

[Translation]

Since the Demands of the Home Ministry are not being discussed the hon. Minister of Home Affairs should fulfill the assurance given by the hon. Prime Minister and make a statement promptly on Uttaranchal, Muzaffarnagar incident and other issues related thereto. I request you to direct the Government that the hon. Minister of Home Affairs should make a prompt statement on it.

[English]

SHRI MANABENDRA SHAH (Tehri Garhwal) : Mr. Deputy Speaker, Sir, my subject is the same as Shri Khanduri has raised; and so I would like to repeat it. Nevertheless, I would like to bring it to the notice of the House that on 28.04.1995, the Prime Minister gave an assurance to the Lok Sabha towards the end of the debate on the Motion of Thanks on the President's Address that the Home Minister would say something about the demand for Uttaranchal when the Demands for Grants of the Home Ministry are taken up by the House. It is in the proceedings of the Lok Sabha on 28.04.1995, pages 7671-74. As per the present programme of the business of the House, the Demands of that Ministry are not being taken up for discussion.

The House would like to know whether the Home Minister will inform about the Uttaranchal issue and enable the House to discuss this important issue.

MR. DEPUTY SPEAKER : Next comes Mr. George Fernandes. Of course, his matter pertains to police officers. It has already come up. But since your name is there, you may please speak. But save time for other friends.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur) : Mr. Deputy Speaker, Sir, I had given you a notice regarding the sentence awarded yesterday to Haryana police officers by the Supreme Court. That issue was raised in this august House also by Shri Jaswant Singh. I consider it essential to explain two or three points related to it in this august House. In its verdict the Supreme Court has stated that the police officers have been awarded punishment for their misdeeds Who were behind this incident? The son-in-law of the Chief Minister of the State finds mention in the verdict of the court. Now the question arises is that the political leaders who made the police jawans or police officers to indulge in misdeeds are moving scot-free. No action is being taken against them. When the police harass a common man, he moves the court and gets justice there. But if he moves the court with a specific problem, a compensation...(Interruptions)

[English]

THE MINISTER OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (SHRI BUTA SINGH) : Mr. Deputy Speaker, Sir, I am on a point of order...(Interruptions)

MR. DEPUTY SPEAKER : Firstly, there is no point of order in Zero Hour. Secondly, of course, it is the court which has given a sentence.

[Translation]

SHRI GEORGE FERNANDES : The hon. Minister should at least, know that there is no point of Order during Zero Hour.

[English]

SHRI BUTA SINGH : Sir, I am on a point of order.

MR. DEPUTY-SPEAKER : You can intervene and speak.

SHRI BUTA SINGH : Sir, he is saying something which is against the Constitution of India. Therefore, I have a point of order. What he is saying is against the procedure of this House. Sir, you cannot allow it to go on record...(Interruptions)...Sir, he should not be allowed to speak when I am on a point of order...(Interruptions)

[Translation]

SHRI GEORGE FERNANDES : Mr. Deputy Speaker, Sir, my submission is that today the Chief Minister of Haryana has made a wrong statement on the Supreme Court verdict. Leave aside the issue of the morale of the jawans of the police all over the country.\*

They would again question the morale of the police. It is not a question of interfering in this matter. But once those people, who become its victim, get justice after spending their money, they should be duly compensated. I demand such a verdict in which compensation should be paid to the victim from the money of those persons who get the misdeed done through others. There have been many such incidents in the past, just few days back...(Interruptions)

[English]

SHRI BUTA SINGH : Sir, kindly ask him to yield. Otherwise, how can I speak? I have a point of order...(Interruptions)

SEVERAL HON. MEMBERS : There is no point of order...(Interruptions)

MR DEPUTY-SPEAKER : Mr. George has completed his argument. He has placed his points.

[Translation]

SHRI ANNA JOSHI (Pune) : What is your point of Order?

SHRI BUTA SINGH : Unless you hear me, how would you come to know of it?

[English]

MR. DEPUTY-SPEAKER : Mr. Buta Singh, you are on a point of order. You have got a chance to give explanation.

\* Expunged as ordered by the Chair.

SHRI BUTA SINGH : Sir, my point of order arises from the statement made by Shri George Fernandes.

Shri George Fernandes, while raising an issue on the floor of the House, has crossed the limits of the procedure of this House. He is free to report to the House whatever matter he has, but quoting the Supreme Court judgement and making allegations against those persons who are not present in the House is an established practice of this House; he cannot take the Supreme Court's decision as an alibi and start making political allegations against the people who are in high positions. He has started making a long statement.

My request is that all that must be deleted from the records.

[Translation]

SHRI GEORGE FERNANDES : Mr. Deputy Speaker, Sir, I demand that the Ministry of Home Affairs should get an inquiry done by the CBI into this case. Not only the conduct of the police but also the role of political leaders involved in such cases should be investigated.

(Interruptions)

[English]

SHRI BUTA SINGH : My point is, only that point should be allowed to remain which is the real point and for which he has given notice. He is not free to criticise the Supreme Court judgement. He is not free to make allegations against the persons in authority unless they are here.

My submission to the Chair is to kindly go through the proceedings. The portion that he has said in his statement must be deleted from the proceedings of this House.

MR. DEPUTY-SPEAKER : I will go through that. If it is against the established principles and policies, violating the Constitutional provisions, I shall certainly go through it and examine.

(Interruptions)

MR. DEPUTY-SPEAKER : Next, Shri Amal Datta.

If I want to deviate a little, the vehicle will go out of the track. To bring it back to track, it becomes very difficult. So, let me not volunteer to that risky job.

DR. R. MALLU (Nagar Kurnool) Shri Amal Datta.

Sir, I have also given...(Interruptions)

MR. DEPUTY-SPEAKER : Let us see whether your name comes or not. Hardly we have got four-five minutes.

(Interruptions)

MR. DEPUTY-SPEAKER : The Chair is not responsible for that.

SHRI AMAL DATTA (Diamond Harbour) : Sir, I have given a notice regarding the very same case which has

been raised by Shri Jaswant Singh earlier and then by Shri George Fernandes, but from another angle. I want to know from the Minister of Home as to what steps they contemplate taking pursuant to this judgement of the Supreme Court. Not only this one, but there were several other judgements of the Supreme Court to protect the life and liberty of the individual from the police for which the Supreme Court has held again and again that they are trampling on the rights or the constitutional rights of citizens and subjecting them to inhuman treatment and treatment which is derogatory to dignitaries of human beings viz., the Supreme Court has been saying from 1980 that a person as under trial prisoner and now they have said that even convicted prisoner cannot be put in handcuff or fetters without an order from the Magistrate. In case a person, when arrested, is known to be a violent person, then only he can be handcuffed under the order of a superior police officer. Now, I found out from the Home Ministry, the Government of India, that they do not take any notice of this. They do not circulate this thing to the State Governments and the State Governments also do not circulate this. So, the Supreme Court is saying one thing from 1980, not today. For 15 years, they have been saying these things for protecting the human dignity, human rights, right to life and liberty of individuals against arbitrary police actions of arresting, handcuffing and all that. But these are not reaching the police. They are not reaching the citizens, they are not reaching the District Courts and the Magistrate Courts.

Sir, something must be done by the Government of India. Do they think that there is no duty on their part to see that the Supreme Court judgements in letter is no duty on their part to see that the Supreme Court judgements in letter and spirit are carried out? Now, they have said recently, in the last week that anybody putting...

MR. DEPUTY-SPEAKER : Mr. Bhagwan Shankar Rawat.

SHRI AMAL DATTA : Just one minute, Sir

MR. DEPUTY-SPEAKER : Yes.

SHRI AMAL DATTA : Sir, any police officer who will put a handcuff in violation of the Supreme Court's latest order - pronounced only last week - then should also be sent to jail. The Government of India must come forward and take some action and must evolve a common Code of Conduct for Police. Conduct rules should be changed, if necessary, the police manual should also be changed, if necessary and the States also must follow a uniform pattern. It is the duty of the Government of India to do this.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT (Agra) : Mr. Deputy Speaker, Sir, the law and order situation has

worsened in Uttar Pradesh. It has become quite difficult for traders of Agra Division to move in the markets. Day in and day out, household items are being looted and people are being murdered. I would like to submit to the Government that the persons responsible for the murder of Goel family in Agra and another incident of North Vijayanagar have not been arrested so far.

13.00 hrs.

Similarly, traders have been murdered in Mainpuri and Shikohabad also. They have been robbed of their belongings. Sir, I request the Central Government to intervene in this matter. The people whose lives are in danger should be given protection. In Western Uttar Pradesh, especially in Agra Division it is becoming very difficult to move on the roads. The traders have staged a dharna there. I have requested the traders to withdraw their dharna and assured them that I will raise their problem in Parliament. Sir, through you, I would like to request that the Ministry of Home Affairs should intervene in this matter. This case is similar to a case of murder of Kamal Jain in Ghaziabad.

[English]

MR. DEPUTY SPEAKER : Now we will take up Papers Laid on the Table.

SHRI BASUDEB ACHARIA (Bankura) : Since we have also given notice, tomorrow may please be allowed to have our say on a priority basis Sir.

13.01 hrs.

#### PAPERS LAID ON THE TABLE

**Errata to the Detailed Demands for Grants of the Ministry of Law Justice and Company Affairs for 1995-96 and Cost Audit (Report) Amendments Rules, 1995.**

[English]

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ) : I beg to lay on the Table :

- (1) A copy of the Errata (Hindi and English versions) to the Detailed Demands for Grants of the Ministry of Law, Justice and Company Affairs for the year 1995-96.

[Placed in Library. See No. LT-7468/95]

- (2) A copy of the Cost Audit (Report) Amendment Rules, 1995 (Hindi and English versions) published in Notification No. G.S.R. 273(E) in Gazette of India dated the 20th March 1995,

under sub-section (3) of section 642 of the Companies Act, 1956

[Placed in Library See. No. LT-7469/95]

#### **Notification under Industries (Development and Regulation) Act, 1951 etc.**

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF INDUSTRIAL DEVELOPMENT AND DEPARTMENT OF HEAVY INDUSTRY) (SHRIMATI KRISHNA SAHI) : I beg to lay on the Table :

- (1) A copy of the Notification No. S.O. 280 (E)/18A/IDRA/95 (Hindi and English versions) published in Gazette of India dated the 31st March, 1995 regarding extension of period of take over of the management of Messers Lilly Biscuit Company (Private) Limited, and Messers Lily Barley Mills (Private) Limited, Calcutta, upto the 26th March, 1996, under sub-section (2) of section 18A of the Industries (Development and Regulation) Act, 1951.
- (2) A copy of the Notification No. S.O. 281 (E)/18AA/IDRA/95 (Hindi and English versions) published in Gazette of India dated the 31st March, 1995 regarding extension of take over of management of Messrs Apollo Zipper Company Private Limited, Calcutta, upto the 31st March, 1996, under sub-section (2) of section 18AA of the Industries (Development and Regulation) Act, 1951.

[Placed in Library, See. No. LT-7470/95]

#### **Report of Comptroller and Auditor General of India Union Government (No. 1 of 1995) for the year ending 31st March, 1994 etc.**

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ) : On behalf of Shri M.V. Chandrashekhar Murthy, I beg to lay on the Table :

- (1) A copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India - Union Government (No. 1 of 1995) for the year ended the 31st March, 1994 (Civil) under article 151 (1) of the Constitution

[Placed in Library See. No. LT-7471/95]

- (2) A copy of the Union Government Appropriation Accounts (Civil) for the year 1993-94 (Hindi and English versions).

[Placed in Library See. No. LT-7472/95]

- (3) A copy of the Union Government Finance Accounts for the year 1993-94 (Hindi and English versions).

[Placed in Library See. No. LT-7473/95]