

2359 *Reference to Notice of Motion for* [RAJYA SABHA] 1

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R. M. HAJARNAVIS): (a) Information, has been called for from the State Governments and will be laid on the Table of the House;

(b) Yes, Sir.

12 NOON

STATEMENT RE STARRED QUESTION NO. 329 ANSWERED ON THE 5TH DECEMBER, 1963

FIGURES RELATING TO CRIME IN DELHI

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R. M. HAJARNAVIS): Sir, in the Rajya Sabha, on 5-12-63, Shri Dahya-bhai V. Patel had asked the following supplementary question to Starred Question No. 329:—

"I would like to know from the hon. Minister whether the reply that he gave that there was no increase in crime is based on any survey or it is just his impression that there is no crime".

I said—

"May I tell the hon. Member that during the comparable period of last year, the number of crimes was 14,983 and this year it is 15,169, heinous and non-heinous crimes, and compared with the increase in population it works out to be lower percentage, slightly lower percentage?"

There was a minor inaccuracy in the figures of crime given in the reply above. The correct figures for 1962 and 1963 are as follows:—

1962 (up to 31.10.62)—15,169 and not 14,983 (which is the figure of total non-heinous crime only).

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1963 (up to 31.10.63)—15,647 and not 15,169 (which is the total figure of heinous and non-heinous crime for 1962).

From the above figures, it would be observed that the total crime in Delhi during 1963 (up to 31-10-1963) has slightly increased as compared to crime figures during 1962 (up to 31-10-1962). The percentage of crime in 1963 for the above period, per lakh of population has decreased to 539.55 as compared to 541.75 during the same period in 1962.

So, my observation was correct, but the figures required correction.

REFERENCE TO NOTICE OF MOTION" FOR PAPERS RE ARREST OF SHRI SHYAM SINGH TYAGI

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Sir, I gave notice of a Motion for Papers regarding the arrest of Shri Shyam Singh Tyagi, and the Minister was to make a statement on that. I should like to know—the Home Minister is present here— what the position is.

SHRI BHUPESH GUPTA (West Bengal): What about the other Motion for Papers about

THE MINISTER OF HOME AFFAIRS (SHRI GULZARILAL NANDA): I am prepared to give it.

SHRI BHUPESH GUPTA: We were told that with regard to certain detenus, the Home Minister would make a statement, and we have been waiting for the last fifteen days, and since...

MR. CHAIRMAN: I do not know about that but this notice had come and I had passed it on to him.

SHRI BHUPESH GUPTA: That notice is also with you. I do not bring it everyday; the proceedings will bear out. Mr. Hajarnavis said that he would make a statement with

regard to *ihe* detenus in Tripura and others.

MR. CHAIRMAN: I will find out.

SHRI BHUPESH GUPTA: But they •did not say about that.

SHRI GULZARILAL NANDA: I will deal with this matter. Some hon. Members had given a notice of Motion for Papers in regard to the arrest of Shri Shyam Singh Tyagi who was fasting at the gate of the residence of Sardar Swaran Singh, the Union Food Minister. As ascertained from the Delhi Administration, the facts leading to his arrest are as follows: —

Shri Tyagi, who is a resident of Malpur in Muzaffarnagar District of Uttar Pradesh, and a member of the Gur and Khandsari Sangharsh Samiti of Uttar Pradesh, arrived in Delhi and started a hunger-strike on February 16, 1964, at 11 A.M. in front of the residence of the Union Food Minister. Apparently, the fast was intended to be a protest against the restrictions imposed by the Government of Uttar Pradesh on the movement o'f gur and khandsari.

He was squatting on a public pavement which has a heavy traffic of pedestrians and cyclists. Thereby, he not only caused inconvenience to those using the foot-path and cycle tracks but also constituted a source of danger of accidents. He had also pitched up a tent and put a cot where he was squatting. He was not willing to move in spite of requests and had, therefore, to be arrested on February 23, 1964, at 4 P.M. by the local police under Section 32 of the Police Act after obtaining a bailable warrant from the Sub-Divisional Magistrate.

He was produced before the Magistrate who ordered his release on a bail of Rs. 2,000. Shri Tyagi either did not or could not furnish bail and was, therefore, sent to judicial lock-

up. On 24-2-64, he was again produced in the court of the Sub-Divisional Magistrate, New Delhi, but as no bail was furnished on this day also, he was sent to judicial lock-up till 4-3-64. He will now be produced in the court of the Sub-Divisional Magistrate on 5-3-64.

SHRI CHANDRA SHEKHAR: May I know whether the Minister is aware that Shri Shyam Singh Tyagi was fasting at the gate of the residence of Sardar Swaran Singh since the 16th of this month? He was arrested on the 24th of this month, and on the 25th he was produced in the Magistrate's court. He was handcuffed, and for half-an-hour, he was made to stand in the court. An hon. member of the Action Committee of the U.P. Praja Socialist Party is arrested by the Delhi Police, and when some relatives of Shri Syam Singh Tyagi protested against handcuffing, the police officer present there told them that it was not the U.P. Police, it was the Delhi Administration, and only this behaviour could be expected from the Delhi Administration. If Shri Shyam Singh Tyagi could resort to this thing, he would be arrested, he would be handcuffed, he would be harassed. And the only difference is that he should furnish bail and could go out. Or otherwise, he would be treated as an ordinary criminal, and no facility could be given. In the notice I submitted, I made it clear, and I wanted to know what was the purpose of this behaviour of the Delhi Administration towards a gentleman, a political worker. I want to know whether the hon. Home Minister made any enquiry into this affair why Shri Shyam Singh Tyagi was handcuffed.

The other thing is this. Shri Shyam Singh Tyagi was fasting before House No. 7, Hastings Road, and the Minister had just stated that there was heavy traffic and there was every chance of accidents and other troubles happening. So, I should like to know from the hon. Home Minister whether he will enquire into

[Shri Chandra Shekhar.]

the behaviour of the police officials who had handcuffed Shri Shyam Singh Tyagi, made his walk to the Magistrate's court and kept him standing for half an hour after ten days of fasting. It is human consideration that should prevail upon the Government, and I hope that the Home Minister will clarify this position.

SHRI BHUPESH GUPTA: I would like to ask on the same subject. Why is there no mention of the fact that he had been hand-cuffed in the statement that has been made? Or is it that the hon. Minister has made enquiries and after that he found that no handcuffing was done? There should be a clarification on that.

The second point is that it is said that he has been arrested on the ground that there is heavy traffic on Hastings Road. We know that place, there is no such thing as heavy traffic on that particular road in order to arrest a political worker of that stature and bring him to prison. Therefore, that also needs a little explanation. We can go now to Hastings Road and find out what traffic is there.

The third point is this. Since he has been arrested under a particular law, it is always open to the Government to drop the case and have this matter ended. Why are the Government standing on ceremony in this matter instead of withdrawing the case? Now they are taking recourse to detention under the fact that he does not avail himself of this bail and so on. Why should not the Government straightway drop that case? All these things should be clarified. He is a political worker of a party. P.S.P. is not my party. But when political workers and parties fasting right in front, almost in front, of his house are being treated in this shameful and aggressive manner, it requires to be explained. And I would like to

know, if handcuffing had been done, what they are going to do with the police officials who behaved in that savage and barbarous manner?

SHRI A. B. VAJPAYEE (Uttar Pradesh) : Suppose there is heavy traffic on Hastings Road, why was not Shri Shyam Singh Tyagi arrested on the very first day, if his fasting there came in the way of traffic? He was allowed to fast there for eight days and the question of traffic congestion arose and when the police wanted to arrest him, they had to bring up this charge, which is quite absurd. And I would request the hon. Minister whether he has made any enquiries into this affair.

SHRI M. S. GURUPADA SWAMY (Mysore): The Home Ministry seems to be converting this obviously economic or policy question into a law and order question, and that friend has been arrested and is in custody. Now, it must have been done with the concurrence or consent of the Home Ministry. I want to know whether the Home Ministry took the trouble of knowing whether the Food Minister talked to the person concerned fasting there and tried to understand the nature of the problem and whether there was any attempt made to assure him that steps would be taken to remove the restrictions or to rationalise the system of distribution of gur and to export it from U.P. And what steps are being taken? I would like to know why the Minister has come out and said that this is purely a law and order question and that this person has been taken into custody because he was a hindrance to traffic and there was danger to him or to others. I would like to know what steps were taken to persuade him to give up the fast.

SHRI A. D. MANI (Madhya Pradesh) :
 Just a small pertinent question; I should
 like to ask the Minister whether the
 Food Minister

complained to the Delhi Administration that the fasting was causing impediment to the traffic.

SHRI GOPIKRISHNA VIJAIVAR-GIYA (Madhya Pradesh): Whether the fasting is by Congressmen or non-Congressmen, are these religious methods prescribing fasting, etc. good for economic and political purposes?

MR. CHAIRMAN: I do not think you need the advice of the Minister on that.

SHRI B. K. P. SINHA (Bihar): I would also like to know from the hon. Minister whether the charge against Mr. Tyagi is only obstruction to traffic or is also attempt to commit suicide and coerce people against the law.

सरदार रघुवीर सिंह पंजहजारी
(पंजाब) : मैं होम मिनिस्टर साहब से यह पूछना चाहता हूँ कि जहाँ होम मिनिस्टर साहब की अपनी कोठी है, क्या वहाँ पर भी ज्यादा ट्रैफिक चलता है जिसकी वजह से उन को गिरफ्तार किया गया ? खैर, मैं इसमें नहीं पड़ना चाहता कि उनको क्यों गिरफ्तार किया गया । लेकिन एक पोलिटिकल वर्कर, जबकि वह भूख हड़ताल पर हो, उसको हथकड़ी लगा करके मैजिस्ट्रेट की कोर्ट में अगर ले जाया गया, तो मैं समझता हूँ कि वह अनजस्टिफाइड है और होम मिनिस्टर साहब को इस मामले में कुछ न कुछ करना चाहिये । जो पोलिटिकल वर्कर हैं उनके साथ कम से कम वही रवैया अख्तियार किया जाय जैसा पहले कांग्रेस वालों के साथ दूसरी गवर्नमेंट किया करती थी ।

MR. CHAIRMAN: There are many Members who have not put questions and I take it that they do not want to.

SHRI GULZARILAL NANDA: Sir, whether the Food Minister had any talk with this gentleman or whether, this arrest was made at the instance of the Food Minister,

I cannot say very positively, but as far as I understand, there were no parleys between this gentleman and the Food Minister. As to what step* should be taken in this connection, being a separate question distinct from the maintenance of law and order, and therefore of greater importance, and as to the question as to why that was not done, Sir, I personally believe that if a policy has to be changed, if certain things have to be done, it cannot be because persons start hunger-strikes. Policies have to be changed irrespective of that if there are grounds for it or justification for it, and I think this kind of pressure to change a policy is a wrong thing. There is too much of it nowadays and we are hearing about it—hunger-strikes—and if for that reason a policy should be changed, then 'No, Sir.' That is not the way. We can discuss things in the House, and Parliament can say, "Change this policy", and the policy will be changed, not because somebody starts a hunger-strike.

SHRI M. N. GOVINDAN NAIR (Kerala): If you do not listen, what are we to do?

SHRI BHUPESH GUPTA: What is the use of his saying such a thing in this House? He cannot say such things. (Interruptions). It is not fair. We have been pleading for one year and they do not listen to us, and several Ministers sometimes make fantastic statements.

MR. CHAIRMAN: Mr. Bhupesh Gupta, I have allowed you to say what you had to say.

SHRI BHUPESH GUPTA: The reply provokes questions.

SHRI GULZARILAL NANDA: As I was saying, this is the right thing and I regard it the right course. A number of persons sitting and observing hunger-strike on one side and a number of persons sitting and observing hunger-strike on the other side and having a trial of strength as to who can endure it longer—the hunger

oj motion for [Shri Gulzarilal Nanda.] But these—are different issues and the Government is not going to settle a policy on that basis. That is the simple point—Then the question was, because he was not arrested for so many days in the beginning, what was the reason for arresting him afterwards? Now, generally what happens is that as a person has been sitting there having undertaken a hunger-strike, then more and more attention is attracted, more and more people come there—not that I have seen it; I am not saying anything from my personal observations—at any rate I know the size of the payment, and if there is a tent pitched there and if there are all kinds of paraphernalia spread out there, naturally obstruction to traffic occurs, and if obstruction to traffic occurs, it means that some people will have to walk on the road and expose themselves to serious risks.

SHRI RAJENDRA PRATAP SINHA (Bihar): There is the traffic police.

SHRI GULZARILAL NANDA: The traffic police are not there to pick up everybody exposed to traffic risk on their shoulders and allow the traffic posts unmanned.

SHRI RAJENDRA PRATAP SINHA: Regulate it.

SHRI GULZARILAL NANDA: Now there were those risks and I think the police did its duty. Now, whether in doing so they did anything more, whether they handcuffed that gentleman, I cannot say just now. I am very keen that the police behave very properly with anybody, and if it is a political matter, certainly they should show much more consideration. I would like to go into that further, Sir, as to what kind of behaviour they showed.

SHRI CHANDRA SHEKHAR: Three days ago I gave notice that the man was handcuffed.

Shri Shyam Singh Tyagi MR. CHAIRMAN: I think that is the end of the matter. I will not allow any further discussion. We will now proceed to the Mid-term Appraisal.

SHRI RHUPESH GUPTA: He Should tell us tomorrow.

MR. CHAIRMAN: I am very sorry; I will not allow any further discussion.

SHRI CHANDRA SHEKHAR: You may stop us from doing things outside only if . . .

(Interruptions),

MR. CHAIRMAN: Mr. Gupta, will you please sit down?

SHRI T. S. PATTARIRAMAN (Madras) : The hon. Member must try to obey the Chair first.

SHRI BHUPESH GUPTA: You need not behave in this manner from the opposite side. I want to know about this handcuff business tomorrow.

(Interruptions),

MR. CHAIRMAN: Now I ask you to sit down; you please sit down.

SHRI BHUPESH GUPTA: The Congress Party should not get an advantage.

(Interruptions),

SHRI CHANDRA SHEKHAR: Others can also teach you.

(Interruptions),

AN HON. MEMBER: Do not be angry.

SHRI BHUPESH GUPTA: Don't try to divide us, your old game.

MR. CHAIRMAN: If this dialogue goes on further, I will have to ask the Members to leave the House. The Minister will now reply to the debate on the Mid-term Appraisal of the Third Plan.