

(b) if so, the reactions of Government thereto,

(c) the total number of workers rendered jobless owing to the closure,

(d) whether Government are having any plan to take over the mill through the National Textile Corporation, and

(e) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE
MINISTRY OF FOREIGN TRADE (SHRI
A C GEORGE) (a) Yes Sir

(b) (d) and (e) An Investigation Committee has been appointed under the Industries (Development and Regulation) Act to enquire into the affairs of the mill. Further course of action would be considered on receipt of the report of the Committee.

(c) About 1200

12 03 hrs

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORT- ANCE

REPORTED KILLING IN PRISON OF
FIVE POLITICAL PRISONERS IN
ALIPORE SPECIAL JAIL

SHRI H N MUKERJEE (Calcutta—North East) I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon

'Reported killing in prison of five political prisoners in Alipore Special Jail, Calcutta during the alleged jail-break attempt on the 11th July, 1971'

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
K C PANT) Mr Speaker Sir, on 11th July 1971 at about 10 00 AM, while a hand cart belonging to the Food Contractor was coming out of the Alipore Special Jail Calcutta the cartpuffer knocked at the inner gate, about 40 under trial prisoners

rushed at the gate of the jail and struck at the Warder on duty with a sickle snatched from a prisoner who was cutting grass inside the jail. A section of the under-trial prisoners also tried to enter the Jailor's office in search of the key to the outer gate. One Head Warder who tried to prevent this was attacked by the mob and is severely injured. Though the rioters could not get the keys—they succeeded in picking up a ladder kept between the two gates for use of the electrician and after hitting a Head Warder on duty with an iron rod, four prisoners succeeded in scaling the perimeter wall and escaping from the jail. They were, however, immediately re-arrested by the Warders.

The jail alarm was immediately sounded and when the jail officials and the guard staff tried to prevent the attempt of the rioting under-trial prisoners to escape *en masse* they attacked the guards with iron rods sickles etc. The guards had to open fire in self defence resulting in the death of three prisoners on the spot. Of the five other prisoners who received injuries in the firing and were sent to the Police Hospital three died in the hospital. The remaining two are progressing.

In the incident one Head Warder and four Warders were injured and all are in the hospital. The injuries of the Head Warder and one Warder are serious.

SHRI H N MUKERJEE The agony in Bengal seems to be taken for granted in the rest of India but this kind of thing should make Parliament sit up. This latest jail break incident is not something new. It is perhaps the fourth or fifth in the series in West Bengal. In Dum Dum jail a couple of months ago it happened on even a larger scale. Administrative failure of this kind just cannot reach a lower level and we are supposed to have a responsible Government.

I would like to know how it was that in broad day light—we have been given a cock and bull story—some 40 prisoners allegedly armed with knives and iron rods—he talks about one sickle and then in the plural and iron rods—all sorts of implements, that do not form part of the jail equipment, I am sure. How is it that 40 prisoners

assembled behind the trap gate without attracting notice, at 11 O'clock in the morning got it opened by the sentry in charge, and then found a ladder handy which they could use to climb the boundary wall and jump? It is a drama which looks like having been very well rehearsed before it was staged. It could not have happened without some sort of co-operation from some of the jail staff. Is this kind of incident provoked by certain kinds of a forethought malice, I do not know. What has happened to the enquiry said to have been ordered recently after the jail break in Dum Dum where the Divisional Commissioner was asked to produce a report and a high-level committee including the Home Secretary were to make comments on it? What has happened to that report? Or, are these mystic exercises to remain entombed in the Government files? Young, ardent lives are extinguished by shooting and the Government are trying to justify the shootings and beatings-up with what are perhaps deliberately engineered incidents. When shall we see an end to this criminal bungling in the jail administration?

I would like the Minister also to tell us, since much bigger things than tightening up the jail administration are involved, on account of the fact—call them Naxalites or whatever else—there are a large number of young people, sick and disgusted with our politics and economy, who have plunged headlong into a fight. They might have been misguided but they ready to give their lives as well as to take them. Will the Government desist from the self-defeating line of trying to kill them off, or, will efforts be made to tackle them politically, to treat this as a serious movement, to respect their reckless courage and tremendous resourcefulness and, if possible, wean them away from their mistaken ways, if that is possible.

I say that the Prime Minister, supposed to be in charge of West Bengal in particular, has sneaked away. I do not know; will she try to get the radical elements supposed to be in her ranks to be utilised in the purpose of having a dialogue with the ardent young revolutionaries howsoever misguided they might be? Would the Prime Minister ask her latest subedar in West Bengal, Shri Siddhartha Shankar Ray, to take it up as a priority job? This kind of thing has

gone on for far too long to be suffered by the country in silence. You are punitive against your people and you try to be persuasive with Pakistan and its patrons in the Pentagon. This kind of monstrosity in administration, no responsible, representative government can never tolerate, no Parliament could ever tolerate. It must have a stop.

That is why we want some satisfactory answer and not the kind of cock and bull fabrication which has been supplied by the Minister's minions in West Bengal. This kind of statement is not worth the paper it is written upon. I want to be satisfied in these matters. I am not speaking only in my individual capacity; Parliament will have to be satisfied. When six people, young people are killed—political prisoners inside the jail, —where the balance of arms and authority is on your side all the time, you kill these people, or you give them facilities to do some damaging tricks, because you are having a provoked business. You are provoking these incidents in order to get an opportunity for killing off some of these people. You do not have any time for political dialogue with them. If Shri Siddhartha Shankar Ray is going to have any *raison d'être* for his presence in this House or in the country, something has to be done about it by the Prime Minister.

I take very serious objection to the Prime Minister not being present here. She was here till only a minute ago, and she goes away. I say deliberately she sneaked away when this thing came up. This is disregard of the House; this is contempt of the House; this is disrespect to the problems of West Bengal, and if she goes on playing with the problems of West Bengal, she and her like would have to pay the penalty.

SHRI K. C. PANT: Sir, my hon. friend has referred to the statement which I read. He has called it a cock and bull story. He has asked me to give satisfaction to him. It is in an attempt to give satisfaction to him that I have given a detailed statement based on the information with me. I really do not know how I can give him satisfaction other than this. So far as the incident goes, I have given the details. He says, this could have been rehearsed before

[Shri K C Pant]

it was staged. It might have been rehearsed, I do not know. Such incidents are sometimes rehearsed also.

As for the staff being mixed up, it being deliberately engineered and the opportunity being used to kill them off, the facts speak for themselves. Forty under-trial prisoners attacked the warders, got through the inner gate and some of them got hold of a ladder. Some tried to go into the Tuler's office. Some scaled the wall but were re-arrested. All these things are there. It would be surprising if the warders had entered into a collusion with them and got themselves beaten up and are now lying in the hospital. He should see the whole thing from the other side also. There is no cooking up of injuries of people who were hit with iron rods and sickles. These are all facts. I am sorry for the loss of even a single life, but I did expect a word of sympathy from Prof Mukerjee for the warders, who were injured in the course of performance of their duty. (*Interruptions*)

SHRI S M BANERJEE (Kanpur): Nobody was killed.

SHRI K C PANT: Must a man be killed to get sympathy? (*Interruptions*)

SHRI S M BANERJEE: In Midnapore some prisoners were told that they have been granted bail but were shot dead when they came out.

SHRI K C PANT: Let me say that they were charged for. Most of them were arrested under Sec. 302 IPC, i.e. for murder. I only want Prof Mukerjee to see these things in the proper perspective. I do not condone it, but I want to point out the grounds, the crimes, for which they were charged.

Then, he asked about a report. I do not know which report he was referring to. But the Commissioner, Presidency Division, was appointed to enquire into the incidents in the Presidency Jail and Berhampore Central Jail. He has submitted a report which is now under consideration. Further action would be taken after it is considered. Presumably that is the report he was referring to.

I would only like to add that so far as a dialogue with these elements or any political elements is concerned, all elements on this side of the House are always prepared for a dialogue, provided something useful can come out of the dialogue. This is an open democracy, in which the method of dialogue is always used. I would invite my hon. friend and all sections of this House to have such a continuous dialogue, to condemn violence and to reinforce the values of democracy, so that the erring young men can come back to the right path.

श्री नवल किशोर शर्मा (दौसा): अध्यक्ष महोदय पश्चिमी बंगाल में ऐसा लगता है कि कानून और व्यवस्था बर्बाद करीब समाप्त हो चुकी है। आज दिन अनेकों हत्याएँ लूटपाट और आगजनी की घटनाएँ होती हैं। किसी के लिये कोई सुरक्षा व्यवस्था नहीं है—चाहे वह स्कूल जाने वाला विद्यार्थी हो या अभ्यास हो किसी वकील का मकसद हो, किसी दफ्तर में काम करने वाला कर्मचारी हो या किसी बारगाने में काम करने वाला मजदूर हो या मालिक हो। कोई भी आदमी शाम को घर लौट कर आयेगा, इसकी आशंका बनी रहती है और बेदर सरकार या राज्य सरकार द्वारा जितने भी प्रयत्न इसको सुधारने के लिये किए गए वे करीब-करीब सभी नाकामयाब रहे। ऐसा महसूस होने लगा है कि ज्यों ज्यों दवा की, त्यों त्यों मर्ज बढ़ता गया।

इस स्थिति में जो नई बात घटी है, वह यह है कि अब जेलों को तोड़ना शुरू हो गया है। पिछले तीन महीनों में कई जेल तोड़े गये और सरकार की अकर्मण्यता के कारण कोई कारगर कदम नहीं उठाये गये। अलीपुर जेल की घटना एक ऐसी घटना है जिससे ऐसा लगता है कि इन सब घटनाओं के पीछे और पश्चिमी बंगाल में जो कुछ हो रहा है, उसके पीछे एक सुनियोजित षड्यन्त्र है, जिसमें राजनीतिक दलों का हाथ होता जरूरी है।

ऐसी स्थिति में मैं आपके माध्यम से मंत्री महोदय से जानना चाहता हूँ कि क्या यह सच नहीं है कि पश्चिमी बंगाल में जो कुछ हो रहा है, उसके पीछे राजनीतिक दलों का हाथ है? यदि ऐसा है तो क्या वे बताने की कृपा करेंगे कि वे दल कौन से हैं, जिनका इन हत्याओं के पीछे, इन घटनाओं के पीछे हाथ है..... (व्यवधान).. तथा इन दलों से निबटने के लिये सरकार ने क्या कदम उठाने का फैसला किया है, क्योंकि अब इस मामले में केन्द्र की सीधी जिम्मेदारी है? भले ही मंत्री महोदय ने अपने स्टेटमेंट में कहा है कि ये घटनाएँ सुनियोजित नहीं थी, लेकिन उन का यह कहना कि सिकिल और आयरन-रोड से हमला किया गया, इतनी बड़ी तादाद में ये चीजें कहाँ से आई—इनसे माफ़ जाहिर होता है कि सब कुछ सुनियोजित था। अखबारों में जो खबरें आ रही हैं, उनसे भी ऐसा ही जाहिर होता है कि पश्चिमी बंगाल में जो कामिबंग-आपगेशन शुरू हुआ है, उसकी खबरें भी बराबर छीक हो जाती हैं। इस से ऐसा लगता है कि पश्चिमी बंगाल की पुलिस और जेठ में ऐसे तत्व प्रवेश कर गये हैं जिन की सांठगांठ ऐसे लोगों से है जो अहिंसा को बढ़ावा देते हैं। मेरा यह आरोप है कि ऐसे लोग ज्यादातर उस जमाने में दाखिल हुए जिस जमाने में श्री ज्योतिबसु वहाँ पर यह मंत्री थे।

मैं गृह मंत्री जी से माँग करता हूँ—क्या वह ऐसे लोगों के खिलाफ़ सामूहिक कदम उठाने की कोशिश करेंगे? क्या गृह मंत्री जी ऐसे लोगों के खिलाफ़, जो पुलिस और जेल की नौकरी में शामिल पा गये हैं, सामूहिक कार्यवाही कर के उन को डिमिस करने के बारे में सोच रहे हैं?

अभी गृह मंत्री जी बहरामपुर जेल की बात बता रहे थे और उस की रिपोर्ट उन को

प्राप्त हो गई है, क्या वह उस रिपोर्ट को पब्लिश करायेंगे?

क्या मंत्री महोदय मेरे इस सुझाव पर भी विचार करेंगे कि राजनीतिक बन्धियों के लिए अलग जेल की व्यवस्था हो, जहाँ सुरक्षा का पूरा प्रबन्ध हो?

श्री कृष्ण चन्द्र पंत : अध्यक्ष जी, मैं माननीय सदस्य की विन्ता को समझता हूँ कि आज देश में ऐसे राजनीतिक तत्व हैं जो हिंसा का सहारा ले कर राजनीति पर अमर डलना चाहते हैं, जो पोलिटिक्स-आफ़-बायलेंस में विश्वास रखते हैं और पहले भी हम को इस सदन में मौका मिला है जब कि व्योरे से चर्चा हुई है कि कौन कौन से ऐसे राजनीतिक दल हैं जिन का हिंसा की राजनीति में विश्वास है। वहाँ मेरे द्वारा उन का नाम लेना आवश्यक नहीं है, सारा देश उन को जानता है। इस का एक सुबूत यह भी है कि जो लोग आज भी यह कहते की तैयार न हो कि राजनीति के लिये वे हिंसा का त्याग करते हैं—स्वाभाविक है कि उन पर शुब्हा होता है।

जहाँ तक आज की स्थिति में बंगाल में कौन कौन से कदम उठाने का सम्बन्ध है—पहली बात तो ला-एण्ड-ग्राइन्ड की स्थिति है, इसको काबू में लाने के लिये सब कदम उठाये जा रहें हैं। माननीय सदस्य को भी मालूम है कि क्या क्या कदम हाल में उठाये गए हैं। हमारे साथी राय साहब भी वहाँ गए थे और उन्होंने भी जो कदम उठाये हैं वह भी माननीय सदस्य की जानकारी से है। इसके अलावा बंगाल में जो आर्थिक विकास की समस्याएँ हैं जिसकी वजह से कुछ नौजवानों में निराशा की भावना जाग्रत होती है उसके लिए भी प्रयत्न हो रहा है कि आर्थिक विकास को तेजी से किया जाए। इस सम्बन्ध में जो योजनाएँ हैं और जो कदम हाल में उठाये गए उनकी जानकारी माननीय सदस्य

[श्री कृष्ण चन्द्र पन्त]

को है। माननीय सदस्य ने स्थिति को सुधारने के लिये जो और सुझाव दिए हैं उन पर हम आवश्यक विचार करेंगे।

SHRI INDRAJIT GUPTA (Alipore)

This has become a matter of serious public concern because it is not an isolated incident. Professor Mukerjee has already referred to the fact that this latest incident is only the last of a series of such incidents which have been going on for some time now in Berhampore Jail, Midnapore Jail, Dum Dum Central Jail, Presidency Jail and now this Alipore Special Jail.

According to the newspaper report in this latest incident six boys the prisoners who lost their lives were between the ages of 16 to 22. I am pointing this out because I feel that prisoners who know that in making a determined bid to break out of a jail they are risking death or at least serious injury, cannot be just anti-social elements. Anti-social elements are generally quite cowardly people. Anti-social elements when put in jail very seldom try to break out in this way. They may be misguided people, they may be people with whom we may not agree at all politically, but I am quite sure in my own mind that these boys who had been trying repeatedly in a very organised and concerted way to break out of these various jails, are certainly not anti-social elements. Though the Minister may be surprised or many here may be shocked to hear, personally I feel that any political prisoner has the right to try to break out of jail just as the Government and the jail administration have got the right to try to prevent him. There are ex-political prisoners, I think sitting on that side of the House too who, at one time, would have subscribed to that doctrine.

Now what worries us is that the violent desperation shown by these boys in this series of incidents is matched only by the savagery of the warders. I do not make a distinction between the two. If there is violent desperation on the one side, which has expressed itself in these armed attacks and violent attempts to get out of jail, it has been matched by equal savagery on the part of the warders. Sometimes, the

Minister will say, the warders have to open fire in self-defence and so on. But in a number of these cases, particularly in Dum Dum Central Jail, many of these young boys, the majority of the casualties were not caused by firing, were beaten to death by lathis. This probably has led one of the pro-Congress dailies in Calcutta, *The Hindustan Standard*, to make this comment —

'A better means of keeping peace in the jails must be discovered than frantic shootings and wild lathi charges.'

Certain questions of course, have risen in everybody's mind. Who supplies these lethal weapons to prisoners inside the jail? No answer is found up to today. We do not know anything about it. On other occasions this Government keeps on telling us that the police force in West Bengal has been infiltrated by various types of political influences, the police have got sympathies with one party or the other and they cannot be relied upon. If that is true, should we have any reason to imagine that the jail staff and the warders are immune from these influences? Obviously not. But nothing has been found up to today. No inquiry is held. No serious investigation is made.

There are stories, widely current reports, in Calcutta. I do not know if they are true. They can only know if a proper inquiry is held. While there may be elements in the jail staff and among the jail warders who may be pro-Naxalites in sympathy—if all these boys are Naxalites, I do not know, that also he should tell us whether all these boys were Naxalite prisoners or what—anyway, while one section of the jail staff may have pro-Naxalite sympathies and may, therefore, be smuggling in various types of illegal weapons and so on for them, there are also reports that the *Kara Rakshak Samiti*, that is, the Union of the Jail Warders is influenced by another political party which is well-known for anti-Naxalite views. These are very serious allegations. There are allegations that any more of these incidents are provoked in such a way that the warders get a chance to carry out most savage reprisals because of their political sympathies against these young boys, even to the extent of beating them to death with lathis. Has it become a matter which we

can just contemplate with this kind of an attitude, as if we have become so callous and we have no human feelings at all?

Then, I would like to know what has happened to the 4 Member Committee which was appointed by the last Ministry to go into those things and to study the reports of the Divisional Commissioners. That Committee, as I remember, was composed of the I. G. of Police, the I. G. of Prisons, the Home Secretary of the State Government and some other senior police officer. Nothing has been heard further about the Committee, whether it examined those reports and what conclusions were arrived at.

What about a judicial inquiry to go into the entire phenomenon of what is happening inside the jails? Is it not time for that? Each of the incidents is being treated in an isolated way and some kind of excuse is being given as if one is not connected with the other. I think, this has become a sufficiently serious problem where the entire phenomenon should be gone into by a judicial inquiry. I do not know what Mr Siddhartha Shankar Ray is thinking about it. He is not answering questions on the subject.

Now, the Union Government is directly responsible for the administration of West Bengal. They should satisfy us that this matter will not be allowed to drift like this and that, without allowing further incidents to occur, a judicial inquiry will be appointed to go into the entire phenomenon in all its aspects. I am not pleading for one particular side of the question. I hope, the hon. Minister will tell us more specifically and more concretely what they propose to do. I do not want to hear a rambling thing about economic uplift of West Bengal, and this and that. All that we will discuss some other time. This is a specific question about political prisoners trying, repeatedly, to break out of jail in a highly organised manner and of the most savage type of reprisals against them by the jail authorities and the jail staff. Who is responsible, on both sides, who is playing what part in this should be gone into and the entire jail administration will have to be overhauled in West Bengal. You talk about overhauling the police administration, But you do nothing about it. You only talk about it.

Similarly, I want to know what Government propose to do about the jail administration.

SHRI K. C. PANT : Sir, it was a somewhat rambling question.....

SHRI INDRAJIT GUPTA : I am inspired by your rambling replies.

SHRI K. C. PANT : If my hon. friend had not prefaced his question with the statement that any political prisoner has a right to break out of jail...

SHRI INDRAJIT GUPTA : That is my view, you need not share my view.

SHRI K. C. PANT :I would have thought he was expressing concern about prisoners breaking out of jail and that he wanted the Government to take steps to see that the jail administration is improved so that such incidents do not recur. But in view of the preface made, I do not feel..... *(Interruption)* I do not know whether he wants us to pay attention to the jail administration as to facilitate escaping of prisoners. I really do not know. I am amazed that a responsible Member of Parliament should have made a statement which amounts to encouraging prisoners to break out of jail.

SHRI INDRAJIT GUPTA : You are encouraging them to break out.

SHRI K. C. PANT : Society has put a certain responsibility on the jail administration. On the floor of Parliament, to say that the administrators who are in-charge of jails and police should be told that it is not their duty and that it is the right of the prisoner to break out of jail is amazing. It is a duty imposed by Parliament itself under the law which it makes. Therefore, this is an amazing statement.

SHRI INDRAJIT GUPTA : They are not doing their duty.

SHRI K. C. PANT : So far as people sitting on this side of the House are concerned, he referred to them. Most of them were in jail as a result of Satyagraha, non-violence and most of them did adhere to the rules of non-violence.....*(Interruptions)* In this case, as I mentioned earlier, one has

[Shri K. C. Pant]

to take note of the charges against these people in prison. One has to take note of the charges and these are Sections 302, 34, 148, 149 and 307 IPC.

SHRI TRIDIB CHAUDHURI (Berhampore) : They are under-trial prisoners until their guilt is established. What does the hon Minister want to prove ? They are only allegations.

SHRI K. C. PANT : Yes, allegations. I say they have under these sections.

SHRI TRIDIB CHAUDHURI : So what (*Interruptions*).

SHRI K. C. PANT : They have been arrested. I am placing the facts as I know them and I want the House to take note of it. Sections 3 and 5 of the Explosive Substance Act, Sec. 148, 149 and 436 and so on.

This is not a question of any political ideology, but it is a question of violence. It is a question of attempt to murder and so on. I am only sorry that young men should be misled to do this.

I share the anguish of my hon friend at the young lives that have been snuffed out like this. But look at the crimes for which they have been arrested. Look at the kind of things they have been indulging in. This one has to keep in mind.

I cannot say what happened in Dum Dum but I may assure my hon friend that if excesses have been committed by the wardens or by the Police, I am not here to hold any brief for them. If excesses have been committed, these people should be punished if they are wardens or Policemen, whoever they may be. I am not here to hold brief for them and I am not here to trot out any justification for any excesses committed by them. As I do not know the facts, I cannot say.

SHRI S. M. BANERJEE : Will you hold an inquiry ?

SHRI K. C. PANT : As far as I know of jails in UP, in most cases of a jail riot, the jail manuals provide some kind of an

inquiry in many of the State Governments. I have tried to find out what the exact position in the Bengal Jail Manual is. I shall find out. I shall find out what kind of inquiry has been made Ordinarily, in many States, for instance in U. P., the jail manual does provide for an inquiry.

My hon. friend has said that some political elements are provoking this kind of thing inside the jail. I would welcome information from him or from any quarter so that I can seriously look into them because this is a serious matter as he himself said and any information I get, I shall certainly look into that aspect.

On the Four man Committee, the information I had about another inquiry, I had placed it before the House in answer to Prof Mukerjee. I do not know the Four Man Committee's report. I shall certainly inquire into that and find out exactly whether the report has been submitted and what has been done about it. Only after examining these reports, can we decide what further step have to be taken. There have been many jail breaks. There have been many attempts to escape from Police vans and it is a serious matter which will have to be looked into with a view to taking necessary steps.

SHRI INDRAJIT GUPTA : What about the judicial inquiry ?

SHRI K. C. PANT : We will have to see after examination, I cannot say anything now.

SHRI SAMAR GUHA (Contai) : If the Government or the Members on that side think that Naxalism can be killed by killing the under-trial prisoners or the suspected Naxalites in the streets, they are sadly mistaken because it may be a perverted politics. Sir, the source of Naxalism is something different. This source of Naxalism, I should say, is the socio-economic malady of West Bengal. If any of these Members visits every fourth man in Calcutta in the *bastees* or in the refugee quarters all along Calcutta, if you go there, you see Graduates, Post-Graduates, Teachers and Professors are all huddled in a single small room. This Government think of how to deal with Naxalism. They never care to go into the socio-economic malady that has already jeopardised the

whole life and almost, I should say, turned the life of Calcutta, the urban and industrial areas into beastly life there.

It is, I should say, a reaction of the socio economic maladies that beset society. Many doctors were there who were demanding Rs. 120 per day; after some tit-bits by the Naxalites, they brought down their fees to Rs. 8 and so on. Many lawyers were there who were demanding Rs. 300 or Rs. 400 and due to the tit-bits by the Naxalites, they brought down their fees. I am not supporting them. We have not been able to cure certain ills. But in Birbhum area, a few tit-bits of the Naxalites brought down the activities of the black marketeers. I am not supporting them.

MR. SPEAKER : What about the Call Attention motion ?

SHRI SAMAR GUHA : In many areas the police and the laws which are to operate, are not operating. The poor peasantry are there who do not get help from police and the laws. The help comes from the tit-bits of the Naxalites. What I want to say is that the Naxalites have to be combated at the political level, and we have immediately to deal with the economic maladies afflicting West Bengal. Only then we will be able to check these ills. Alipur jail incident is not a sudden incident. It started in October 1, 1970. There were previous incidents of jail-break at Asansol, Siliguri, Berham: Presidency Jail, Midnapore jail, Dum dum and now it is Alipore jail. Many undertrial prisoners escape from police lock-up. I will give you figures. About 90 under-trial prisoners escaped and 57 prisoners escaped from police lock-up and 35 to 40 under-trials lost their lives as a result of shooting and merciless killing by the wardens of the jail. The Minister himself said they have been arrested on charge of murder, killing and assault and physical violence. Among these cases, the Government have not tried to enquire and punish the people even in a dozen of such cases. This is the tragic situation of law and order and their administrative ability in West Bengal.

There is the Kara Raksha Samiti. Ask your friend Mr. P. R. Das Munsi about it.

A number of them were mercilessly beaten and killed in Midnapore Jail. Boiling water was poured on the bodies of the Naxalites. This created excitement and provocation. These are all matters which have to be gone into. About 35 of them have been killed, some of them with lathis with too s. Not a single case has been there where the prisoners had anything more than a sickle and a rod. Over the last two years, things have been happening in West Bengal, and this kind of thing has happened in seven or eight jails. I want to know from Government whether there has been any single instance in the Jail where any Naxalite prisoner was in possession of any fire-arm, whether even in the Alipore jail, anyone had anything more than a sickle and a rod. I want to ask Government why these prisoners were beaten to death by lathis was there no tear-gas? Did the police not have lathis? why did they use fire-arms on them? Why did the police wardens use fire-arm to kill them outright?

After all, they were under-trial prisoners. It had not been proved in a court of law that they were real criminals. So, they have right to be treated not as criminals. Again, they were not habitual criminals. They may be political derelicts politically misguided people. But this is not the way to treat them. Some of them are brilliant jewels of the universities. Some of them have taken first class degrees in B.Sc., B.A., M.A., M.Sc. etc. They are jewels of universities there. So, they should not be treated as habitual criminals. You cannot bent up hundreds of young men who are brilliant jewels of the universities. They may be Naxalites, and they may have been perverted and misguided. But this is not the way to treat them.

The hon. Minister should have given a reply to this question, but I am sorry he has not given the reply; perhaps, he has not seen today's paper. After the incident of 16th May, Mr. Gyan Singh, the Minister for Jail in West Bengal instituted a committee with the Chief Secretary, the IG of police and the IG of prisons and Deputy IG of prisons as members. The hon. Minister says that he will go through the report and he not studied the report yet. But one of the members of the committee

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has said that he did not know that he was a member at all, and there was no sitting of the committee and no member had been given the notice of any meeting at all, and therefore, that committee was not duly constituted, although it had been announced. I want to know whether Government are going to institute a high-level inquiry with the assistance of the officials of the Central Government to go into the details of the jail administration and also the behaviour of the wardens and the attitude of the Kararakshi Samiti there and whether they had any complicity in this. I also want to know the circumstances under which they were compelled to use fire-arms without using only lathis and tear-gas.

Thirdly, I would also like to know whether the police officers who have failed to maintain proper administration inside the jails will also be taken to task. Fourthly, I would like to know whether Government are going to give some financial aid to the dependents of those persons who have been killed there? This Government had been forewarned for the last three years, but the prison administration did not pay any heed, and that has resulted in these tragic incidents involving the killing of so many under-trial prisoners.

SHRI K. C. PANT : My hon. friend has advised us to take socio-economic measures to get at the roots of the problem of Naxalism. Earlier, I had tried to put forward this point of view also along with the necessity to maintain law and order but another hon. Member took objection to it. I entirely agree that socio-economic measures are necessary to accelerate the economic growth of West Bengal and to relieve some of the pressure of poverty. During President's rule as my hon. friend knows, we enacted a very significant piece of legislation in respect of land reforms. He also knows that we undertook...

SHRI SAMAR GUHA : Nothing has been done to implement it.

SHRI K. C. PANT : We also undertook a major programme for the development of the Calcutta city and organised the CMDA. These are two significant

measures ; there were other measures also, I do not want to burden the House with all the details. Various steps have been taken by us during President's rule in the past, and then the Government that followed followed up those measures and now also our emphasis will certainly be on development as well as law and order. I can assure my hon. friend of that.

He has asked me about the justification for the use of fire-arms. I had recounted the facts in full detail.

SHRI SAMAR GUHA : Why did they not use tear gas and lathis ?

SHRI K. C. PANT : He can see from the facts that a situation was created in which fire-arms were used. He can visualise the situation himself without my commenting on it.

SHRI SAMAR GUHA : This is not the only instance. There was the Dum Dum jail incident, Siliguri incident, Berhampur jail incident, Presidency jail incident and so many other incidents.

SHRI K. C. PANT : But this incident pertains only to this jail, one jail incident.

SHRI SAMAR GUHA : He has to look at the whole thing, a total perspective.

SHRI K. C. PANT : It is easier for him to look at the whole thing. He does not have to answer questions; he has only to ask them.

He took me to task for not knowing about the Committee formed by the previous Government. He himself mentioned that one of the members did not know what for he was a member of that committee. If one of the members himself does not know, have I to be blamed for not knowing about it (*Interruption*).

He wanted to know if we would appoint a high level inquiry into the jail administration of West Bengal. As I have said in reply to an earlier question, we shall see the report of the committee that has already been appointed and get at the facts before thinking of appointing any other committee.

He asked whether we would take action against some of the policemen, wardens and so on. Yes, only if they are found guilty. otherwise, there is no question of such action.

SHRI SAMAR GUHA : What about financial assistance to the dependents of those who have lost their lives? They were under-trial prisoners.

MR. SPEAKER : He has asked so many questions that it is not possible to remember all.

SHRI SAMAR MUKHERJEE (Howrah) The statement made by the hon Minister is to prove that the action taken was justified. I want to draw his attention to a report which appeared in the *Hindustan Standard* on this jail incident. It is stated :

"In the free fight that some followed the wardens were reported to have fired indiscriminately at the prisoners".

This is the method applied in the case of the Dum Dum jail incident, the Midnapur jail incident, Berhampur jail incident and also some other jail incidents.

These are not isolated incidents. This murder on a mass scale of under-trial prisoners started under President's rule. You must consider the entire timing. In 1970, after the imposition of President's rule, the regime of the Congress, this is the order which has been established. This is not in isolation of what is happening outside, particularly in West Bengal.

In the same report, there is another portion which says :

"The brother of the 1st named who has been beaten by the warden, Po'tu Bhattacharjee, is in the hospital, seriously injured. Another under-trial prisoner was shot dead on Friday while making an abortive bid to flee from a prison van on the way to court,"

Inside the prison van he has been shot dead.

This is not a solitary incident. In West Bengal this has become a common thing, beating to death inside lock-ups and

shooting to death inside prison vans. People are lined up against the will and shot dead. Defence workers staged a demonstration some days ago. Four of them have been shot dead.

This has become the order of the day in West Bengal, and this is done consciously in order to eliminate the opposition forces, and whenever there is a clash and the under-trial prisoners are killed, some story is spread. Just now the hon. Minister spread a story that some political parties were behind this and were interested in getting the prisoners killed inside the jail because they are being attacked by the Naxalites. By spreading these slanders and false statements, you are giving cover to all these actions and you are justifying your politics of murder.

Innumerable facts have been supplied to the Central Government and the Home Ministry to show that it is the action of the ruling Congress Party to encourage a section of the Naxalites and anti-social elements to serve their political motives so that they can be used against our party and that our leading and important cadres are being physically eliminated.

This politics of physical elimination of the opposition forces has become a dangerous thing in West Bengal politics today, and it will not remain limited to West Bengal alone, because the ruling class are feeling that because of the heavier economic burdens they are imposing on the common people by higher taxation and by encouraging inflation, by rising prices, allowing the employers to close factory after factory and by the increase of unemployment, there is bound to be greater resistance by the unemployed and the common people. That is why today in West Bengal the police, C. R. P., the Border Security Police, the Industrial Security Force and even army are being used to suppress the democratic movement.

Repeatedly we have drawn the attention of this Government, and in each case this type of statement has been issued by the Government. The hon. Minister was accusing comrade H. N. Mukherjee because he did not express any sympathy for the wardens, but there has not been a word

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of sympathy from Minister for these who have been murdered. This makes it clear that the present Government is pursuing this dangerous line to eliminate all forces of opposition by murders, and this is finding expression inside the jail as it is finding expression outside also by this type of brutal murders. That is why I want to know whether this politics murder will be stopped or not.

If the ruling class does not stop this and only shout that the law and order position in West Bengal is in danger and simply hold a conference of the political parties the situation will not change. So, the Government is fully responsible for this type of action, and from the statement it is quit clear that the Government is not at all desirous of changing the situation.

That is why I want a categorical answer from the Minister whether they are prepared to change this state of affairs. In the past even if a prisoner tried to escape, usually he was shot at the lower part of the body; particular care was taken so that he was not killed. In today's condition, that is totally absent. If some prisoners attempted to escape and firing became necessary, they could have fired at the lower parts, disabling them from escaping. But that has not been done; they shot purposely to kill the under-trial prisoners. This brutality has reached such a stage now that unless the Government changed its policy, there is no end and this will not be the last in the series.

That is why we want a categorical reply that things will be changed and other methods would be applied if there was any attempt to escape from jail.

The Bankipur central jail incident appeared in the Press. It has been stated that one man died of suicide but the prisoners resented; they say categorically that that man had been beaten to death. There was a similar incident in Tihar jail in Delhi; they say it was a case of suicide but the magistrate gave the judgment that it was not a case of suicide, and that the person concerned was beaten to death inside the jail.

We have the experience of inside jails and we know how the jail administration deals with prisoners. They are devoid of any human feelings. That is why a thorough enquiry is necessary if the Government is interested in changing the situation. They must change their politics of murder. They must adopt new methods so that this is not repeated.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta South) : The Kara Rakabi Samiti is patronised by the CPM. If there is an enquiry that should also be enquired into.

SHRI K. C. PANT : I am not surprised that my hon. friend has in the end referred to the politics of murder. It is an amazing statement but it fits in with the approach of his party. He reminded us all the time of what is happening. Without going into detailed history, may I remind him that the entire escalation of politics of violence in West Bengal owed its origin to the taking over of the administration by the UF Government in 1967... (*Interruption*) May I remind him that many of these misguided young friends who are known as Naxalites are an offshoot of the CPM, whom they could not retain... (*Interruptions*).

MR. SPEAKER : All sorts of charges were made and they have a right to reply to them. Why should Members get impatient ?

SHRI K. C. PANT : I agree with him that there is violence in West Bengal today; there is terror and there is blood-letting and we on this side of the House at least are depressed and pained by this sight. I should like to ask him : who is guilty of this violence, killing of judges, bomb throwings and trouble over examinations in schools ? Who is responsible for creating a sense of insecurity in this part ?

13.00 hrs.

AN HON. MEMBER : You are responsible.

SHRI K. C. PANT : Those who provoke violence, those who preach violence, those who propagate violence, those who abet and support violence—they are responsible. Let anybody who does not support

violence stand up in this House and tell the country that they do not support violence. Then alone is he in a position to point an accusing finger at anybody. (*Interruption*)

AN HON. MEMBER : We are not hypocrites.

SHRI K. C. PANT : Ah, then, the cat is out of the bag. (*Interruption*) I am glad you are not hypocrites. Come out with it and say that you do not support this violence.

SEVERAL HON. MEMBERS *rose*—

AN HON. MEMBERS : You have been sheltering them. It is your party. (*Interruption*). Your party is killing the people.

MR. SPEAKER : Why do you lose your temper ? Why don't you listen quietly to each other ? They have listened peacefully. Who don't you have patience to listen peacefully ? (*Interruption*). If you want to have a debate, then there is no use getting excited.

SHRI H. N. MUKERJEE : The Minister has thrown a challenge about violence and non-violence. If there is a challenge to be discussed properly, in a parliamentary forum, one should do so. Violence is a fact of life, a sociological phenomenon, and nobody is going to tell them that violence is ruled out. Look at Bangla Desh ; look at Viet Nam or elsewhere. How do you want anybody in politics to abjure violence ? What do you want them to do ? Do you want them to put on sack cloth and ashes ? (*Interruption*).

MR. SPEAKER : We do not want violence here.

SHRI K. C. PANT : We want you to accept the consequences of violence.

SHRI H. N. MUKERJEE : You are in this game ? Do you rule it out ?

SEVERAL HON. MEMBER : You are in the game ? Do you rule it out ?

SEVERAL HON. MEMBER ; *rose*—

MR. SPEAKER : Order please.

SHRI DINEN BHATTACHARYYA (Serampore) : You are the murders ; and you preach non-violence. (*Interruption*)

SHRI K. C. PANT : My Hon. friend Shri K. C. Pant ; My hon. friend Shri Mukerjee was accusing us of shooting down the Naxalites in jail. (*Interruption*).

MR. SPEAKER : Will you please sit down ? Kindly sit down.

SHRI K. C. PANT : He was accusing us of shooting down Naxalites in jail, and then he was accusing us of using the Naxalites against the CPM for eliminating them politically.

SHRI H. N. MUKERJEE : I have not said that.

SHRI K. C. : I am sorry. I meant Shri Samar Mukherjee ; not Prof. Mukerjee. So, there is a confusion there. How can we be killing these Naxalites and using them against the CPM at the same time ?

SHRI DINEN BHATTACHARYYA : That is your party.

SHRI K. C. PANT : If he thinks coolly about it, it is obviously self-contradictory. He again, as is customary, said a few bad words to denigrate the forces of law and order. I cannot understand this attack day in and out on the forces of law and order, whether it is the BSF, or the Army or others. Will my friend co-operate in creating conditions where we do not have to send the Army or the BSF into West Bengal ? We would be very happy. But so long as conditions of lawlessness exist, it is the duty of the Government to set the conditions right and create a sense of law and order and of security in West Bengal, and that is duty which has been imposed on the Government by this Parliament and by the people of this country, and we intend to discharge that duty.

श्री मान सिंह शौरा (भटिंडा) ; स्पीकर साहब, बादल मिनिस्ट्री के अकाली मिनिस्ट्रों ओर फार्मर जनसंघ मिनिस्ट्रों के खिलाफ

[श्री भान सिंह भोरा]

करण के जो चार्जिज लगाये गये हैं, उन की एनक्वायरी के लिए एक कमीशन बिठाने के बारे में मैं ने एक कालिग एटेंशन नोटिस दिया है, लेकिन वह रिजकट हो गया है। इसी मामले पर मैं ने एक शार्ट-नोटिस क्वेश्चन दिया है, लेकिन वह भी रिजकट हो गया है। जिन भ्रष्टाचार के अफवाहों में निम्नलिखित का लूटने का रास्ता बताया था, गवर्नर साहब उन्हीं से रिपोर्ट माग रहे हैं। इस लिए मैं रिजकट करता हूँ कि दास कमीशन को तरह का एक एनक्वायरी कमीशन इन चार्जिज की जांच करने के लिए बिठाया जाय।

श्री हुकम चन्द कछवाय (मुरा) : अध्यक्ष महोदय, महाराष्ट्र के मुख्य मंत्री के रिश्तेदार के घर से बहुत रकबा निकला है। उस के बारे में भी चर्चा होनी चाहिए।

13 (5 hrs)

PAPERS LAID ON THE TABLE

INDIAN TELEGRAPH (HINDI EDITION),
RULES

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA) : I beg lay on the Table a copy of the Indian Telegraph (Fifth Amendment) Rules, 1971 (Hindi and English versions) published in Notification No G S R 799 in Gazette of India dated the 29th May, 1971, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885 [Placed in Library See No LT-653/71]

NOTIFICATIONS UNDER ALL INDIA
SERVICES ACT

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAM NIWAS MISHRA) : I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under

sub-section (2) of section 3 of the All India Services Act, 1951

- (1) The Indian Administrative Service (Recruitment) Third Amendment Rules, 1971 published in Notification No G S R. 980 in Gazette of India dated the 26th June, 1971.
- (2) The Indian Police Service (Recruitment) Third Amendment Rules, 1971, published in Notification No G S R 981 in Gazette of India dated the 26th June, 1971
- (3) The Indian Administrative Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Regulations, 1971, published in Notification No G S R 982 in Gazette of India dated the 26th June, 1971
- (4) The Indian Police Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Regulations, 1971, published in Notification No G S R 983 in Gazette of India dated the 26th June, 1971 [Placed in Library See No LT 654/71]

NOTIFICATION UNDER INTER STATE
CORPORATIONS ACT

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : I beg to lay on the Table a copy of Notification No S O 2197 (Hindi version) published in Gazette of India dated the 5th Jun, 1971 containing corrigendum to Hindi version of Notification No S O. 1304 dated the 28th March 1967, under sub-section (5) of section 4 of the Inter-State Corporations Act, 1957 [Placed in Library See No LT 655/71]

ANNUAL REPORTS OF I. C. A. R.
AND A STATEMENT RELATING
THERE TO

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI