

(b) if so, the respective amounts of loan outstanding thereof, mine-wise, and the manner in which Government propose to recover the said amount of loan ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL AND MINES (SHRI SHAH NAWAZ KHAN) : (a) The Central Government had not sanctioned any loans to the coking coal mines the management of which was taken over by them.

(b) Does not arise.

Taking over of Sick Mills

372. SHRI PAMPAN GOWDA : Will the Minister of LABOUR AND REHABILITATION be pleased to state :

(a) whether some sick mills have been taken over by Government :

(b) the number of persons hit by the closure during the last three years and the reasons thereof , and

(c) the loss of production the industry has suffered ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R. K. KHADILKAR) : (a) to (c). Information is being collected.

Non-Applicability of Geneva convention to Pak P. O. Wa.

373. SHRI PAMPAN GOWDA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government have written to U. N. that persons who had committed grave crimes in Bangla Desh such as, genocide and crime against humanity, are in the view, not entitled to any immunity under any of the Geneva Convention ; and

(b) if so, the reaction of U.N. thereon ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Yes, Sir. In a letter dated January 14, 1972,

addressed to the U. N. Secretary-General, the Permanent Representative of India explained the position as follows :

"Various officials of the former Pakistani military regime in Bangla Desh had resigned and sought refuge in the neutral zones organized under the aegis of the United Nations during the course of the hostilities. After the termination of the hostilities, they were taken into custody by the Joint Command of the Bangla Desh and Indian forces, to safeguard them from possible mob violence and reprisals. According to declarations of the Bangla Desh Government they and others responsible for repression, brutality and genocide would be tried according to the due process of law, and provided with facilities for their defence as required by law. Pending their trial they will continue to be safeguarded from mob violence and reprisals.

In this connection, the view of the Government of India is that such persons against whom there may be sufficient evidence of their having committed grave crimes such as genocide, war crimes and crimes against humanity could not be given the immunity of the ICRC or Neutral Zones organized under the aegis of the United Nations especially after the termination of hostilities. They are not entitled to any such immunity under any of the Geneva Conventions. The Joint Command of the Bangla Desh and Indian forces has the right to demand their evacuation on behalf of the Government of Bangla Desh, so that they could be taken into custody pending appropriate legal action under the law of the land and under international law."

(b) In accordance with the usual practice, our letter was circulated to all Members of the United Nations as a Security Council document.

Request for assisting Bangla desh to join commonwealth of nations

374. SHRI NAWAL KISHORE SHARMA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Government of Bangla Desh has requested the Government of India to plead her case to join the Commonwealth of Nations ;