDAN NAIR: Sir, this is the copy which these people have signed and' I am willing to place it. This is the authentic copy signed by them. Here is the Hindi version, signed, by these 26 persons.

SHRI ARILFN ARORA: Read the Hindi version.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Arjun Arora, let him finish, please.

SHRI M. N. GOVINDAN NAIR: This document will clearly show that the Adivasis did not want to have any revolt or fight at all. *A11 that they wanted was protection from the police. This was submitted on the 22nd March. On the 24th there was a gathering of Adivasis before the house of a Congressman demanding rice. Yes the police rushed there. The report of the police itself shows that instead of creating any harm- to anybody, these Adivasis were singing and dancing usual with them. Nothing untoward happened that day. I do not think that this is the behaviour of an organised section of tribals who wanted to start a revolt.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Govindan Nair, I am sorry, but I will have to ask you to stop here.

SHRI M. N. GOVINDAN NAIR: Yes, Sir. I will stop now. There were these interruptions. Again on the 25th

AN HON. MEMBER: Nothing happened.

SHRI M. N. GOVINDAN NAIR: What happened ? A woman who went to see some of those people who were in the lock-up was beaten up before the Adivasis and that started the trouble. And then from 11 A.M. of the 25th till 3 A.M. on the next day the palace was surrounded by the police and intermittent shooting at the tribals took place. The number of deaths that took place according to the modest estimate of the people outside was to the tune of 300 while the Government says that it was only 13.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I know you have been

[Shri M. P. Bhargava] to the place, Mr Govindan Nair, but I cannot go on giving you time!

AN HON. MEMBER: How do you know ?

SHRI M. N. GOVINDAN NAIR: I conclude by saying that under these circumstances I have a few suggestions to make. I am not going into all these incidents. Here just as you go for hunting and after surrounding the place you go on killing, so also many people have been killed. This is a very serious matter to which the House should pay some serious attention.

With regard to my suggestions, you know this tribal trouble started not only here; but as you know what happened in Nagaland and also what happened in Mizo Hills. So at least now the Central Government should take it seriously and they should not entrust these tribal areas to the State Governments. They cannot fulfil their responsibilities to these downtrodden tribal people. The entire tribal belt should be taken over by the Centre immediately. This is one of my humble suggestions.

SHRI AKBAR ALI KHAN: I am happy you have confidence in the Central Government.

SHRI M. N. GOVINDAN NAIR: secondly, with regard to the Commission, I do not want to go into other things. I could only say that this Commission has been appointed only to create the confidence in the mind of the people that justice would be done. Unfortunately whatever may be the reasons for it, that confidence does not exist. So let the Government apply its mind and take steps in such a way that confidence is created in the Commission.

Thirdly, immediate steps should be taken to see that all those police officers who are there, all those district officers who are there, are transferred from there > that under a new set-up a proper enquiry can be conducted. Since I have > time I cannot give this sad story in detail and I end here.

THE VICE-CHAIRMAN (SHRI M. P. HARGAVA) : Yes, and the House has ten note of your folded hands. IRI I. K. GUJRAL : Sir, we have just

witnessed an interesting scene. Mr. Govindan Nair with folded hands, an apostle of peace and love, has told us the story of his visit to that place, Bastar, and when I was hearing him it was interesting to find that Bastar today looks to be a magic box where Mr Govindan Nair sees discredited tycoons and discredited old privileges; not only that but in that magic box Mr. Varma sees that all

; the officers there are communal, either Christians or Muslims but no one is an Indian and where Mr. Niranjan Singh has seen and realised the glories of the Rajas gone by and wishing that if there could be ways and means of bringing those Rajas

back it would be very nice. I feel, Sir, that all the Opposition-together, from Mr. Govindan Nair to Mr. Verma, whether they find tycoons there, whether they find communalism there or whether they find the Rajas

coming back, have one thing in common.

! They think that all these things put together are sufficient grounds for the Ministry to be dismissed. I am sorry, Sir, it was sad to watch that everybody here wanted to make political capital out of the situation. I was expecting that the Opposition today would concentrate on the situation itself. Of course I had faith in their good sense that they would not mention the incident! of that day but they should appreciate that

the Government of Madhya Pradesh immediately after the incident lost no time in requesting the Chief Justice to appoint a

High Court Judge to look into the incident. And now that a court of enquiry has been appointed I shall not say anything. The court will itself find out and sort out the facts whether on that fateful day the crowd had collected to dance or to shoot. The

court of enquiry will decide when it sorts

out the facts whether the lock-up was broken or not, I shall not comment on these things. I will also without commenting

I leave it to the court to pronounce its verdict whether excessive powers were used on that day or not but the fact remains that the court will have to sort out all these things and give a verdict on the circumstances in which the ex-Raja died. We have one thing in common in this House and in the other House that this was indeed a Sad day. It was very sad that the incidents took place; it was sadder still that the Raja died. We wish it had not happened but since it has happened the only way out is that the court of enquiry should sort out-all the facts, go to the bottom of the facts and get at the

truth so that the nation knows who the culprit is. And whoever is the culprit, what- ever office he may occupy, he will in public be held responsible for that. For that I have faith in the institutions of democracy; I have faith in the judiciary and I have faith in this country and its Constitution that no one who has not done the right thing on that day shall be spared.

But surely having said that I do not wish to comment further because in death there is no controversy. I do not want to say whether the Raja was glorious or not but I would like the House to know and remember an incident that once upon a time in one of his fitful rage the Raja had chopped off the hand of a rickshaw puller. It was a very sad thing indeed. (Interruptions) I have with me the proof and if I am challenged, I shall prove it. And I will now quote him and when I quote I also want to say that unfortunately this Raja never reconciled himself to the merger of his State with India. He gave an interview to the Mahakosha! paper in Raipur in November 1960 and he had said:

"If the administration arrests even one person we should arrest 100 persons belonging to the administration and if even one person is killed by firing we should kill 100 persons by bows and arrows."

SHRI BHUPESH GUPTA : How many were killed ?

(Interruptions)

SHRI ATAL BIHARI VAJPAYEE: How many were killed ? How many by bullets ?

SHRI I. K. GUJRAL: I shall come to that; I will leave it to the court of enquiry to find out how many were killed and when it tells us both Mr. Bhupesh Gupta and Mr. Vajpayee will be sorry. Everyone who is killed, whether by bow and arrow or by bullet, is an Indian and we are sorry for it. When an Indian dies an enquiry must be held and it is being held.

Now, this Raja proceeds further. In December 1960 he gave an interview to Hitavada of Nagpur on 24th and he said :

"Adivasis are thinking in terms of a separate State."

And then he went on further. Here I do not know whether he meant it or not, whether he was in his fitful rage or whether he was talking normally as he should have talked but I would only say this that when he was deposed there were good and sufficient reasons for it. He was deposed because he was trying to raise the banner of rebellion against the State. He was planning for the de-accession of his State; he was threatening that Bastar would be an independent State outside India and I shall only quote from his book which I have here with me. The book is entitled "I pra-vir—The Adivasf God"; it is a book written by him. Here in this book he has reproduced a letter from his own brother to the Government of India in which he had said

AN HON. MEMBER : Page ?

SHRI I. K. GUJRAL: Page 89; you will hear me with patience.

This is what the brother has said about the brother :

"As you know personally the Ex-Maharajah (my elder brother) Pravir Chandra Bhanj Deo was behaving in an erratic and irresponsible manner and was squandering his resources. He proved himself incapable of looking after properties, so his estate (State as well as personal properties) was put under Court of Wards in 1953. Not only this thereafter Shri Pravir Chandra Bhanj Deo created disaffection among the people of Bastar and incited them to acts of violence and lawlessness. He even tried to create rebellion against the Government of India and more or less declared himself as an independent Ruler."

SHRI G. M. MIR (Jammu and Kashmir): That is what his brother said.

SHRI I. K. GUJRAL : But he himself quotes it. And again I would like to quote

(Interruptions)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Order, order.

SHRI ATAL BIHARI VAJPAYEE : You are having talks with Naga hostDes.

SHRI I. K. GUJRAL : I shall come to Naga hostiles also. Mr. Vajpayee gets disturbed about Nagaland. I shall draw his attention to this great man's statement about the Nagas. In the issue of a Hindi daily "Nai Duniya" of Raipur of 3-8-1965—this is six or seven months back—this Raja warned the Government of India that they should not play with the lives of adivasis, otherwise Bastar would become another Nagaland. Let Mr. Vajpayee please note it. Mr. Vajpayee is disturbed when Nagaland is talked of. We should all be disturbed when we hear such things but I do not want to raise any controversy after his death but I only gave some quotations to prove . . .

SHRI ATAL BIHARI VAJPAYEE:
Why was not he arrested ?

SHRI I. K. GUJRAL : He was in jail.

SHRI ATAL BIHARI VAJPAYEE: Sir, I do not want to interrupt him. But I would like to know this. When he threatened to make Bastar into another Nagaland why was not he taken into custody under the Defence of India Rules? Let them reply to that.

SHRI AKBAR ALI KHAN : If it is proved, will you condemn him ?

SHRI I. K. GUJRAL: Sir, this gentleman does not stop with that. On 28th May 1963 he sent a telegram to the Chief Minister in which he said :

"Threatening communal situation between Adivasis and Government may lead to existence of Bastar as a separate feudal entity in the future."

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Gujral, you have only a minute more.

SHRI I. K. GUJRAL : I have only one minute more ? I am dealing with the fate of this nation and you will permit me a couple of minutes to tell my friends there that they should not be misled when, something happens which is unsavoury. It is unsavoury to all of us. We do not want such things to happen and we do wish that the court should enquire into this. We hope the High Court Judge will find out the truth and give it to us and when it comes here Parliament will have occasion to debate on it.

My friends sitting there, whatever their political commitments be, whatever their political ends be, whatever their targets be, shall keep this thing in mind, that India comes first. Integration of this nation comes first. Anyone, howsoever big and mighty he be, who either now or in the past, has raised the slogan of disunity or has done anything to disintegrate this nation is not a friend of India. I join my friends in the Opposition in expressing my sorrow in the death of the Raja. I am sorry he died. He should not have died. In this nation everyone should live. Everyone should have the right to exist as an Indian citizen within the Constitution. Whatever our motivation be, we shall not only keep an eye on the elections next year, but we shall keep an eye on the future of this nation before the interests of the Party itself. Thank you.

SHRI JAIRAMDAS DAULATRAM (Nominated) : Sir, I will try to be as brief as possible and not detain the House for long. I would like to express, with all humility, such reactions as have been produced on my mind after hearing this debate. You, Sir, have permitted us, in a way, to discuss the Bastar situation and references have been made to certain incidents which took place there. I do not propose to take advantage of the permission you have given. It is true that Parliament is supreme, but Parliament is supreme not for functioning in any arbitrary way. Parliament's functioning is also conditioned by certain principles and guidelines, which should control the working of all parliamentary institutions. I think it would not be correct, when a Commission of Enquiry is dealing with the investigation of certain painful incidents, that we in Parliament should also be discussing these matters. I, therefore, refrain from dealing with the incidents in Bastar, but there are certain general things which I think we may take note of. It has been suggested that the Centre should intervene by seeing that a Supreme Court Judge is appointed to conduct this enquiry or be associated with this enquiry. The situation that we are facing is that the State Government has taken prompt action in appointing a Commission of Enquiry. Would it be correct for the Centre to intervene in a matter of that nature and appoint or associate a Judge of the Supreme Court? Whichever may be

the Party which may rule this country, at this or that time, the relations between the Centre and the States have to be regulated according to certain principles. I can understand that there can be occasions when the Centre may have to intervene, when the working of the Constitution in the State may be difficult or the law and order situation threatens to get out of hand. But I do not think that there can be many occasions for the Centre to intervene. We are shaping our Constitutional machinery after thirty years of struggle and eighteen years' experience of the Constitution. I do request all Parties, whatever may be the emotions under which they may be working—which can be naturally understood and appreciated—to see that we do not so make the functioning of our Government shape itself from day to day that basic principles of the relationship between the Centre and the States should be disturbed. We have many problems which are of a very delicate nature and I do not know what image of India as it is functioning at this time, we are projecting before the world. I do, therefore, appeal to all to let this enquiry proceed as it is. Let there not be any pressure on the Central Government to intervene in a matter of this nature. I am glad that the Central Government has so far resisted that pressure and hope it will continue to resist that pressure. I do not think that the results of the enquiry will necessarily determine every future action that has to be taken in regard to Bastar. Those matters should be considered when the report is before the country.

I was also sorry to hear that some friends wanted that Parliament should appoint a Commission over the head of the Central Government, because the tribals had no faith in the State Government or some other people had no faith in the Central Government. I think it is a very dangerous procedure. Whichever Party may be in power in this country, the Government must govern or be replaced. While the Government governs, it would not be correct for Parliament to have a Commission over the head of the Government because that again gives rise to many constitutional problems. Therefore, I feel, apart from the emotions which have been aroused, as there are fundamental constitutional questions involved which affect the future

L44RS/66 5

of our democracy, the proposal made need to be very cautiously considered.

These are the few suggestions which I am humbly placing before the House.

पंडित भवानी प्रसाद तिवारी (मध्य प्रदेश) : उपसभाध्यक्ष महोदय, मैं विरोधी पक्ष की यह बात स्वीकार करता हूँ कि बस्तर के आदिवासी लोग बड़े भोले हैं परन्तु साथ ही मैं यह जानकारी उनको देना चाहता हूँ कि इस भोलेपन का दुर्लभ उठाकर निहित स्वार्थों ने उनको इन पन्द्रह वर्षों में हिंसा करने और ऐसा कदम उठाने के लिये बाध्य किया कि जो उन्हीं के ऊपर बरसा और उन्हीं को भुगतना पड़ा। सन् 1947 की बात है, जब प्रवीर चन्द्र जी को राज पदवी मिली थी और हिन्दुस्तान भी आजाद हुआ था। तब, हम जानते हैं और जो राजनीति में हैं वे जानते हैं, निजाम के हैदराबाद का क्या खेल था और उस वक्त—जिनको याद होगा वे स्वीकार करेंगे—एक समझौता, अनर्थकारी समझौता, बस्तर के राजा ने हैदराबाद के निजाम से किया था। इसका अर्थ यह है कि जो विलयन की कार्यवाही हो रही थी उससे फड़फड़ा कर ये लोग अलग होना चाहते थे। वह तो सरदार पटेल थे, पंडित रवीशंकर शुक्ल थे, जिन्होंने परिस्थिति को संभाला और उसको बचाया। मैं आपके सामने यह भी स्पष्ट कर देना चाहता हूँ कि जितने भी आंदोलन बस्तर में हुये वे सन् 1947 के बाद, राज की गद्दी बचाने के आंदोलन हुए। इसलिये जो खूनखराबी हुई इस तरफ या उस तरफ, उसकी सारी जिम्मेदारी राजा के ऊपर, प्रवीर चन्द्र के ऊपर, जाती है। मैं कुछ घटनाएँ आपके सामने पेश करता हूँ।

सन् 1961 में प्रवीर चन्द्र जी जब अपदस्थ किये गये और विजय चंद्र देव पदासीन किये गये तब उन भाइयों की लड़ाई में लोहंडीगुडा में आदिवासी भाइयों का एक विप्लव हुआ और इस आपसी लड़ाई के फलस्वरूप जो राजा भाइयों की लड़ाई थी, कई आदिवासी

[पंडित भवानी प्रसाद तिवारी]

हताहत हुये और काम आए। उस वक्त डाक्टर काटजू मुख्य मंत्री थे। यह सन् 1963 की बात है, जब हजारों आदिवासी महल में इकट्ठा हुए और वे आंदोलित किये गये इस बात के लिये कि राजा की सम्पत्ति को कोर्ट आफ वाईस से मुक्ति दिलाई जाय। उस घटना में तीर कमान चला एक कांस्टेबल के ऊपर। यह सिलसिला मैं इसलिये बता रहा हूँ क्योंकि सन् 1964 की घटना आपके सामने पेश करना चाहता हूँ जब कि भेजरीपदर गांव में ड्यूटी पर गये कांस्टेबलों के सिर काट दिये गये और इसके फलस्वरूप उन पर मुकदमा चला। दो आदिवासियों को इसके सिलसिले में फांसी भी हुई है। मैं सन् 1965 की घटना आपको बतलाता हूँ। यह खबर फैली कि दन्तेश्वरी के स्वर्ण दंड की चोरी हो गई। तो उसका परिणाम क्या यह होना चाहिये कि लोग जाकर क्लैक्टेड में इकट्ठा हो जायें और विजयचंद्र भंजदेव के यहां धरना दिया जाय। और अंत में उनकी यह मांग हो जाय कि प्रवीर चन्द्र भंजदेव को गद्दी मिलनी चाहिये? इस प्रकार बस्तर का प्रत्येक आन्दोलन चाहे जिस बात को लेकर उठा हो, उसकी अंत में परिणति यह हुई कि राजा को गद्दी वापस करो। हमेशा एकसा स्वरूप इन चीजों का होता आया है और लोगों को मैदानों में होकर, महल में किसी न किसी ब्रह्मणे इकट्ठा किया जाता है और उनके तीर व्यवस्था करने वालों की जान के ग्राहक होते हैं।

मैं इसे बिना हिचक के स्वीकार करता हूँ कि शासन आदिवासियों को प्रभावित करने में सफल नहीं हुआ और उनके अपदस्थ राजा की इस घोषणा पर उनका अन्ध विश्वास बना रहा कि "I Pravir—the Adivasi God" में प्रवीर आदिवासियों का महाप्रभु। असल में इस महाप्रभु ने ही बेचारे आदिवासियों को संकट में डाला और शासन को कल्याणकारी काम करने से रोका।

मुझे इस बात का खेद है कि न्यायिक जांच प्रारंभ हो जाने पर भी जिम्मेदार लोगों

में तरह-तरह की अफवाहें फैली हैं। अर्ज यह है कि इस तरह की घटनाओं के वक्त जो अफवाहें उठती हैं, उनकी तरफ नहीं जाना चाहिये। परन्तु असल में इस बात को देखना चाहिये कि जब चीज रहस्यमय होती है और समझ में नहीं आती है तो उसके लिये कदम यही होगा है कि न्यायिक जांच की व्यवस्था की जाय। इस तरह से न्यायिक कदम उठाकर इस बात की जांच की जाय कि कहीं पर क्या कुछ रद्द गया है और इस तरह से लोगों को मालूम हो जाय कि शान्ति व्यवस्था कायम की जा रही है। मैं समझता हूँ कि जो अधिकारी हैं उन्हें इस बात पर ध्यान देना चाहिये। इसी बात को ध्यान में रखकर हमारे मुख्य मंत्री जो मध्य प्रदेश के हैं उन्होंने जल्दी ही इस तरह का कदम उठाया, तो इस बात के लिये उनकी प्रशंसा की जानी चाहिये। शासन में चाहे कोई भी रहेगा, अगर वह अव्यवस्था देखेगा एक ओर तो दूसरी ओर उसे यह भी लगेगा कि उसमें सुधार किया जाय और व्यवस्था लाने में जो कदम रहस्यमय हुये हैं उनकी तुरन्त जांच की जाय। इसके लिये मुख्य मंत्री की प्रशंसा की जानी चाहिये।

अंत में, मैं शासन के अधिकारियों से यह निवेदन करना चाहता हूँ कि बस्तर के जो आदिवासी भाई हैं उनकी समस्या को समझने के लिये बहुत सहानुभूति की आवश्यकता है। वे स्वाभिमानी हैं, उनकी अपनी संस्कृति है और उनकी रक्षा करते हुये उनको जीवन जीने की सुविधा मिले, तो उनके जो प्रश्न हैं, वे अपने आप हल हो सकते हैं।

आज की स्थिति में सिवाय इसके क्या है कि जो जिम्मेदार लोग हैं वे न्यायिक जांच में सहायक हो जायें और जो कुछ उनके पास तथ्य हैं, वे उनके सामने पेश करें। मुझे इस बात की बड़ी हैरानी है कि—मध्य प्रदेश ने ऐसे बड़े न्यायाधीश दिये हैं, यहां पर सुप्रीमकोर्ट के जो जज हैं, अब भूतपूर्व हो गये हैं श्री वी० पी० सिंहा, वे मध्य प्रदेश से ही आये थे, जो आज जस्टिस हिदायततुल्ला हैं, वे भी मध्य प्रदेश

से ही आये हैं—अगर हम किसी प्रदेश के न्यायमूर्ति किस लायक हैं, इस बारे में बहस करने बैठ जायेंगे तो हम न्याय वेवला की प्रतिष्ठा क्या कर सकेंगे। आज इस बात की आवश्यकता है कि बातें साफ आये और इस बात के लिये न्याय वेवला की प्रतिष्ठा के सिवाय हमारे सामने कोई चारा नहीं है और मुख्य मंत्री जी ने जो कुछ इस बारे में किया है उसमें हम महायत्ना करें।

SHRI LOKANATH MISRA : Justice should not only be done but should also appear to be done.

श्री गंगाशरण सिंह (बिहार) : दाइस चेंबरमन साहब, जहाँ तक मैं समझता हूँ, बस्तर का प्रश्न अधिकांशतः, दलगत भावना से ऊपर है। मैं इसे किसी पार्टी का प्रश्न नहीं समझता हूँ और साथ ही साथ बस्तर की जो परिस्थिति है, वहाँ की जो आबादी है, वहाँ का जो हाल रहा है, उसे देखते हुये यह समस्या अत्यन्त नाजुक है। इसलिए इस संबंध में, मैं यह चाहता हूँ कि जो भी कार्यवाही की जाय वह संदेह से, आशंका से और शंकाओं से परे हो, तो ज्यादा अच्छा होगा। यहाँ पर प्रश्न सिर्फ एक व्यक्ति या कुछ व्यक्तियों के मारे जाने का नहीं है, यहाँ पर प्रश्न पार्टी का भी नहीं है। जो परिस्थिति अखबारों में, समाचारों के छपने से सामने आई, सरकार की ओर से जो वक्तव्य यहाँ दिये गये, या मध्य प्रदेश में दिये गये उनसे जो परिस्थिति पैदा हुई, वह परिस्थिति ऐसी नहीं है जो दल का प्रश्न हो या किसी पार्टी का प्रश्न हो। बल्कि उससे जो शंकायें पैदा हुई हैं, उनसे जनता के संबंध में लोगों में संदेह होने लग गया है और लोग कहने लगे हैं कि इसके मूल में तथ्य और कुछ होगा। आज परिस्थिति यह हो गई है कि मतभेदों को बजाय दूसरी तरह से दूर करने के, शस्त्रों के जरिये, हथियारों के जरिये से हल किया जा रहा है। ऐसी आशंकायें और शंकायें बहुतों की हैं। ये गलत भी हो सकती है और सही भी हो सकती है। आज सरकार का यह मुख्य कर्तव्य है कि ऐसी आशंकाओं और ऐसी शंकाओं को दूर करने की कोशिश करें।

कई बातें ऐसी हैं जिन्हें सरकार के वक्तव्यों ने आज तक स्पष्ट नहीं किया। पहली बात तो यह है कि सरकार की तरफ से इतने वक्तव्य निकले पर वे मरे सरकार की पुलिस की गोली से, कब मरे, किस वक्त मरे, आज तक किसी वक्तव्य में नहीं कहा गया। बहुतों का कहना है कि जिस वक्त सरकार ने सूचना दी उससे 24 घंटे पहले मर चुके थे। कुछ का कहना है कि रात के 8 बजे मर चुके थे। दूसरे रोज 12 बजे दिन में विधान सभा में मुख्य मंत्री जी ने जो बयान दिया था उसमें उनके मरने का जिक्र नहीं किया। अब प्रश्न यह है कि जिस समय उन्होंने 12 बजे दिन में यह कहा कि वे अराष्ट्रीय काम करने वाले थे, मीजो और नागालैण्ड के लोगों की तरह बर्ताव करने वाले थे, क्या उस समय तक सरकार को उनकी मृत्यु की खबर लग चुकी थी? उनकी मृत्यु हो चुकी थी लोगों का कहना है तब तक। अब दूसरा प्रश्न यह है कि सरकार के स्थानीय अधिकारियों को, पुलिस के लोगों को कब खबर लगी कि उनकी मृत्यु हो चुकी है? अगर उनको पहले खबर लग गई थी, तो उन्होंने सरकार को, भोपाल में खबर दी या नहीं दी? अगर सरकार को खबर नहीं दी तो इसमें गलती किस की हुई? अगर सरकार को खबर थी तो जिस समय विधान सभा में 12 बजे, मुख्य मंत्री ने इस संबंध में अपना पहला बयान दिया था, उस समय उन्होंने इस घटना के बारे में क्यों नहीं कहा? आज तक यह बात स्पष्ट नहीं हुई कि उनकी मृत्यु कब हुई।

लोग सदन में सरकार की ओर से यह कहते हैं कि कर तो डर, न कर तो डर। तो इस सन्देह के पीछे एक पृष्ठभूमि है। उसका कारण यह है कि अब तक हमने बराबर यह पाया है कि केन्द्रीय सरकार और प्रान्तीय सरकारों ने जहाँ कहीं कमिशन मुकर्रर किये जब तक उनके लिए आन्दोलन नहीं हुआ, जब तक दबाव नहीं पड़ा, जब तक कहा नहीं गया, तब तक प्रायः कमिशन मुकर्रर करने में

[श्री गंगाशरण सिंह]

आना कानी और आगा पीछा करती रही है। यहां मरने की सूचना और कमिशन की तकररी की सूचना, दोनों साथ दी जाती है। जो सरकार का रवैया पहले रहा है, उसे देखते हुये इस मुस्तदी से अगर लोगों को शंका होती है तो शंका की गुंजायश सरकार ने दी है और जो शंका करते हैं वे उतनी गलती पर नहीं हैं क्योंकि सरकार ने अपने पहले आचरणों में इस तरह शंका का उनको मौका दिया है।

दूसरा प्रश्न यह है कि जिन आदमियों की मृत्यु हुई उनके दाह-संस्कार के पहले उनकी पत्नियों और परिवार वालों को क्यों नहीं बुलाया और खास कर राजा की पत्नी को खबर क्यों नहीं दी गई और उसकी पत्नी को वहां क्यों नहीं ले जाया गया? जो इन्व्वायरी कमीशन मुकर्रर हुआ है—मैं किसी जज की बात नहीं कहना चाहता हूं, क्योंकि हाईकोर्ट से सब जज हमारे लिये वैसे ही हैं जैसे सही मूर्ति-पूजक के लिये हर देवता मान्य होता है, वरणीय होता है और पूजनीय होता है—उसके बारे में इस बात का खयाल रखा जाना चाहिये कि दो आदमियों के बीच झगड़ा हो, दो दलों के बीच झगड़ा हो, उसमें और जहां एक ओर सरकार को जनता मुजरिम समझती हो उसमें बड़ा अन्तर होता है। मैं नहीं जानता कि तथ्य क्या है। मैं नहीं जानता कि मध्य प्रदेश की सरकार का इसमें हाथ है या नहीं। लेकिन आम तौर से जनता की राय में ऐसा लगता है और जिन लोगों ने खबरों को पढ़ा है, मध्य प्रदेश के लोगों ने, विरोधी दल के लोगों ने दूसरे लोगों ने उनकी नजर में यह आया कि जैसे मध्य प्रदेश की सरकार मुजरिम के रूप में है, कठघरे में है, उसने इसमें हाथ बटाया है या किसी चीज को छिपाने की कोशिश की है। हो सकता है कि किसी सरकारी अधिकारी की गलती हो, हो सकता है कि किसी स्थानीय अधिकारी की गलती हो, हो सकता है कि किसी बड़े अधिकारी की गलती हो, हो सकता है कि उनमें से किसी की भी गलती न हो। लेकिन जो

कुछ किया गया उससे लोगों पर यह असर पड़ा, लोगों को यह आशंका हुई कि चीजों को छिपाने की या सारी चीजों को नहीं कहने की कोशिश की जा रही है। मैं मध्य प्रदेश के किसी जज पर कोई आक्षेप नहीं करना चाहता, मैं उनके बारे में, उनकी नीयत के बारे में कोई शक नहीं करना चाहता लेकिन जब सरकार पर सन्देह किया जा रहा है तब ज्यादा उचित यह होता कि इस मामले में बाहर के किसी आदमी को रखा जाता। जनमत की दृष्टि से, ऐसी आशंका न उत्पन्न होने देने की दृष्टि से यह बात ज्यादा अच्छी होती और आज यह कहने का लोगों को मौका नहीं मिलता कि यह जो जज नियुक्त हुये, यह पहले वहां ला सेक्रेटरी थे। अगर बाहर का जज होता तो यह कहने का मौका लोगों को नहीं मिलता कि यह जज साहब वही जज साहब हैं जिन्होंने मिश्र जी के इलेक्शन पेटिशन का फैसला मिश्र जी के पक्ष में किया है और सुप्रीम कोर्ट ने उसके सम्बन्ध में शायद दूसरा उससे उल्टा फैसला किया है। मेरा कहना यही है कि जिस चीज को कीजिये, उसको सफाई के साथ कीजिये और दूसरों को शंका करने का कोई मौका मत दीजिये। मैं नहीं कहता कि जज बेईमानी करेंगे। मैं समझता हूं और मेरा विश्वास है कि वे ईमानदारी से काम करेंगे। लेकिन जनता को या दूसरे लोगों को यह कहने का और इस तरह की आलोचना करने का मौका आप को नहीं देना चाहिए। इस मामले में जब आप यह समझते हैं कि स्वयं सरकार के बारे में या सरकार के लोगों के बारे में ऐसा कहा जा रहा है, शक किया जा रहा है तो मैं यह चाहूंगा कि उनकी पत्नी को दाहसंस्कार के पहले क्यों नहीं वहां ले जाया गया, उनकी मृत्यु ठीक किस समय हुई, सरकारी अधिकारियों को कब खबर लगी और वहां की सरकार को कब खबर लगी, इन सारी चीजों के बारे में और इससे सम्बन्धित दूसरी जो बातें हैं उनके संबंध में आज अपने भाषण में या बयान में गृह मंत्री कुछ प्रकाश डालें। मैं समझता हूं कि उससे बहुत सी सफाई हो सकती है और कुहासा दूर हो सकता है।

अंत में मैं यह कहना चाहता हूँ कि आप की इन्क्वायरी की जो सीमा है, उसका जो क्षेत्र है, वह अत्यन्त सीमित है। अभी भाषणों से भी यह पता चला कि यह प्रश्न सिर्फ कानूनी नहीं है, यह प्रश्न राजनैतिक भी है, आर्थिक भी है। मैं आपसे यह भी कहना चाहता हूँ कि वह आदिवासी इलाका होने के नाते हमारी केन्द्रीय सरकार उसके लिये ज्यादा जिम्मेदार है। जो कुछ वहाँ आज हुआ है उसके बारे में तो आप इन्क्वायरी करा रहे हैं, लेकिन उसके पीछे जो पृष्ठभूमि रही है, उस पृष्ठभूमि को देखते हुये राजनैतिक, आर्थिक और सामाजिक स्तर पर आप वहाँ क्या करने जा रहे हैं, उसके सम्बन्ध में आप क्या कार्यवाही करने जा रहे हैं यह भी तय कीजिये। मैं तो यह चाहूँगा कि इस इन्क्वायरी के अलावा राजनैतिक, सामाजिक और आर्थिक स्तर पर जांच करने के लिये और आगे के संबंध में भी वहाँ के लिये सुझाव देने के लिये आप को कोई न कोई बोर्ड, कमेटी या कमीशन का निर्माण करना चाहिये। ऐसा पहले भी किया जा चुका है। जहाँ तक मुझे स्मरण है आसाम में जो कुछ हुआ था उसके बाद पार्लियामेंट के लोगों की एक कमेटी भी श्री अजित प्रसाद जैन के सभापतित्व में भेजी गई थी और आसाम हाई कोर्ट के तत्कालीन चीफ जस्टिस श्री सी० पी० सिंह की अध्यक्षता में जुडीशियल इन्क्वायरी भी कराई गई थी। दोनों चीजें उस समय की गई थीं। यह आज इन्क्वायरी के जो बाकी हिस्से बच जाते हैं राजनैतिक, आर्थिक और सामाजिक, वे इस कमीशन के मातहत नहीं आते हैं, और उनके संबंध में यह कमीशन कुछ नहीं कर सकेगा। यह देश की एकता देश की अखंडता और खास कर आदिवासियों का प्रश्न है, इस लिये मेरी राय यह है कि इन्क्वायरी आप जो कुछ कीजिये, वह कीजिये, इस इन्क्वायरी के अलावा इन प्रश्नों के हल के लिये कोई कदम उठाइये, कोई बोर्ड बनाइये, किसी को जिम्मेदारी दीजिये, नहीं तो मालूम होता है कि अभी यह शुरूआत थी, इससे बड़ा खतरा हो सकता है और देश की अखंडता

को खतरा हो सकता है। आज कहा जा रहा है विरोधी दल के लोगों को कि आपने क्यों नहीं कहा कि वहाँ कुछ भी विकास का काम नहीं हो रहा है। संयोग से वह बात गलत निकली। विरोधी दल के ही हैं खांडेकर जी जिन्होंने इस सम्बन्ध में एक बार नहीं, कई बार कहा है। यह शिकायत तो आज उलटी बात मुझ को लगी। जिस के हाथ में अधिकार है, जिस के हाथ में शासन है, वह आदमी काम नहीं करता है और जब उसकी शिकायत की जाती है, तो उलटे वह विरोधी दलों के लोगों से कहता है कि तुमने हमको याद क्यों नहीं दिलाया, तुमने इस सम्बन्ध में पहले चर्चा क्यों नहीं की। मुझ को बार-बार इस सम्बन्ध में यह लाइन याद आती है :

मुझी से सब यह कहते हैं, कि रख नीची
नुर अपनी,
कोई उनसे नहीं कहता न निकलो यू अयां
हो कर।

गलती उनकी है और कहा जाता है हमसे। इसी लिये आज मैं चाहता हूँ कि इस प्रश्न को सरकार बड़े दायरे में, दलगत भावना से ऊपर उठ कर, हिन्दुस्तान की अखंडता की दृष्टि से और जनतंत्र की दृष्टि से स्पष्ट देखे और अगर इधर से या उधर से किसी ने इसमें दलगत भावना लाने की चेष्टा की है तो मैं उससे बिल्कुल अलग रहना चाहता हूँ। यह दलगत प्रश्न नहीं है। यह देश की एकता का और जनतंत्र का प्रश्न है और आज इसके सम्बन्ध में अगर हमने सही कदम नहीं उठाया तो मुझे इस बात का खतरा है कि यह सिर्फ जनतंत्र के लिये ही घातक नहीं होगा बल्कि देश की एकता के लिये भी घातक होगा। इसलिये आज जो कुहासा छाया हुआ है, आज जो बहुत सी घटनायें लोगों को रहस्यमय मालूम हो रही हैं उनके संबंध में सरकार को स्पष्ट बयान देना चाहिये। यह बयान मध्य प्रदेश की सरकार के हित में होगा, मध्य प्रदेश के चीफ मिनिस्टर के हित में होगा, वहाँ के सरकारी अमलों के हित में होगा और केन्द्रीय सरकार और जनतंत्र के हित में होगा। इसी लिये इन्क्वायरी का खयाल

[श्री गंगाशरण मिह]

करते हुये जहाँ तक अधिक से अधिक बातें और अधिक से अधिक घटनायें आज लोगों को बतलाई जा सकती हैं, वे बतलाई जानी चाहियें जिससे ऐसे लोग जो खाहमख्वाह विरोध नहीं करने वाले हैं, जिनके विचार घटनाओं से प्रभावित होने वाले हैं, जो फैक्ट्स से प्रभावित होने वाले हैं और तब इस पर अपनी राय कायम करने वाले हैं, उनको सही राय कायम करने का मौका दीजिये। आज एक ऐसा अन्धकार पैदा कर दिया गया है कि जो लोग इस पर विचार भी करना चाहते हैं उनके सामने घटनायें स्पष्टरूप से और तारतम्य के साथ नहीं रखी गई हैं और इससे उनको परेशानी होती है यह फंसला करने में कि किस नतीजे पर पहुँचा जाय। यह मेरा विशेष रूप से अनुरोध है मंत्री महोदय से कि वे इसको जरा दूरअन्देशी से देखें, बड़े पैमाने पर देखें कि इस इनव्वायरी के साथ वहाँ के राजनैतिक, सामाजिक और आर्थिक प्रश्न पर भी खयाल करें।

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I would like to have the sense of the House whether it would like to continue the debate.

HON. MEMBERS : No.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I call upon the Home Minister to intervene.

THE MINISTER OF HOME AFFAIRS (SHRI GULZARILAL NANDA) : Sir, I shall not imitate the hon. mover of the motion. In his special mode of address he was extravagant in the use of words, violent in expression and irresistibility and there was a free use of invectives. In dealing with this grave and serious situation, I appreciate that the general tone and tenor of most of the speeches were compatible with the gravity of this occasion.

Sir, what I am going to say here is this. And in view of the fact that several hon. Members have at one stage or another brought out most of the vital issues or points bearing on this question and cleared the air already, I shall not take up much time in dealing with those events and whatever I say is not going to be in a spirit of advocacy, and there is no question of

| being in a defensive altitude either. The ¹ whole background of this may have to be dealt with. Well, the hon. Mover pleaded, he said—let us not hide the facts, let us not be afraid of the truth, let there be discovery of truth. There is nothing to hide on our side at all. That is exactly why without the least delay a Commission of Inquiry was set up and now it becomes again something which possibly in the view of some Members is a kind of guilt. The Chief Minister is considered blameworthy for immediately asking the Chief Justice to appoint a Judge of his choice. If he had waited even for a day, that would have been held against him. Now, why do we question the Judge ? In the first place, as I explained the other day, we, the Central Government, have no authority, after a State Government has set up a Commission of Inquiry, to interfere at all. That is barred by the Constitution, by law. But why should it be done, even if it were permissible ? In that Assembly, when the intimation was given, when the announcement was made about this Commission of Inquiry and the name of the particular Judge—as I said the other day—there was complete expression of confidence in the name of that Judge. Nobody raised any question, not a single member. And here is an afterthought, because they want to somehow or other condemn Government.

SOME HON. MEMBERS : No.

SHRI GULZARILAL NANDA : Therefore, have we to bow to the clamour that a Judge should be replaced by another Judge ? Will our judiciary at all be able to function because some people have raised a voice against the name of a Judge ?

AN HON. MEMBER : There is room for suspicion.

SHRI GULZARILAL NANDA : There is no room for any suspicion. Nothing has arisen at all. I need not hide any fact. The fact is that that Judge is known to have given, in many cases, cases which were between citizens and the State, his decisions against the State. He does not need any testimonial from me. I just cited it as a fact. Why does this arise at all ? It is because some scare has been created, namely, that 500 people died. I have heard as many as 1,000. Even 2,000

is also mentioned. Somebody telephoned to this effect to me this morning. Therefore, the whole dimension, you see, is bloated in this way. It is said that it is so serious a matter that one Judge will not be sufficient because the number of persons who have died is so large. Therefore, it has to be three Judges including a Supreme Court Judge and all that.

Sir, I thought that the hon'ble Members will abstain from treading this ground of events or the facts bearing on those events. But I will have to give a little information in order to rebut the argument the inferences which are going to be drawn from it and the faults, wrong impressions which might be created, just one or two facts. Of course, the number in this case is given as 12 dead. But if such a large number were actually killed, as is alleged, even though they are Adivasis, have they no habitation, have they no friends and relatives, have they no moneylenders with whom their names must have been recorded or was there no land record where the occupancy on the land must have been recorded? How is it that such irresponsible statements are made that 500 and all that number died. Ultimately it might be proved and it will be proved what the correct position is. But meanwhile the people have been frightened. All over the country such a scare has been created. Sir, this whole approach is wrong. This whole way of creating a sensation about things is wrong. It does not help this country at all.

It is said that it was a peaceful procession and the police just, out of wantonness, shot and killed all those people. It is known that from the court to the judicial lock-up, a number of under-trial prisoners were being taken away and there was forcible freeing of those men. Those under-trial prisoners have nothing to do with levy or food or anything. They were held up for murder. They were released forcibly. And then, what was the first casualty. It was that of a head constable by an arrow. An arrow can be as fatal as a bullet.

SHRI D. L. SEN GUPTA (West Bengal) : How do you justify shooting?

SHRI GULZARILAL NANDA: I am not going into details. I am only giving

one or two major facts which will put the things in perspective. The first casualty was a head constable. An arrow hit him in the neck and he bled profusely to death. Several other people were injured.

SHRI P. K. KUMARAN (Andhra Pradesh) : This is not correct.

SHRI GULZARILAL NANDA : I am only saying on the basis of the reports to contradict this wrong impression.

(*Interruption by Shri P. K. Kumaran*)

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Kumaran, listen patiently. Nobody disturbed you.

SHRI GULZARILAL NANDA : It is a sad thing that these tragic events occurred in Jagdalpur on the 25th and the 26th. We feel sad about the death of the ex-Ruler, Pravinchandra Bhanjdeo.

SHRI LOKANATH MISRA : But you wanted to eliminate him somehow. I am telling him in his face.

SHRI GULZARILAL NANDA : An appeal was made. At any rate, a sentiment was expressed by the mover that it should not be made a political matter. It is political partisanship which is bubbling up here and I will show, if it is required that I should show something more about it, how it is so. He died in very tragic circumstances, whatever may have been his past, his lapses or anything and failings which have been mentioned. I do not want to touch that aspect. Now that person has died. It is not for us to speak ill of that man. So far as his personal life is concerned, I would not like to do that. I am feeling all sorry for him. But I have much deeper sorrow for the members of the tribe. Well, I believe, the members of these tribes— they are unsophisticated people, simple, trusting. When they have some faith and some loyalty, they stick to it, and for these persons to have been pushed into a situation which exposed them to such risks— they do not realise. What the risks are—is the worst type of exploitation of any human being.

What has happened there? I have tried to study deeply the whole background. I will not condone or excuse any one who I has had any kind of contribution towards

tho creation of those conditions and circumstances. This was the last phase. I will now come to the background of it.

Why did this happen? What were the circumstances contributory to the creation of that situation? Several suggestions have been made. Was it the unfair levy, or taking away of foodgrains from the starving people and, therefore, naturally they were roused? That is one of the suggestions. It is said they had not enough food and that they used to come to the ex-Ruler for food, for rice. Sir, thousands of people, who used to go into the palace for the *darshan* of the Goddess in the temple, carried their own rice. They never got any rice from there. They carried their own rice. I know that for a fact. That is not the question. Was this the cause? Was it that? Or as has been mentioned, they were in a very backward condition, their amenities neglected, welfare not cared for and therefore they were restive and restless. Is that part of the reason for this situation? Was it repression, police tyranny?

SHRI M. N. GOVINDAN NAIR : Yes.

SHRI GULZARILAL NANDA : No. I shall show how it is not so. I will explain. We must extricate, we must disentangle these various possibilities, then we shall know what was that common factor in that situation. I shall first take up the question of welfare because really what could be a subject of discussion here was this. Central responsibility does arise in respect of the welfare of the Scheduled Tribes and a question can be asked here whether we were vigilant enough about any wrong things which were happening there, whether we took action at the appropriate time or not.

I have dealt with this question in the Planning Commission. I have met the Adivasis in large numbers in my constituency. I know them. I know also that altogether in the country the level of the living of these people, their conditions are of extreme backwardness. There is a wide gap between them and the normal life of the rest of the community. Efforts have been made during these years to lift them up for the betterment of their conditions. Some improvement has occurred. I do not by myself feel satisfied with that. I do not feel that really a significant and adequate impact has been made. Much more needs

to be done. I do not want to go into all that. I understand that problem. What are the various reasons? What more has to be done about it?

But whether this was a factor in the situation, I shall explain. There are 43 districts in Madhya Pradesh. Starting originally from the time we got independence, when we started doing something about the welfare of the Adivasis, this has been one of the most backward areas. True, but during this period this district has received more attention than most other districts. It has received higher allocation per capita. It has additional Centrally sponsored schemes there. There was mention about Dandakarnya project. That, over and above these, has made a very definite and substantial contribution to the improvement of the conditions there. I would like to give a few facts because I must first take it out as one factor, as a causative factor in the situation. I have some comparative figures. First I shall quote them. The percentage of literacy rose from 4.1 in 1951 to 6.9 in 1961. Educational institutions rose from 271 in 1951 to 809 in 1961. What all the Rajahs : had done possibly in hundred years, more was done in these few years. The number of school-going children rose from 23,715 to 63,124. Regarding the number of categories of the various schools, the primary schools for boys between 1961 and 1963 I give. The primary schools for boys rose from 754 in 1961 to 865 in 1963. The primary schools for girls rose from 7 to 66 in a matter of two or three years. Boys' middle schools rose from 33 to 91. Girls' middle school rose from one to 11.

AN HON. MEMBER : What is the percentage of literacy in spite of that?

SHRI GULZARILAL NANDA : That is true. After hundreds of years it was 1 per cent. I have first conceded this that this is not enough. It is inadequate. I feel very sorry but I say that much more has not been done. Possibly more could have been done. There are various ideas which should be brought to bear on the situation.

SHRI M. N. GOVINDAN NAIR : How does it compare with what happened in Mizo Hills? In the matter of education what

is the percentage among Mizo tribals and what is the percentage in Bastar?

SHRI GULZARILAL NAN DA : The number of persons who received scholarships and freeships was 4,35,000 during the Third Plan period. Practically every boy or girl in the school gets scholarship or freeship. I will not labour this aspect. There are figures of co-operative societies, technical training institutes, rural workshop centres, etc. In the matter of health, very very significant advance has been made in freeing these people from the incidence of yaws. It has gone down from 8 per cent, to 1 per cent. In that area every block has been turned into a tribal welfare block. I need not give all that is involved in it. The amount of money and all the administrative arrangements which are made for this purposes are well known to hon. Members. In regard to co-operation, special attention has been given and a large increase has taken place in the co-operative societies.

SHRI LOKANATH MISRA: How many tribals are members in these cooperative societies ?

SHRI GULZARILAL NANDA : About Dandakaranya, mention was made here that it has only meant hardship and that the refugees have been specially favoured and these tribals have been neglected. This is not true at all. All developmental activities undertaken by the Project have been directed towards the common benefit of all. In areas even outside the Project, special programmes for tribal welfare like wells, roads, etc. have been undertaken. Twentyfive per cent, of the land reclaimed is handed over for settling landless members of the tribals. About 5,256 acres have been handed over already. It was said that the refugees get certain special facilities.

SHRI M. N. GOVINDAN NAIR : How does it compare . . . {Interruptions}

SHRI GULZARILAL NANDA : On roads Rs. 5.13 lakhs have been spent, tanks and one lakh no wells about Rs. 80,000 during this period. There is malaria eradication as a special programme in this area. They have their own special primary schools and middle schools set up by them and I have details of how much money

has been given for bullocks, for maintenance and for various other reliefs in the case of those who are given this land for settlement. So this cannot be the cause of the unrest because taking the whole of that area the welfare of the members of the tribals in this area has received even more attention relatively than the others. Then in the other districts—this is a very important fact—in the 43 districts, there has been no trouble. There has been—peace-loving people as they are—peace. Such disorders have not occurred. Therefore there must be something else or some other reason. At any rate neglect of welfare is not the reason. Then could it be that the levy was the reason or the food situation was the reason ? No, not even that and I have with me facts about the levy. I have got the figures because this is being made much of. About the question of levy it was said that there was tyranny, that these people were being harassed and so they got out of hand. This is not so at all. In regard to Bastar and Raipur, one thing must be made clear. This year this season was had. Practically the production was half and Chattisgarh area provides a surplus for the rest of the State and the produce goes even outside. This time it did not produce so much and a decision was taken by the State that not a grain will go out of Bastar. Therefore that one thing should be clear, levy or no levy, there was no question of any drain of food material from this area. If there was a levy in one part, it was only in order to be able to transfer the food to those more deficit pockets but that was not all. What was the levy ? What has been taken out ? It was 0.9 per cent, less than 1 per cent, of the production. In another district where the production is much less compared to normal times, there, the levy is 2.93 per cent. Where the levy is 2.93 per cent, there, there is no trouble and where it is less than 1 per cent., trouble has arisen. Therefore this had nothing to do with that, situation. I am only giving facts and figures. Now the conclusion can be drawn, that the levy has nothing to do with it but what was happening then ? After I have stated all the negative factors, the positive factor you will be able to find out. What was happening from the people who were exposed to this kind of risk ? It was at somebody's instigation.

[Shri Gulzarilal Nanda] What did they do? They tried to obstruct the collection of the levy. Those people who paid the levy, they would go and surround them and snatch away what was collected. This had to go to the area where there was much less food available in the same district. These ate the services that they were rendering to their fellow members of the tribes. And it was made clear to everybody that no grain of rice will be taken out of this area. Everybody knew it, and the levy, as I said, was very light. And most of the tribals have lands measuring five acres or less, that is to say, a very few of them, a very small proportion of them became liable to this levy also. But this became a pretext only. Naturally the full quota of rice could not be given to everybody, because there was not enough rice to go round and, therefore, out of the quantity raised, the normal consumption could not be maintained. But it was made up for by provision of other grains, and for this period I have figures to show how much of *Jowar* and maize and other things have been provided in addition to whatever food was retained there. So, Sir, this question of levy is not there it has nothing to do with food availability has nothing to do with it. Then what was there? Was it there the question of tyranny and all that? But, Sir, why, when the whole of the place, when the whole of Madhya Pradesh, consisting of so many districts is free from that kind of complaint—no on that account—why is it that this one district had this trouble in such an intense form? The only common factor was, Sir, that there was this ex-ruler there, and he was not in other places. Even in Bastar, it was only in those areas, where his influence extended, that all these disorders occurred from time to time. And this was because they had faith in him. They regarded him as the Adivasi God, as the priest of that temple. It was a great faith. But that faith was being exploited. For what purpose? Was it for the grievances of these people? Not at all. All through, the various phases in which that ex-ruler tried to draw them actually involved them in acts of violence for certain purposes. Now it is being said that some people in the administration now—Is it the Chief Minister? Is it the Chief Secretary?—that they bore a bias

and grudge against him and therefore they wanted to do away with him. But the fact is otherwise. Now when this occurred, that is, his removal from the, who did it? It was not this Chief Minister. It was not this Chief Secretary. Long before that time this had been done.

SHRI LOKANATH MISRA : He was Commissioner then.

SHRI GULZARILAL NANDA : And in 1953 another thing happened; because of the extravagant way in which the resources were being wasted, the property was placed under the Court of Wards. Then re-recognition of his status was ordered in 1961. The property was released in 1963. Now there were phases of violence and I find they are associated with some effort on his part to extract something from the Government for himself, for example, for release of the property from the Court of Wards and every time there was some kind of demonstration in this context. Crowds assembled with bows and arrows. They went about frightening people. They rose up in revolt and they took position against established authority, against the police. There was firing. There was once earlier; it was in 1960-61. But there was in every document, every statement that he made rarely that something should be done for the tribals, but always that there should be restoration of his property, that there should be re-recognition of his status. Fight was going on with his brother also. But he was pressing them, mobilising them for the sake of getting back his right to that property, and that as Maharaja. This was of course not possible, but he believed and he said that this shall be restored to me and "I am going to become an independent ruler of a separate independent area". Now of course they were all illusions and delusions. We are not going to deal with that. But I was just trying to bring out this one fact, that all the trouble which arose, that the disorders which were created there, were the result of that exploitation of the ignorance, faith, loyalty and sentiment of these people for the purpose of personal aggrandisement, for getting certain benefits for that one person. Therefore, if we see it in that perspective, in its proportions then we will know how to evaluate these incidents. Thus, in this case I am not

dealing with the incident itself. That will be taken up by the Commission. All that will be found out. But the background of it must be very much understood so that we may not go away with very wrong ideas if somebody else's monumental crime which the hon. Member mentioned. Who e monumental crime ? Was it of the Government ? Was it of the Chief Minister ? Was it of the Chief Secretary ? Let us know now as to whose crime it was. But this is the main background of the situation there.

Now I shall deal with a few other points which have been raised in the course of the various observations made by the hon. Members. One was about the attitude of the Government. The name of the Chief Secretary has been drawn into this. It has been said that the Government is barbaric, that the local officials are cruel. And now, there. I must explain that the whole period, as he said, when all those things occurred, was before the period of the Chief Minister. In his period so many other things have been done for the welfare of these Adivasis, the whole question of the Development Board was meant for the purpose of giving them, a fair deal in respect of the sale of minor forest produce, which was where others, vested interests, intermediaries, well, they used to exploit them and give them very little compared to what the value of it was. It is not for me to enter into any kind of defence of the Chief Minister; he does not need any defence. Why are some of the hon. Members so much aggrieved against him ? It is perhaps because he happens, in the course of a short time, to have weaned away a fair number of people who belonged to the opposition. Now that may be his crime. But he is a strong man. He is a capable man. He is effective. He is able to do things and get things done. And that is why they are angry with him. They are angry with him, the Chief Minister. And why are they angry with the Chief Secretary, Mr. Noronha the one person who should have obtained a word of approval from this House ? It is that gentleman, because he spent many years of his life living with them, making common cause with them, identifying himself with their interests and he knows . . .

SHRI ATAL BIHARI VAJPAYEE :
And tried to convert them.

SHRI GULZARILAL NANDA : Now that is objectionable if it is true. It may be right that you might or he might prefer one religion for another. Here, in this House, we do not prefer one religion for another: it is Secular State.

SHRI ATAL BIHARI VAJPAYEE :
But officials have no- business to convert the Adivasis.

SHRI GULZARILAL NANDA : Certainly not.

SHRI ATAL BIHARI VAJPAYEE :
Did you order an inquiry into the conduct of Mr. Noronha when he was Collector ?

SHRI GULZARILAL NANDA: He was a sincere friend of the Adivasis. Whosoever does any conversion, whether it is Christianity or any other religion, by any kind of inducements, material or any kind of other influence, makes wrong use of his official position, well, it is something, which we have to fight against and stop and prevent and take action against. There I agree with the hon. Member. But let us not take anything for granted. Was he against the Maharaja because of his popularity ? It is the other way, because Mr. Noronha was very popular with the Adivasis. Therefore this kind of bias entered the mind of that gentleman against him. There is nothing that he had to explain on his side.

SHRI ATAL BIHARI VAJPAYEE :
We ha': worshipping. Mr. Noronha.

SHRI GULZARILAL NANDA : Now I believe I have dealt with most of the points, practically all the points that had been raised here. One last thing I have to say, and that relates to the suggestion made by the hon. Member Shri Ganga Sharanji, about the future. What shall we do ? I personally have felt very much and I had something to do with tribal welfare during these years. For the last few years I have not been dealing with it in an official capacity. But I feel that this should also shake us and serve as a jolt and tell us that enough has not been done. I personally have carried that feeling that our approach and our method, have to improve

[Shri Gulzarflal Nanda]

and organisationally whatever arrangements are made there has to be some improvement in them. Progress has to be stepped up and accelerated because we cannot leave them for so many years in that condition, I agree that one thing more should be done, There is the suggestion that we should not be satisfied with this enquiry. It is not enough that we only go into the facts of this particular case. That will, of course, be done. But what lies behind and all that has happened generally all over the country in this area and in other areas generally, the difficulties and the hardships that the Adivasis have to face, we have to see to. And for that purpose I think something has got to be done. The suggestion of some Members of Parliament going there was made. I think it is quite welcome. Nobody has prevented it. Anybody can go.

AN HON. MEMBER : And they have already gone.

SHRI GULZARILAL NANDA : Yes, they have already gone and some people have got back with some wrong notions and false figures. There should be a goodwill team and that should go without

any idea whether they belong to this party or that party or some other party. It should go with earnestness of purpose to see how we could do something for the Adivasis, to rescue them from their plight now and find ways for their quick betterment, so that there can be quicker adjustments. There is a kind of maladjustment now, some kind of dislocation of their life. Some process of social disorganisation is there. There is not enough progress and yet their old mode of life is destroyed or distorted and new system of life is not established. This is a process of transition and I think it is very important that this transition should be shortened and progress should be speeded up.

Sir, I have done.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The rules do not permit any reply and I hope Mr. Bhupesh Gupta, intelligent as he is, understands the rules. The debate is over and the House stands adjourned till 11 a.m. tomorrow.

The House then adjourned at fifty three minutes past five of the clock till eleven of the clock on Thursday the 7th April 1966.