

SHRI C. K. JAFFER SHARIEF (Bangalore-North) : Sir, I rise on a point of order. You said that the Minister is going to make a statement just to clarify what has appeared in the press and that he is not going to refer to anything with regard to the Commission. But now he has come out with.... (Interruptions)

SHRI VASANT SATHE : ***

MR. SPEAKER : Please do not record it.

SHRI CHARAN SINGH : In some cases, however, forms of warrant were signed by him and given to other persons to fill up names and other details on the basis of his earlier decision to detain various persons. He has clearly admitted that the possibility of there being in existence a blank MISA warrant signed by him on 26-6-75 cannot altogether be ruled out, though he has also pointed out that for a complete reply it would be necessary for him to see the original of the photostat copy as well as all the other relevant documents. According to the Delhi Administration, 69 warrants of arrest were issued by the Deputy Commissioner on 26th June, 1975.

Needless for me to say that this is a serious matter and deserves a thorough probe. The Delhi Administration is being asked to ascertain all the facts relevant to this matter and place them before the Shah Commission of Inquiry for such further investigation as it may deem necessary. The Government, on its part, will also take such appropriate action as may be necessary, on receipt of a detailed report from the Delhi Administration.

23.35 hrs.

STATEMENT RE. ALLEGED LATHI CHARGE IN TIHAR JAIL, DELHI DURING EMERGENCY

SHRI KANWAR LAL GUPTA : (Delhi Sadar) : Sir, I want to know

MR. SPEAKER : The original question was an Unstarred Question. The reply was laid on the Table. Therefore, any further Oral clarification under the rules is not permissible. It is not permissible to give any oral reply. So, I am requesting the hon. Member to lay it on the Table.

SHRI KANWAR LAL GUPTA : I lay on the Table a Statement regarding certain information given by the Minister of Home Affairs on the 22nd June, 1977 in answer to Unstarred Question No. 1390 regarding alleged lathi charge in Tihar Jail, Delhi, during Emergency.

Statement

In reply to my Unstarred Question No. 1390, replied on 22nd June, 1977, the Home Minister stated that no lathi charge was made in the Jail during emergency.

In this connection, it is submitted that I too was detained in the Central Jail Tihar, Delhi. I can say from my personal knowledge that it is incorrect to say that no lathi charge was made in Tihar Central Jail. As a matter of fact, many persons detained in the Jail were injured and some of them severely wounded on account of lathi charge made in the jail. Even the record of Tihar Central Jail will substantiate my contention. Those who were injured can be produced even now, because they are the residents of Delhi. Moreover, even the Home Minister, Shri Charan Singh ji, was also detained in the jail at that time and he must be knowing this fact that there was a lathi charge in Tihar Central Jail.

It seems that the Delhi Administration has wrongly sent this information to the Home Minister. I request the Home Minister under Speaker's Direction 115 to correct his statement made on the 22nd June, 1977. It is further submitted that he may take action against those Officers who misguided him.

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH) : I lay on the Table a Statement in reply thereto.

Statement

Unstarred Question No. 1390 sought information regarding the names and places where lathi charge was made in jails during Emergency. In my written reply on 22nd June, 1977, I had stated that replies from 15 States and Union Territories were being awaited and that 16 States and Union Territories had reported that no lathi charge was made in their jails during Emergency. Union Territory of Delhi was included in the latter category. On 28th June, Shri Kanwar Lal Gupta had written a letter stating that he was himself detained in Tihar Central Jail, Delhi, during the Emergency; that there was a lathi charge and that he was himself a witness thereto. He also added that I should be knowing about the lathi charge since I was also detained in the same jail. Though I was detained in Tihar Jail, I was not personally a witness to any lathi charge. But I do recall that an alarm was sounded and the impression of a lathi charge having been made, was widespread amongst the

***Not recorded.

jail inmates in fact Shri Prakash Singh Badal, Shri Atma Singh and I had sent a notice to the jail authorities saying that if no enquiry was held into the incident, we would be compelled to start a hunger strike. Thus, while I do feel that what I had stated in my written answer on the 22nd June, 1977 is not, perhaps, wholly accurate, I had no intention of misleading the House or wilfully furnishing any false information.

Hence further inquiries have been made from the Delhi Administration. It has again been stated by the Delhi Administration that although there was a scuffle on the 2nd October, 1975 where the jail authorities had to use minimum force to control the situation no lathi charge was resorted to and that 16 persons received minor injuries during this scuffle. On a careful examination of the report received from the Delhi Administration, I am not satisfied that all the relevant facts have been ascertained. The manner in which force was used has not been clearly brought out. Nor has any satisfactory explanation been furnished for the injuries sustained by 16 prisoners. It would, therefore, be necessary to ascertain all the relevant facts by a thorough inquiry. Accordingly I propose to institute a judicial inquiry into the matter.

SHRI KANWAR LAI GUPTA
 We would like to hear him. I assure you, Sir, that we would not ask any questions.

MR. SPEAKER It is laid on the Table. We are circulating it today.

PROF. D. H. CHAKRAVARTY (Calcutta South) Unless the Home Minister makes a statement, we would not know what he has stated and the House will adjourn today. Please permit him to make the statement.

MR. SPEAKER We are circulating it today.

SHRI A. BALA PAJANOR (Pondicherry) As far as the statements which are made in the House but not included in the List, are concerned, we do not get English translation of that. Certain remarks are expunged but if we are not supplied English translation of the Statement, we would not understand that.

SHRI K. P. UNNIKRISHNAN (Badagara) Both English and Hindi translations must be made available.

MR. SPEAKER For every proceedings which is in Hindi, a translation will be supplied in English. For every proceedings which is in English, a translation will be supplied to other Members

in Hindi. But there may be some delay. I will direct the office to send any translation which you have not received here, to your residential addresses by post. It will be supplied as early as possible.

13 40 hrs.

MATTERS UNDER RULE 377

MR. SPEAKER Today being the last day of the session I have decided to allow many matters under Rule 377. The exception is being made on the last day of the session. On other days only one or two matters would be allowed to be raised. The future depending upon the urgency and the importance of the matter ought to be raised.

SRI C. J. BASU Sir, I have given notice under Rule 377 on an urgent matter of public importance.

(1) SHARING OF GANGA WATERS WITH BANGLADESH THROUGH THE FARAKKA BARRAGE

SHRI KRISHNA CHANDRA HAI-DIKI (Durgapur) Sir, I have given notice under Rule 377 on an urgent matter of public importance.

We want an honourable settlement on sharing of Ganga waters through the Farakka Barrage with Bangladesh. We want to have friendly relations with Bangladesh and other neighbouring countries. At one time, you know that the Calcutta Port was considered to be the most important port in the country for export and import. The experts have given an opinion that the minimum quantity of 40,000 cusecs of water during the lean months will be required from Ganga through the Farakka Barrage to save the Calcutta port. The density of population in West Bengal is the highest in our country. For the industrial development of our country, in our national interest, the settlement should be arrived at in such a way that the Calcutta port is saved. If the Calcutta port is not saved and it is allowed to die, the eastern region particularly West Bengal, will suffer. So, I want that 40,000 cusecs of water from Ganga should be released to save the Calcutta port in the interest of the country.

I would request the hon. Minister concerned through you, Sir, to make a statement today in regard to this important matter. Crores of people are anxious to know what will be the fate of the Cal-