

following amendments made by the Lok Sabha at its sitting held on the 15th November, 1973, in the Advocates (Amendment) Bill, 1973:—

Clause 18

1. That at page 7, line 37,—
for "1973" substitute "1976"

Clause 19

2. That at page 8, line 20,—
Omit "and sentenced to imprisonment"
3. That at page 8, lines 22 and 23,—
Omit "and sentenced to imprisonment"
4. That at pages 13 and 14,—

Re-number the proposed new sections "58AC, 58AD and 58AE" as "58AD, 58AE and 58AF" respectively, and before the new section 58 AD as so re-numbered, insert—

"58 AC. *Special provisions with respect to certain person enrolled by Uttar Pradesh State Bar Council.*—Notwithstanding anything contained in this Act or any judgment, decree or order of any court, every person who was enrolled as an advocate by the High Court during the period beginning with the 2nd day of January, 1962 and ending on the 25th day of May, 1962 and was subsequently admitted as an advocate on the State roll by the State Bar Council of Uttar Pradesh shall be deemed to have been validly admitted as an advocate on that State roll from the date of his enrolment by the High Court and accordingly entitled to practise the profession of law (whether by way of pleading or acting or both)."

12.35 hrs.

MATTER UNDER RULE 377

ALLEGED MALTREATMENT OF POLITICAL PRISONERS

SHRI H. N. MUKERJEE (Calcutta—North-East): With your permission, I should like to raise a matter to which Government's attention should be very seriously drawn and that is the recent occurrence of a string of incidents like, for example, the hunger strike of more than 100 political prisoners in Midnapore jail demanding the status of political prisoners. And that is happening along with events elsewhere, namely, the arrest of a large number of people including some writers, particularly poets in Andhra Desa for allegations related to revolutionary activities and the delay in the prosecution of a conspiracy case which has been started at Visakhapatnam where revolutionaries of all kinds from Andhra Pradesh, West Bengal and Orissa had been kept together in order to answer certain charges in regard to subversion and all that sort of thing. I have tried to raise this matter to elucidate Government's response to this because I discover there is a kind of atrophy of conscience in regard to the treatment of political prisoners.

In regard to the Bengal matter, the Midnapore hunger strike of more than 100 political prisoners, it is a good thing that national professor Satyendra Bose, one of our great scientists has led a protest against this sort of Government treatment, but all over the place accusations of this sort are pouring in. I have here letters from parents of people who are in jail in West Bengal and there they tell us about their children being treated so badly that they told them at interview time that they would be compelled to commit suicide and that sort of thing. This is the kind of letter which I have received and which I would pass on to the Prime Minister and the Home Ministry. But my point in raising this is largely on account of law and order being a State subject purely, we are

[Shri H. N. Mukerjee]

precluded from discussing many of these things which do take on an all-India connotation. Ill-treatment, if you like you can add the adjective 'alleged',—reports come in from large numbers regarding very serious ill-treatment, ill-treatment of the kind which was unimaginable in the days of the British rule. Ill-treatment in jail, use of MISA and other weapons in a manner utterly derogatory to every conception of democracy, political prisoners having to resort to hunger strike in the 26th or 27th year of Independence only in order to secure their status as political prisoners—accusations do come from all over the country, from places in West Bengal and Andhra and elsewhere regarding the most inhuman torture being practised inside jail and also outside the jail by the police.

All this is taking place when according to the reply given to unstarred question No. 492 on 14 November the Prime Minister had on the 1st of May 1972 circulated a letter to the Chief Ministers of Andhra, Assam, West Bengal, Bihar, Orissa, Punjab and Kerala that only imaginative and humane treatment of persons accused of involvement in Naxalite and allied activities could help prevent the recrudescence of extremes. In spite of this apparent attempt of the Prime Minister to put a check on the excesses of the administration, these excesses are taking place on an egregious scale. I am afraid the Ministers are not here to make any statement in this regard, but I do hope that the Minister of Parliamentary Affairs would convey this matter to the Ministers concerned and we shall have a statement in this House with regard to this problem and I would beseech you to let this House have an opportunity of discussing this matter which transcends States' jurisdiction and which has become a matter of qualitative importance as far as the kind of democracy we are having in this country is concerned.

SHRI S. M. BANERJEE (Kanpur): Sir, the final negotiation with the locomen is going on. I would impress on you to direct the Railway Minister to make a statement. Efforts are being made to end this negotiation. They are preparing for strike.

12.39 hrs.

MOTIONS RE: SIXTH REPORT OF COMMITTEE OF PRIVILEGES

DR. HENRY AUSTIN (Ernakulam): Sir, I beg to move:

"That this House do consider the Sixth Report of the Committee of Privileges presented to the House on the 15th November, 1973."

MR. SPEAKER: The question is:

"That this House do consider the Sixth Report of the Committee of Privileges presented to the House on the 15th November, 1973."

The motion was adopted.

DR. HENRY AUSTIN: Sir, I beg to move:

"That this House do agree with the Sixth Report of the Committee of Privileges presented to the House on the 15th November, 1973 and do resolve that the following part of the Resolution adopted by Lok Sabha on the 2nd December, 1970 be rescinded:—

'and the House do further recommend that the Government in the light of gravity of the offence administer to Shri S. C. Mukherjee maximum punishment under the law and report the same to this House'."

The sixth report of the Committee of Privileges concerns itself with the question of the non-implementation of the second part of the resolution passed by this House on 2nd December 1970 regarding the punishment to be