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**12.03 hrs.**

**Title:** Statement regarding atrocities against dalits in Haryana, Bihar and other parts of the country.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): Mr. Speaker, Sir, Shri Ram Vilas Paswan and other hon. Members of Parliament raised the issue on 4<sup>th</sup> December, 2002 regarding killing of 5 members of the Scheduled Castes in Dulina in Jhajjar District of Haryana. They also alleged that police and some communal elements killed these persons.

The facts of the case as reported by the Government of Haryana are that on 15<sup>th</sup> October, 2002 on Dusshera day, 5 persons were coming from Farukh Nagar, district Guargaon and going to Karnal. Jhajjar district falls enroute. They were carrying 228 hides (34 hides of cows, 2 hides of sheep and 192 hides of buffaloes) and a dead cow in a Tata 407 vehicle. The body of the dead cow was purchased from a hide contractor of Farukh Nagar for Rs. 200/-. It was a stray animal and had died in the morning of 15.10.2002.

While going to Karnal from Farukh Nagar, they crossed police post Dulina and stopped between Dulina and Jhajjar. They started removing the skin of the dead cow along the roadside. It was around 6.30 p.m. and the people of adjoining villages were returning home after attending Dusshera celebrations in Jhajjar town. Seeing the deceased persons skinning the cow, public thought that cow slaughter was being carried out openly. About 50-60 persons gathered there and gave severe beating to all the five deceased persons. The public took the deceased to Police Post, Dulina where they reported that the deceased were carrying out cow slaughter on which the Assistant Sub-Inspector registered a case No. 469 under section 3/8 of the Punjab Prohibition of Cow Slaughter Act, 1955 against the deceased persons. However, ASI after making preliminary enquiry told the public that it was not a case of cow slaughter, instead a dead cow was bought by the deceased from Farukh Nagar and was being skinned, but the villagers strongly argued with the Assistant Sub-Inspector of Police and it was decided that verification be done in Farukh Nagar whether the cow was bought dead or alive. Team consisting of Head Constable, driver of the vehicle Tata 407 and one person from the public was sent to Farukh Nagar. On verification, it was established that the cow was bought dead by the deceased persons. The verification party came back to Dulina at about 8.00 p.m. by which time many passers-by saw the half-skinned cow and the rumour about cow slaughter spread in Jhajjar town and nearby villages. People in thousands armed with lathi, jaily etc. gathered there and blocked the main road. On hearing this Deputy Superintendent of Police, Jhajjar, SHO, Jhajjar alongwith force, Naib Tehsildar, Jhajjar and City Magistrate, Jhajjar also reached the spot.

However, the mob swelled further and became violent. They started pelting stones on the police personnel. Many police and civil officers received injuries. They tried to pacify them but they did not listen to the reason. The police resorted to lathi charge but that was also of no avail. The mob set on fire the Tata 407 vehicle and a hut near the Police Post. They tried to set the Police Post on fire. They also tried to break open the iron grills of the window of the police post in order to catch hold of the deceased persons.

The mob outnumbered the police and it was already dark. The magistrates and the police officers present on the spot decided not to resort to firing as the situation would further worsen because there was no space left between the mob and the police and they were surrounded by the mob from all sides. Suddenly, a violent group of hooligans armed with iron rods and other deadly weapons reached there and pushed the police personnel and magistrates aside and broke open the door of the police post. They attacked all the five alleged cow slaughterers with iron rods, lathis, stones and brickbats etc. and took them out on the main road. There, they beat them to death. They threw two dead bodies in the hut which was already on fire.

A case No. 470 dated 15<sup>th</sup> October, 2002 u/s 148/149/302/435/332/353/452 IPC, dated 15<sup>th</sup> October, 2002 was registered in connection with the incident. A Special Investigation Team consisting of DSP Jhajjar, Inspector, Bahadurgarh, SI and SHO Jhajjar and ASI in charge of Police Post, Dulina was constituted to conduct the investigation. The *post mortem* of the dead bodies was got done by a board of doctors and the dead bodies were handed over to the relatives of the deceased. *Post mortem* of the cow was also conducted in which it was established that the cow died at least 24 hours before the incident. During the investigation, 23 accused persons have been arrested so far and section 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been added to the case.

Another case No. 469 dated 15<sup>th</sup> October, 2002 u/s 148/149/323, 506 IPC and 3/8 of the Cow Slaughter Act, 1955 has been registered for causing initial assault on the deceased persons and nine accused persons have been arrested. Further investigations are on.

The Government of Haryana has also ordered an inquiry by Divisional Commissioner, Rohtak into the whole

incident. The inquiry report is expected shortly. The Government of Haryana has announced an ex-gratia relief of Rs. 5 lakh to next of the kin of each deceased and the amount has been paid. Government has also promised job to one of the members of the family of each deceased person.

Haryana has a history of communal harmony since ages. People of all sections of society live in peace and harmony. Crime against Scheduled Castes/Scheduled Tribes is taken seriously and investigated by a gazetted officer. In fact, it appears that the incident took place because of the mistaken impression that a cow slaughter was being committed openly which aroused the passions of the people and it should not be treated as a deliberate atrocity committed on the members of the Scheduled Castes. However, if anybody is found guilty in the inquiry report of the Divisional Commissioner, Rohtak, the State Government would not hesitate in taking action against them.

So far as atrocities against members of Scheduled Castes in Bihar and other parts of the country are concerned, no major incident has been reported in the recent past. In fact, there has been a perceptible decline in the IPC crimes committed against Scheduled Castes in the last five years. While 18,658 IPC crimes were committed in 1997, this number came down to 17,397 in 2000 which shows a decline of 6.8 per cent. As regards incidence of crime under the Protection of Civil Rights Act, 1955, there was a decline of 78 per cent from 3,683 in 1990 to 810 in 2000. Similarly, the incidence of crime under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 showed a decline of 13.4 per cent from 17,511 in 1995 to 15,157 in 2000.

Ministry of Home Affairs have been issuing guidelines to the State Governments from time to time to give more focused attention to improving the administration of the criminal justice system to ensure prevention of atrocities against Scheduled Castes, Scheduled Tribes, women and other vulnerable sections of society. The guidelines issued by MHA include, *inter-alia*, the sensitisation of police personnel in the implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989, instructions to the police to have a more empathetic approach while dealing with the cases of atrocities against them, specifying the scope and responsibility of the police personnel investigating such offences, recruitment of sufficient number of persons belonging to Scheduled Castes/Scheduled Tribes/minorities as police personnel, especially, at the cutting edge level, setting up of special cells to deal with such offences, programmes for creating awareness among the vulnerable sections of society and legal recourse open to them, evaluation of the working of special courts, identification of atrocity prone areas for prevention of crime and measures to be taken for economic and social rehabilitation of the victims of atrocities.

**श्री रामजीलाल सुमन (फिरोजाबाद) :** अध्यक्ष जी, मंत्री जी ने जो बयान दिया है वह असत्य का पुलिंदा है। (व्यवधान)

**श्री सत्यव्रत चतुर्वेदी (खजुराहो) :** अध्यक्ष जी, जो बयान आया है वह नितान्त अर्सेतोजनक है। (व्यवधान)

MR. SPEAKER: You are all aware that on such a statement no clarificatory questions are allowed. That is the procedure and I am talking of the rules, you are all also aware of that.

...(Interruptions)

**अध्यक्ष महोदय :** आप एक मिनट सुनिये। जब यह विषय यहां उठाया गया था तब मैंने कहा था कि मैं इस विषय को बिजनैस एडवाइजरी कमेटी में रखूंगा और यदि बिजनैस एडवाइजरी कमेटी मान लेगी तो इस विषय पर चर्चा भी हो सकती है। लेकिन अभी जो निवेदन किया गया है, मैंने आदेश दिया था कि यह निवेदन भी पहले आना चाहिए था और मैं इसे बिजनैस एडवाइजरी कमेटी में लेकर जाऊंगा। इसलिए यह बैत हुई है। आप सब लोग जानते हैं कि ऐसे हर निवेदन पर यहां बाद में प्रश्न नहीं पूछे जा सकते हैं। There can be a discussion if a notice is given on this subject.

...(Interruptions)

SHRI SOMNATH CHATTERJEE (BOLPUR): Sir, I am only requesting for an early debate, if possible.

MR. SPEAKER: Yes please, we can have a debate as early as possible.

...(Interruptions)