

[Shri Srinibas Misra]

that they will modify it or they can assure that they will associate the State Governments with this measure.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): The hon. Member has raised certain important issues, as far as this matter is concerned. The hon. Member knows also that it is our policy to associate that State Governments with all those matters which relate to civil defence. It is our belief that although civil defence is in the overall charge of the Central Government, no effective civil defence machinery can be created without the active and full co-operation of the State administrations. Because of certain specific reasons, to avoid confusion and contrary instructions, in these two particular rules the State Governments have not been given concurrent powers. But I see the point in the argument of the hon. Member and I can assure him that while we work these rules, we shall definitely see to it that the State Governments' co-operation is fully obtained and their co-operation is taken.

I hope, in view of this assurance the hon. Member will see his way to withdraw his amendment.

SHRI SRINIBAS MISRA: In view of the assurance, I seek the permission of the House to withdraw my motion.

MR. SPEAKER: Has he the leave of the House to withdraw his motion?

SOME HON. MEMBERS: Yes.

The motion was, by leave, withdrawn.

MR. SPEAKER: We will now proceed with the half-an-hour discussion.

19.26 hrs.

HALF-AN-HOUR DISCUSSION

INQUIRY INTO INCIDENTS AT INDRAPRASTHA BHAVAN

SHRI M. L. SONDHI (New Delhi): Mr. Speaker, Sir, the purpose of this discussion

is to bring into focus the policy of Government in relation to the Constitutional obligation to protect citizens against police excesses or police brutality. The happenings of Indraprastha Bhavan were the subject of an unofficial inquiry by two leading personalities of India, both men of legal acumen, and it is undoubtedly true that the Indian public has taken the findings of this unofficial inquiry composed of Shri Purshottam Trikarnadas and Justice Sarjoo Prasad as being of importance. The name of Indraprastha Bhavan today arouses the national conscience in the country in favour of protesting against the failure of Government to protect Government employees, the citizens of Delhi, in their resolve to live lives which are peaceful and orderly.

I am not seeking through this discussion any narrow political purpose. What I seek is the development of a framework of modern legality in which we can tackle contemporary problems of social change and social disorder while maintaining the guidelines which the freedom movement gave us, Mahatma Gandhi gave us and other national leaders gave us when they urged that while adopting police measures the rule of law must be maintained.

The Home Minister has said in so many words that he has not taken note of the findings of this unofficial inquiry committee. Even at first sight this seems a strange declaration because every modern democratic government must make a vigorous effort to tap every single source of information and guidance in order to seek enlightenment and thereby pursue enlightened policies. It seems even stranger when it is remembered that the Home Minister and Members on the Treasury Benches are people who not long ago themselves suffered police brutality and magisterial excesses. It is in our collective memory and in yours that British rule in India manifested itself as a police state whenever nation-wide movements for constitutional rights were launched. Members on the Treasury Benches will remember Jalianwala Bagh. They will remember not only the Jalianwala Bagh in Amritsar but so many other Jalianwala Baghs throughout the country where they themselves suffered police brutality on a scale which even words cannot describe adequately.

How can such people afford to remain indifferent and callous with regard to police terror in the capital itself? When the British were here we were always saying that we wanted a judicial inquiry. Whenever confidence in the police was undermined, we used to reject as totally wrong any effort by the Government to suggest that administrative or executive action could solve the problem. We used to say at that time that this was the wrong approach to the problem. How can something which was then the wrong approach to the problem today become the right approach to the problem?

May I commend to the Home Minister, through you, and to the Treasury Benches some words of wisdom uttered by Dr. Shyama Prasad Mookerjee? I quote him:

"No doubt the hand that struck us when we were a subject nation was a white one, but if a certain thing were intrinsically bad in those days, it does not become good or even tolerable because the perpetrator of the same acts may be either brown or black."

There is a certain implication of the demand for a judicial inquiry. It is important, therefore, that the discussion which I seek to raise should be held in a dignified manner. It is not as if I am suggesting some kind of a political gain for my side. On the other hand, I am suggesting the real problems that this country is going to face in the future as the processes of social and economic development develop and give rise to social conflict which we must tackle with sagacity and wisdom and show to the world that we can tackle these problems with confidence, maturity and good judgment.

Unfortunately, the attitude of the Government will have an unfortunate effect upon the people of this country because, for one, it narrows the interpretation of the inquiries under the Commission of Inquiry Act. I have tried my best to understand the motivation of the Home Minister when he says that the demand for a judicial inquiry is unreasonable. I know citizens like me would like to understand the mind of the Home Minister and grant him that he is acting in his good faith. I ask him: Does he take into account the effect it has produced on the minds of his countrymen? There is widespread indigna-

tion today from Kashmir to Kanya Kumari, if that phrase is acceptable, that there is something the Government is trying to hide which it should not hide and, in the best judgment, they will not hide it if they were not subject to certain political compulsions.

What happened at Indraprastha Estate, in the words of this Unofficial Enquiry composed of these two eminent men, was "as if a horde of free booters and criminals had been let loose on the employees in the building who beat people and destroyed properties without any rhyme or reason." Further, it goes on to say, "we feel at the same time that if any administration is to survive with the slightest pretence to civilisation, it must strongly condemn such lawlessness on the part of the police and severely punish those responsible for the outrages."

The Home Minister, I am sure, in his wisdom, suggests to us that he has an anxiety to find out the facts and to find them out as quickly as possible and, therefore, he asks the Deputy Commissioner to conduct a fact-finding inquiry. I may be pardoned if I suggest that such procedures which combine prosecution and judgment are alien to democracy. We must resist the temptation because otherwise it leads us to that direction which was taken by totalitarian governments. This is a gloomy aspect. But my purpose, as I said, is a positive one and that is to urge the restoration of the legal processes and to awaken the Government to the need for implementing its constitutional guarantees to all citizens and, particularly, to those who are Government employees and who serve them.

Important changes, as I said earlier, will inevitably accelerate economic, political and social interaction and may lead to serious situations which will require measures on the part of Government which must be applied with imagination and planning within the framework of the law because, I submit, what the police and magistracy did at Indraprastha Bhawan was extra-legal and, if these cases are allowed to go unchallenged, if the conscience of the nation is not awakened, I suspect our future developments will lead into a Police dictatorship. Even if individuals amongst us have the best will to protect and insulate the country against such developments, these things happen. This is what

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has happened in other countries. Wherever people are conscious of this, they urge that there should be a strong public concern. Let us take the question of Negroes in America. There is the Negro problem. The police excesses are committed on Negroes. There is there the Commission of Civil Rights which has investigated these problems and, only recently, I saw a Chicago report published there which is something we want here. I would like to quote to you the great words of a great man Dr. Martin Luther King to whom we paid our homage in the House. I quote:

"Instead of submitting to surreptitious cruelty in thousands of dark jails and on countless shadowed street corners, he would force his oppressor to commit his brutality openly—in the light of the day—with the rest of the world looking on."

That is all I am asking for. Let it be in the light of the day. Let the world know what is going on in the hidden recesses of the office of the Deputy Commissioner or some other officers. Bureaucracy has functions to perform. It has functions as well as dys-functions. It is our political responsibility to prevent its dys-functions.

I shall show to you how the Home Minister himself is not able to honour the Commitments which, I am sure, he would like to honour and to allay the misapprehensions of the public. The Deputy Commissioner has produced another report, the second phase, which is here with me. It mentions of Mr. Kanwar Lal Gupta. He has not been asked but his name has been put down there. Then, it mentions that women were not really insulted, that some lathi seemed to have collided with their bodies. This is not the sort of legal standard which India has known since the time of her illustrious sons like Shri Bhulabai Desai, Shri Surendranath Banerjee and others, who fashioned and shaped the conscience of this country. But I come to a specific point. That is, certain evidence was recorded by the Deputy Commissioner in which he came to the conclusion that the Police did not oppress or menhandle the Press people, and a certain officer has been exonerated. I have here information

which I would like, with your permission, to convey to the hon. Home Minister. This is a letter signed by two important and responsible reporters, one Mr. G. V. Krishnan and the other, Mr. Najmul Hasan; both of them are reporters of the *National Herald*, a newspaper founded by the late Pandit Jawaharlal Nehru. Both of them say:

"We find that our references to the ASP, Mr. R. C. Kohli, have been omitted. We also find that we have mentioned Mr. M. K. Kaw's name in more than one place in the statement.

If our memory does not fail us, we feel some words have either been omitted or substituted by some other words at the following places:

Page 2, line 17: There is a reference to 'two other police officers.' We feel that the police officials who were with Mr. Tandon were not officers but constables. They were protecting the DIG, Mr. Tandon, from stone missiles.

Page 2, line 23: Here we had mentioned Kaw's name. He was one of those we saw entering the Indraprastha Bhawan gate.

Page 3, para 2: This relates to the beating of the pressmen by the police inside the IP Bhawan. We had heard that a police officer had ordered the beating of the pressmen. Later one of our colleagues, identified the officer as ASP, Mr. R. C. Kohli. We had made some reference to this in the statement. Reference was also made to the point where the pressmen demanded that Mr. Kohli should be produced before the DIG, Mr. Tandon. We had also referred to the instance when Mr. Kohli was produced before the DIG, Mr. Tandon. These facts seem to have been omitted from the statements."

Here are the matters which, if a judicial inquiry is held, would come up; they would be known. But here a statement is made, but then it is corrected by the Steno or the D. C. or somebody. How has this happened? Let us not blame individuals. It is the system we must look to. Even in communist coun-

tries I find that they are waking up to the fact that police excesses take place unless you make a conscious effort to protect the State and the society against such things. I note with your permission from Academician Sakharov, a great Soviet Physicist, who has been concerned with the problem of civil liberty and who had this to say in those conditions where he suffered; his words are memorable:

"An extreme reflection of the dangers confronting modern social development. . ."

Because it is a general modern development, it has nothing to do with one country or the other. This is something which is happening. I quote further:

". . . is the growth of racism, nationalism and militarism and, in particular, the rise of demagogic, hypocritical and monstrously cruel dictatorial police regimes. Foremost are the regimes of Stalin, Hitler, Mao and a number of extremely reactionary regimes in smaller countries: Spain, Portugal, South Africa, Greece, Albania, Haiti and other Latin American countries."

I do not want India's name to be added to this. I am sure, there is no member in this House who would like India to be bracketed with these countries. We should remain vigilant. I would like to inform the hon. Member from Haryana who earlier interrupted me that it is not a matter to be lightly taken. His Press statement is also with me. Let us remain vigilant. Let us stick to the matter with resolve and pursue it till we feel that the ends of justice have been met. Let us ask ourselves what the Deputy Commissioner has tried to do and how well equipped he was to undertake the task the Home Minister set for him also. Let us understand the fears and apprehensions of the government employees and the people of Delhi. It is not a mere technical point which I am making. I would like to know from the Home Minister what is the policy of the Government, what is the positive policy of Government. How far have you succeeded in terms of your own guidelines? Do you feel that your refusal to hold a public inquiry has strengthened the confidence of government employees? I would like to ask this from the Home Minister. Does the Home Minister

feel that the steps taken by the Government have really created an efficient public service now in Delhi? Do people here feel that a new deal has been given to the people? Do they feel the confidence which is associated with a new aspect of policy like that which President Roosevelt introduced or Mr. Khrushchev introduced in Russia? Crises are the occasions where the imaginative leadership should come forward and use them in order to create a condition where the people do not feel frustrated. Sir, there has been a reference to last year's disturbances on New Year Eve. The next New Year Eve is coming again. These disturbances and anti-social developments must not take place. I would be one with Government in preventing all these anti-social elements and creating an atmosphere where civilised human relations are not challenged by certain misguided people. But we should not do it by destroying the confidence that people have in civil rights guaranteed by the constitution of India. I submit through you, Sir, once again to the Home Minister to rise to the occasion and not to associate his policy with rigidity but to associate his policy with that atmosphere which is required by modern Government by which alone we can deliver the goods to the people and at the same time preserve the social order and make our country a beacon to mankind.

Sir, if you will permit me, I would like to quote a few words of wisdom because I am not personally equipped to give a homily to the Home Minister. But it is also a friend of mine who says like this because I have lived in that country, Czechoslovakia, and there also the issues are the same, what to do about modern social and political changes and how to avoid the development of situations involving violence. I found an excellent quotation and I commend it to you and through you to the House. This is what Mr. Vaclav Salvik says:

"The fact must be respected that man is not only the object but also the subject of politics. In other words, the purpose of politics is not to command, but to provide more room and stimuli for activity and initiative at all levels."

I appeal to the conscience of this Government; I still believe that there is conscience, although it is still slumbering. Let them give to the

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people of Delhi full opportunity to live in freedom and happiness which they richly deserve, because, it is our determined will in the national capital to strengthen freedom, democracy and social justice.

श्री रवि राय (पुरी) : अध्यक्ष महोदय, मैं सोधी साहब को धन्यवाद देता हूँ कि इस सवाल को आज उन्होंने यहां उठाया। आप जानते हैं कि पिछले महीने में एक प्रश्न के जरिए से मैंने यह सवाल उठाया था और उस दिन श्री न्यायिक जांच कराने की हमारी मांग को चव्हाण साहब ने ठुकरा दिया। आज भी हम शंका करते हैं कि हमारी इस मांग को वह ठुकरा देंगे। लेकिन मैं आपके जरिए एक चीज चव्हाण साहब को बताना चाहता हूँ जो कि सोधी साहब ने बताई है कि यह एक पार्टी का सवाल नहीं है, यह एक मानवीयता का सवाल है। जिस बंग से इन्द्रप्रस्थ भवन में यह चीज हुई और दो जज की रपट जिसके बारे में सोधी साहब जिज्ञास किए हैं, उस सिलसिले में मैं याद दिलाना चाहता हूँ, आप भी जानते हैं 1954 में जब एक माइनारिटी गवर्नमेंट केरल में बनी थी पट्टम थानू पिल्लई की। हमारी पार्टी के थे, कंडप्पन साहब भी जानते हैं, उस समय वहां तामिल लोगों का एक भ्रान्दोलन हुआ था जिसमें सात तामिल लोग वहां उस पुलिस गोलीकांड में मर गए, उस वक्त डा० राम मनोहर लोहिया हमारी पार्टी के जनरल सेक्रेटरी थे। वह नहर रेट के सिलसिले में उत्तर प्रदेश में बन्द थे और पंतजी उस समय उत्तर प्रदेश के मुख्य मंत्री थे। तो उस वक्त जब केरल में यह सरकार थी और यह गोलीकांड वहां हुआ तो डा० लोहिया ने पार्टी के प्रधान मंत्री के नाते पट्टम थानू पिल्लई को तार दिया कि हम कांग्रेस वालों को कहते हैं कि तुम लोग गुंडे हो, लोगों को मारते हो, वही काम तुम्हारी सरकार ने किया है तो हमारा यह निर्देश है, और हुक्म है कि पहले न्यायिक जांच करवाओ, जो पुलिस के लोग इसके लिए जिम्मेदार हैं उनको बरखास्त करो

और जो लोग मरे हैं सात या आठ उनके परिवार को मुआवजा दो। मैं जानता हूँ कि पट्टम थानू पिल्लई जैसे पावर हंड्री आदमी थे, उसके कारण वह इसको ठुकरा दिए। लेकिन यह मानवता का सवाल था और डा० राम मनोहर लोहिया का कहना था कि मनुष्य-मनुष्य है, मक्खी नहीं है, इस सिद्धांत को स्थापित करने के लिए ऐसा होना चाहिए। लेकिन आप जानते हैं सितम्बर की 19 तारीख को जो चीज इन्द्रप्रस्थ में हुई और उसी तरह बीकानेर और दूसरी जगहों में हुई, उससे मालूम होता था चव्हाण साहब माइकेल ब्रोडयार को भी मात कर दिए। माइकेल ब्रोडयार की तरह से अत्याचार किया। अध्यक्ष महोदय, मैं इसमें कोई असंसदीय बात नहीं कह रहा हूँ—मैं चाहता हूँ कि मंत्री महोदय कम से कम न्यायिक जांच अवश्य करायें। गृह मंत्री इसलिए न्यायिक जांच नहीं कराना चाहते हैं क्योंकि उसमें उनको खुद गवाही देनी पड़ती और यदि वे उसमें दोषी ठहराए जाते, तो उनको गृह मंत्री पद त्यागना पड़ता, इसलिए वह न्यायिक जांच कराने से डरते हैं।

हमारे पास जो जानकारी है—मैं चव्हाण साहब से स्पष्टीकरण चाहता हूँ—क्या यह सही नहीं कि अर्जुन सिंह की पत्नी की और से वकील के द्वारा कोर्ट में दो लाख रुपये का मुआवजा देने के लिए कहा गया था और चव्हाण साहब के अप्सरों ने उनकी पत्नी के पास जाकर—जैसे एक मनुष्य के जीवन का मूल्य पांच हजार रुपये हैं—उनको पांच हजार रुपया दिया? अध्यक्ष महोदय, आप जानते हैं कि सरकार का फाइनेन्शियल रूल यह है कि यदि 20 रु० से ज्यादा रुपया दिया जायगा तो चेक के जरिए दिया जाता है, लेकिन हमारे पास जानकारी है कि उनको यह रुपया कैश दिया गया। ऐसा इसलिए किया गया—ये लोग समझते थे कि पांच हजार रुपया उनको कैश दिया जायगा तो वह उसको देखकर मान जायगी और दो लाख रुपये के मुआवजे का

मामला खटाई में पड़ जायगा। इस तरह से मनुष्य की कीमत को पांच हजार रुपया मानकर इन्होंने मामले को समाप्त करने का प्रयत्न किया—इसीलिए हम लोगों की मांग है कि इसकी न्यायिक जांच की जाय। अभी भी समय है, चव्हाण साहब हम लोगों की मांग को स्वीकार कर न्यायिक जांच करायें।

श्री कंबर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय, माननीय गृह मंत्री जी ने पहले कहा था—चूंकि डिप्टी कमिश्नर की जांच के बाद उस केस के सारे तथ्य सामने आ गए हैं, इसलिए न्यायिक जांच की आवश्यकता नहीं है। न्याय होना काफ़ी नहीं है, सब पार्टिज़ को मालूम होना चाहिए कि उनके साथ न्याय हो रहा है।

अध्यक्ष महोदय, जो जांच हुई है, वह इन कम्पलीट है, वायस्ड है, केवल कुछ अधिकांशियों को उसमें पकड़ा गया है और कुछ को छोड़ा गया है। किसी के साथ रियायत की गई है, किसी के साथ ज्यादाती की गई है—वह एक प्रकार से केवल धाई-वाश है। इस जांच से सारे तथ्य सामने नहीं आए हैं। मैं मंत्री महोदय से पूछना चाहता हूँ क्या यह सही नहीं है कि डी० धाई० जी०—रोशा, जो शुरू में डिप्टी कमिश्नर के साथ एन्क्वायरी में लिए गये थे, बाद में डिप्टी कमिश्नर ने उनको हटा दिया, उनको रिपोर्ट भी नहीं दिखाई गई? क्या इसके ऊपर डी० धाई० जी०—रोशा ने डिप्टी कमिश्नर और सरकार से प्रोटेस्ट किया है?

दूसरे—जब वहाँ भगड़ा हुआ—उस समय वहाँ पर दो ए० डी० एम० थे—एक—श्री पाण्डे और दूसरे—श्री काठ। काठ साहब, जिन्होंने वहाँ गड़बड़ की, पाण्डे साहब उसको रोकना चाहते थे। पाण्डे साहब ने डिप्टी कमिश्नर को टेलीफोन किया—काठ साहब जबरदस्ती कर रहे हैं, मैं इनसे सहमत नहीं हूँ, हमारा मतभेद है। मैं जानना चाहता हूँ कि डिप्टी कमिश्नर ने उस मतभेद को सुल-

झाने की क्या कार्यवाही की, क्या वह स्वयं वहाँ पर गए? क्या इसके लिए डिप्टी कमिश्नर जिम्मेदार नहीं है?

तीसरे—क्या यह सही नहीं है कि डिप्टी कमिश्नर ने केवल उन्हीं विटनेसेज को बुलाया, जो उनके मतलब की थीं, बाकियों को छोड़ दिया। जैसे सोधी साहब वहाँ पर मौजूद थे, उनको नहीं बुलाया, बहुत से दूसरे लोग वहाँ पर मौजूद थे, उनको भी कांटेक्ट नहीं किया और वैसे ही एन्क्वायरी कर दी। जिस डी० एस० पी० ने इस केस की एफ० धाई० धार० रिपोर्ट दर्ज की, उसके भी बयान नहीं हुए। जब उन सब लोगों की विटनेसेज नहीं ली गई जो बयान देना चाहते थे, तो यह रिपोर्ट कैसे कम्पलीट है और कैसे न्यायिक रिपोर्ट कही जा सकती है?

चौथे—गृह मंत्री महोदय ने इस बात को माना था कि वहाँ पर प्रेस-मैनो को पीटा गया। पुलिसवालों को इसका ज्ञान नहीं था कि प्रेसवालों की इप्टी है—यह सब कुछ आपने कहा था। लेकिन फिर भी उस मामले को दबा दिया गया—जैसा कि हमारे सोधी जी ने कहा—मि० कोहली, डी० एस० पी० को आपने बच दिया, क्योंकि उनके कोई रिश्तेदार होम मिनिस्ट्री में बड़े अफसर हैं, उनका दबाव पड़ा, मैं नाम नहीं लेना चाहता हूँ—लेकिन उस सारे मामले को दबा दिया गया और यह भी जानने की कोशिश नहीं की गई कि उस प्रेस मैन को किसने पीटा तथा इस सब के बारे में भी डिप्टी कमिश्नर ने कुछ नहीं कहा है।

मुझे मालूम है कि आप न्यायिक जांच नहीं करेंगे। तो धाईन्दा इस तरह की घटना न हो, इन्ड्रप्रस्थ की पुनरावृत्ति न हो इसलिए मैं मंत्रीजी से पूछना चाहता हूँ कि धाईन्दा इस तरह की परिस्थिति पैदा न हो उसको रोकने के लिए क्या आपने दिल्ली, पुलिस को कुछ हिदायतें दी हैं, या कुछ ऐसे स्टैप्स लिए हैं

[श्री कंबर लाल गुप्त]

जिसमें पुलिस केवल डंडे से ही नहीं बल्कि और भी तरीके इस्तेमाल करे ?

और दूसरा सवाल यह है कि दिल्ली पुलिस कमिश्नर की रिपोर्ट आपके पास पढ़ी है उस सम्बन्ध में आपने क्या कदम उठाया है ?

SHRI S. KANDAPPAN (Mettur): I just want to put a simple question. On that day I happened to be here, though I did not go to the spot. After hearing the various reports we were taken a back—many members who were present in the Central Hall. Even when some members ventured the next day to visit the spot one colleague of mine from the Estimates Committee—he is from the Congress—was ridiculed by the enraged employees and they even removed his cap. That was the emotional atmosphere that prevailed at that stage. We know what kind of statement the Minister in charge of that department, not the Home Minister, made at that time. That means that the whole impression in the city of Delhi was that there was some mishandling and bungling on the part of the Police. I do feel the difficulty of the Home Minister when he tried to protect the police officials. But there is a limit to that. After all, the duties of the Police are very onerous and very difficult and everybody knows that. But there should be a limit to that. In this particular case I feel that the real culprits should be found out and stern disciplinary action taken against them. If not it is going to be a bad precedent. I am afraid it may be very difficult to prevent the recurrence of such ugly things. In that context I would like to know as to what is the difficulty for the Government to institute a judicial enquiry over this issue because even in smaller issues, as Mr. Rabi Ray pointed out, judicial inquiries have been instituted. Even in my State of Tamilnadu, when there was students-conductor trouble and when it was aggravated and when they found that the public were having suspicion about the *bona fides* of the Police, the Government immediately ordered a judicial inquiry, which is still going on. It is rather good for them to clear their own image. I would like to get an answer from the hon. Minister as to what stands in the way of ordering a judicial inquiry in this matter.

SHRI SRINIBAS MISRA (Cuttack): Our Home Minister feels that he has got certain responsibilities to protect the Police officers. But I would ask him to be shorn of all these sentiments and say openly whether he is satisfied with the report of the Deputy Commissioner. Is he satisfied? How can he be satisfied?

The second question is: the present Deputy Commissioner against whom allegations have been made is a party. The party has been made a Judge in this matter.

The third question is: what was the purpose of deploying police force? It was to help the willing workers so that others may not obstruct them. The willing workers will be allowed to work and there will be no interference. Has the Police force carried out this purpose? Have they obeyed the dictates or have they acted according to the wishes of the Home Minister? It was admitted by the Home Minister in this House that they assaulted willing workers. That being the case, would it not be better to order a judicial inquiry and find out the facts, to enforce his own discipline to see that a proper report is forthcoming to clear his conscience?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): Sir, the question of Indraprastha and what has happened there have been discussed many times in this hon. House. But my hon. friend Shri Sondhi wishes to raise it again and make an appeal to the general conscience of India. I am one with him. On the theoretical proposition he has placed before the House, I am entirely one with him. The question is one of applying those theories and principles to the realities, and therein comes really the test of the administration and also the test of the politicians.

I entirely agree with him that there are certain responsibilities on a democratic government. But there are also equal responsibilities on the democratic Opposition. This is important. Therefore, the question of Indraprastha and what the police did there cannot be considered in isolation, because the police acted in a certain developing situation that very day, and that certain developing situation in Delhi was also part

of what was happening in the entire country. If at all we are prepared to take a critical view of what was happening there, then when Shri Sondhi asked as to what I was doing—it is certainly a relevant factor—what he and his colleagues were doing is also a relevant factor. (Interruption)

SHRI M. L. SONDHI: I have the photos with me to show what I was doing. I will show them to you.

SHRI Y. B. CHAVAN: Certainly I will give you a word of praise for what actually you did. I am not complaining against you personally. I am talking of what the Opposition did. I am glad that he went there and he certainly contributed something for quietening the situation. I am absolutely trying to be truthful about this matter. I want to be impartial and objective in these matters.

I have said what has happened in Indraprastha is a matter of disgrace to democracy and I never tried to justify it. But certainly the police were there to do their duties, and unfortunately the man who was their leader took a very wrong decision in allowing the police to go inside. Now, it is said we were not doing anything about it, as if we are trying to cover up everything.

The hon. Member made a reference to the enquiry committee of certain non-officials. I did say that I have not taken official notice of that enquiry committee. I certainly would stand by it but that does not mean that I have not read it. I have read it, and I have read it critically and find that the basic conclusions of the enquiry committee of the non-officials and of the Deputy Commissioner are the same: that the police entered the Indraprastha building unjustifiably and that without discrimination they used force, and in doing so they were completely disobeying the direction of the Deputy Commissioner. These are the basic facts on which both the committees have come to identical conclusions.

Now, what happened inside, who did what, who said what, and so on, are matters for further enquiry by the Deputy Commissioner. The hon. Member said that the Deputy Commissioner had changed certain statements. My information is—if somebody makes an allegation later on, I cannot say

that these people were shown the statements before they signed them. These statements are statements which were signed by those very people. What am I to do about those matters? I do not know which statement is correct and is to be accepted.

श्री रवि राव : आप मेहरबानी करके उस पर फिर जांच कर दीजिये ।

SHRI Y. B. CHAVAN: I do not want to make any allegation that what they are saying is true or untrue, but the Deputy Commissioner's conclusions are based on the statements made before him and signed by those people. If they want to improve on them now it is for them to do so.

I quite agree that certainly the press were not given justice in the Indraprastha incident. I must apologise to the press, and I apologised to them myself. But in order to establish that somebody beat them, it must be proved. I will personally look into these statements again—what he said about Mr. Kohli, the police officer. On that, I shall certainly look into those matters again personally. I will find out whether he acted wisely or not. I will look into that again.

20 hrs.

As far as the future is concerned, it is my duty to assure the House that the police force is certainly a force of service to the people. They cannot be masters. I have no doubt about that. In these matters, whoever has erred, we will ruthlessly deal with those people. I cannot take the position that the police are the masters of the citizens. No. They are the servants of the people. Last year, you will remember, Sir, on the eve of the New Year, certain wrong things happened in Delhi and we took very severe action. Even in this matter, the complaint of some opposition members is that we have proceeded against a police officer. When we try to proceed against the man responsible, they say, you have chosen only one person. If at all any assurance is required for the future, I certainly give the assurance that we will try our best to train our police officers and orient them in this matter to see that they serve the people and do not try to rule over them.

[Shri Y. B. Chavan]

About the recommendations of the Police Commission, we have practically completed the examination of the recommendations and certain orders are being issued from time to time. One basic recommendation is still under examination, and that is about the future set-up of the police administration in Delhi, whether it should be continued as at present with the D. C. and the IGP or whether it should have a very coordinated system as we have in Calcutta, Bombay, *etc.*, *viz.*, the system of Police Commissioner. There are *pros and cons*.

SHRI KANWAR LAL GUPTA: Will you consult Members of Parliament?

SHRI Y. B. CHAVAN: Certainly I will consult members from Delhi. That is why

I am not rushing to take a decision in this matter.

The hon. member, Mr. Rabi Ray, said something about Rs. 5,000. I do not know what exactly he meant. If he has got any facts, I will look into it. On that matter, I would take the House into confidence and I would say that in the matter of Arjan Singh, there are certain doubts in my mind as to what happened. I am going to ask the CBI to look into it and make a proper investigation about it. But having said all this, I still stick to my decision, rightly and justifiably, that a judicial enquiry is not called for.

20.04 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 19, 1968/Agrahayana 28, 1890 (Saka).