

Shri Kapur Singh (Ludhiana): With regard to the proposal to have the half-hour discussion on the 7th, I wish to represent that if it is convenient and possible, it might take place on Monday instead of on Friday.

Mr. Speaker: Some other business might be there then.

12.48 hrs.

PAPER LAID ON THE TABLE

STATEMENT RE: SUPPLY OF FOOTWEAR TO MINERS

The Minister of Labour and Employment (Shri D. Sanjivayya): I beg to lay on the Table a statement regarding supply of footwear to Miners. [Placed in Library. See No. LT4323/65].

12.48½ hrs.

STATEMENT RE: INCIDENT IN MANA CAMP

The Minister of Rehabilitation (Shri Tyagi): I am sorry to inform the House of an unfortunate incident in the Mana Transit Camp for migrants from East Pakistan on the 1st May, 1965, in which 2 migrants lost their lives and a number of persons, comprising migrants, camp staff and police personnel, sustained injuries. According to the reports received from the State Government and the camp authorities the facts of the case are stated to be as follows:—

2. The Mana Group of Transit Centres serves as a clearing house for the new migrants entering West Bengal from East Pakistan, who are accepted for relief assistance. While in the Transit Centres, the migrants receive cash doles. The Government of India had issued instructions in October, 1964, that the cash doles should be paid every month in three instalments at an interval of 10 days. This system has been introduced with a view to ensuring that some money is available to migrants from time to

time during the month and that the entire doles for the month are not frittered away at the beginning of the month. This arrangement could not be introduced in the Mana Group of Transit Centres as the available staff was occupied with other pressing administrative duties such as reception, dispersal and screening of migrants. The doles were being paid at fortnightly intervals instead of three times in a month in this group of transit centres. The Estimates Committee in its Seventy-first Report had also commented on this fact and recommended "payment of cash doles should be made to the migrants in instalments regularly and no administrative difficulties should be allowed to stand in the way of disbursement of doles in instalments and in time".

3. On the 1st May, 1965, disbursement of cash doles in accordance with this new arrangement was due to take place at the Mana Camp. Some of the migrants objected to the introduction of this new system and exhorted others not to accept doles on this basis. Some of the migrants, who had accepted doles, were assaulted. A crowd of about 2,000 strong went to see the Chief Commandant, Mana, Col. S. P. Nandy, and pressed him to restore the old system. He explained to the migrants that the new system had been introduced in accordance with the instructions of the Government of India and would be beneficial to them, there would be no reduction in the quantum of doles payable for each month, and he tried to persuade them to accept the new system. The crowd was in no mood to listen to his advice. A little later, they surrounded the Camp Office No. I where disbursements were to take place. The cash chest in this camp office contained over a lakh of rupees. The crowd became extremely unruly and violent and tried to enter the Camp Office. The Chief Commandant, Colonel Nandy, informed the Additional District Magistrate of the situation. The Additional District

Magistrate and the Superintendent of Police immediately left for the Camp.

4. The Police force posted in the camp also arrived at the Camp Office and every effort was made to persuade the crowd to refrain from lawlessness and violence. Unfortunately these efforts were not successful. There was heavy stoning. The crowd surged forward, and encircled the camp office and attempted to break open its doors. The Camp Commandant, Major A. C. Chakraborty, the Superintendent of Police, Shri Virmani, the City Superintendent of Police, Raipur, Shri Agnihotri, and other members of the camp staff and of the police force who were trying to restore order sustained injuries. The Police ordered the crowd to disperse but without avail. A mild lathi-charge was resorted to and tear gas was also used. These measures, however, failed to push back the crowd, which was in an extremely violent mood. The crowd instead of dispersing regrouped in large numbers and began to attack the Camp authorities and the police from all sides with stones and lathis. Due warning was then given by the local Police that firing would be resorted to if the crowd did not disperse. The warning was not heeded. Thereafter, firing had to be ordered.

5. It is a matter of deep regret that the firing resulted in the death of 2 migrants and injuries to about 18 others. As soon as the crowd showed signs of dispersing, the firing was stopped.

6. The Camp Commandant and about 19 other camp employees sustained injuries as a result of violence from the crowd of migrants. On the Police side, the Superintendent of Police, the City Superintendent of Police and about 10 constables were injured.

7. An order under Section 144 Cr. P.C. prohibiting the carrying of weapons and assembly of more than five persons has been promulgated in the camp area on the 1st May, 1965. The

situation is now reported to be quiet and peaceful. There was no untoward incident yesterday and migrants were reported to be coming forward to receive their doles under the revised pattern.

8. The Madhya Pradesh Government have ordered a full magisterial inquiry into this incident by the Additional District Magistrate (Judicial) of Raipur.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of clarification, I had given Calling Attention Notices on this, but it has been forestalled by a statement from the Minister, as happens sometimes.

Mr. Speaker: He gave notice yesterday that he would make a statement.

Shri Hari Vishnu Kamath: It was Sunday, we could not know. Anyway, I only want a clarification.

Is it not a fact that in the Mana Camp living conditions, particularly with regard to water supply and other elementary amenities of existence, were very bad last year, and the Minister visited the camp personally and gave instructions and directions in regard to these matters, but still, even today, there has been no tangible improvement in regard to these things?

Shri Tyagi: No, Sir. A number of new tubewells have been bored, and now there is no water scarcity, and the conditions in the camp, as many visitors, even outsiders who have gone there have reported, are much better. It was not on account of the conditions.

Shri Hari Vishnu Kamath: It was a contributory factor.

Shri Tyagi: It was on account of the distribution of doles. •

श्री यशपाल सिंह (कैराना) : क्या यह सच है कि जिस एथारिटी ने गोली चलाने की इजाजत दी, वह फ़िज़िकली अनफ़िट था और उसे चार नारे सुन कर मोत सामने खड़ी हुई दिखाई देने लगी ? अगर वह इन उजड़े हुए लोगों को समझाता, तो वे समझ जाते, लेकिन वह इतना अनफ़िट था कि चार नारे सुन कर उस को गोली याद आ गई और उस ने समझा कि मोत सामने खड़ी है। मैं यह जानना चाहता हूँ कि सरकार ऐसे अयोग्य आफ़िसर्स का क्या इलाज कर रही है।

श्री त्यागी : माननीय सदस्य को इस की इत्तिला होगी—मुझे नहीं है।

अध्यक्ष महोदय : जब इस की इन्व्वायरी होनी है, तो माननीय सदस्य का इस तरह की बातें कहना ठीक नहीं होगा।

Shri Daji (Indore): Is there any system or arrangement of having some advisory or consultative body of the camp members themselves, so that if such changes in the old procedure are to be adopted, they could be consulted, or the opinion of the inmates made known to the authorities, so that such incidents are avoided?

Shri Tyagi: In this matter there was no consultation needed, because this pattern was being observed all over India, in all the State camps, everywhere.

Shri S. M. Banerjee (Kanpur): It appears that this is not the first time, that there have been such firings in Mana camp before also. This Mana Camp has been converted into a concentration camp by bringing in all sorts of discipline and not allowing any meetings inside or just outside the camp to ventilate the grievances of the refugees. I would like to know whether it is a fact that instead of dole for 15 days at a time, dole for

ten days was being paid, and they wanted the restoration of the old system. What was the specific objection of the authorities there? May I know whether enough warning was given before implementation of the new decision, and whether the refugee organisations near about were consulted and their leaders allowed to have discussions?

Mr. Speaker: The latter part he has answered already.

Shri Tyagi: This decision, as I have stated already, is not new, it was taken last year. It could not be brought into practice in the Mana Camp because the officers there were not enough, and they had so much work. However, they had given notice already.

Shri S. M. Banerjee: Every time firing is going on just to implement some decision. Is it not a shame on the Government that these refugees have been shot dead in Pakistan and here also?

Shri Tyagi: I am not happy over the firing.

Shri S. M. Banerjee: The House should....adjourn over this. They are shooting every time. This is the third time.

श्री श्रीकार लाल बेरवा (कोटा) :

इस माना कैम्प में तीसरी बार झगड़ा हुआ है। एक दफ़ा तो चोरी के मामले में उनको पकड़ा गया, दूसरी दफ़ा उन्होंने साम्प्रदायिक झगड़ा करवा दिया और तीसरी दफ़ा कल-परसों यह कांड हुआ है। मैं यह जानना चाहता हूँ कि वहाँ पर जो ऐसे साम्प्रदायिक तत्व भरे हुए हैं, जिन को दो दो, तीन तीन दफ़ा जेल हो चुकी है, सरकार को उन आदमियों को उन कैम्पों से निकालने या उन पर कड़ी नज़र रखने में क्या आपत्ति है।

श्री त्यागी : इस में कोई सन्देह नहीं कि कैम्प में कुछ इस किस्म के लोंग आ गए हैं, जो झगड़ा-फ़साद करते हैं और फ़ाइम बग़ैरह करते हैं। हम इस की काफ़ी देख-भाल कर रहे हैं, लेकिन चूँकि वहाँ पर ज्यादातर परिवार बाहर से आए हुए हैं, जो मुसीबतख़दा हैं, इसलिए उन के साथ सख़्ती का बर्ताव नहीं किया जा सकता, लेकिन माननीय सदस्य ने जो फ़रमाया है, वह ठीक है कि वहाँ पर कुछ लोग बाहर से आ कर एजीटेड करते हैं।

Shri Vidya Charan Shukla (Maha-samund): Is it a fact that there has been serious dissatisfaction in this camp for very many months past, and this trouble has arisen mainly because of the cumulative effect of all these reasons? There is no intelligence system of the camp authorities or of the police to anticipate all these troubles, because of which all these troubles have arisen. May I know, in view of this, what action Government propose to take to anticipate all these things which can be easily anticipated if there is an intelligence system, so that there is no such outbreak of violence in the camp again?

Shri Tyagi: Yes, Sir. Only after the judicial enquiry is over, I can comment over the situation. I do not want to prejudice the enquiry.

Shrimati Jyotsna Chanda (Cachar): How long do they propose to keep these refugees in the transit camps on doles so that they become unruly and undisciplined?

Shri Tyagi: It all depends on the possibilities of transferring them to permanent rehabilitation places, giving them employment in agriculture or industries. So, it all depends on the chances available.

Shrimati Renuka Barkataki (Bar-peta): What are the main reasons which have compelled Government to change the procedure of giving doles

from once in 15 days to once in ten days?

Shri Tyagi: It has been explained.

श्री राम सहाय पाण्डेय (गुना) : माननीय मंत्री जी ने बताया है कि उपद्रव के जहाँ और कारण थे, वहाँ एक कारण यह भी था कि वहाँ पर ख़या कुछ अधिक इकट्ठा हुआ। मैं यह जानना चाहता हूँ कि

श्री त्यागी : यह कारण नहीं था।

श्री राम सहाय पाण्डेय : एक कारण था।

श्री त्यागी : मैंने बताया है कि वहाँ पर पहले महीने में दो बफ़ा डोल्ले तक्सीम की जाती थीं और जब महीने में तीन बार-दसवें रोज-तक्सीम करने का हुक्म हुआ तो उन को एतराज हुआ।

13 hrs.

Shri P. R. Chakraverti (Dhanbad): May I know whether the Government has taken into account the fact that Mana in this season becomes a very terrible place for the refugees because of the rigours of the climate and if so whether the Government proposes to disperse the refugees to other transit camps and see that the number is not very high so far as Mana is concerned?

Shri Tyagi: It will be difficult because other camps are mostly not transit camps. Transit camps are Mana group alone. Other camps are rehabilitation camps and they go to the other States where there are possibilities of direct rehabilitation near about the camps.

डा० राम मनोहर लोहिया (फर्रुखाबाद) : क्या विस्थापितों को यहाँ आने में रोकने के लिए मंत्री महोदय की तरफ़ से सरकारी अफ़सरों को कोई सख़्ती की हिदायतें हैं और अगर हैं तो क्या उनको वह बापिम

[डा० राम मनोहर लोहिया]

लेंगे ? क्या सभी विस्थापितों के साथ समानता का व्यवहार करने की भी वह हिदायतें देंगे ?

श्री त्यागी : कोई सक्ती करने की बात नहीं है। बल्कि इस बात का लिहाज रखते हुए कि ये परिवार मुसीबतख़्दा हैं, इनकी थोड़ी बहुत ज्यादाती भी बरदाश्त करने के लिए अफसर और गवर्नमेंट तैयार हैं।

डा० राम मनोहर लोहिया : विस्थापितों का यहां आना रोकने के लिए

अध्यक्ष महोदय : उन्होंने कहा है कि ऐसी कोई हिदायत नहीं है।

श्री त्यागी : जो कुछ भी आ रहे हैं और असली विस्थापित आ रहे हैं, उन पर कोई रोक नहीं है।

Shri Nath Pal (Rajapur): Whereas this Government displays a baffling reluctance and hesitation to use arms against the intruders and invaders, why is there this strange contrast of overwhelming enthusiasm to open fire against refugees? Has the Minister looked into this?

Shri Tyagi: This is a matter which will be enquired into by the judicial officer and I am, therefore, not in a position to make any comments. I may assure my hon. friend that it is not for the fun of it that the officers opened fire. It was done because there was violence. They were given due notice. That is the statement at present, according to reports received.... (Interruptions).

Shri Daji: Was any police officer killed?

Mr. Speaker: He has said there were injuries.

Shri Daji: Were they serious injuries? Not one serious injury. Even a mere abrasion is an injury in

the legal language. There is not one single grievous injury to any police officer but firing was ordered..... (Interruptions).

श्री प्रकाशवीर शास्त्री (बिजनौर) : जब कभी भी भीड़ पर गोली चलाई जाती है तो नियम यह है कि पहले हवा में फायर किये जाते हैं, फिर नीचे पैरों में गोली चलाई जाती है और अगर इतने पर भी भीड़ काबू में न आये तो सीधे गोली चलाई जाती है। मैं जानना चाहता हूँ कि क्या सचमुच ऐसी स्थिति पैदा हो गई थी कि बिना गोली चलाये भीड़ को काबू में किया ही नहीं जा सकता था ? बिना उनको मारे हुए कोई और तरीका ही नहीं था कि काबू में किया जा सके ?

अध्यक्ष महोदय : यह तो तहकीकात से पता चलेगा कि नीचे चलाई गई, ऊपर चलाई गई या नहीं चलाई गई।

श्री हुकम चन्द कछवाय (देवास) : जिस समय गोली चलाने का आदेश दिया गया उस समय क्या पूरी तरह से छानबीन कर ली गई थी कि वास्तव में गोली चलाना आवश्यक है और इसके बगैर स्थिति काबू में आ ही नहीं सकती है ? कितनी गोलियां चलाई गईं और क्या जानबूझ कर भी किन्हीं लोगों पर गोलियां चलाई थीं ? जिन्होंने असन्तोष फैलाया उन में से कितनों को गिरफ्तार किया गया है ?

श्री त्यागी : गोली चलाने की बात मैंने अपने बयान में कह दी है। जब पत्थर बगैरह फिकने लगे, अफसरों को और पुलिस वालों को चोटें लगने लगीं, और जब दरवाजा तोड़ने की कोशिश की जाने लगी जहां खजाना था और जब टीयर गैस और लाठी चार्ज से काम नहीं चला और वायोलेंस हुई, उसके बाद गोली चलाना आवश्यक हो गया। मैं अर्ज करना चाहता हूँ कि

हाउस के सामने कि इन बातों की जब तक तहकीकात नहीं हो जाती तब तक मैं नहीं कह सकता हूँ कि गोली चलाना जायज था या नहीं था।

Shri Daji: By the High Court Judge?

Shri Tyagi: Magisterial enquiry, judicial officer.... (Interruptions).

Mr. Speaker: Order, order. He is giving information. I cannot get anything else.

Shri S. M. Banerjee: He has appointed a temporary magistrate to enquire? How can he do it?

Shri Tyagi: That magistrate is not an administrative magistrate. He is a judicial officer under the High Court and not under the executive.

Shri Hem Barua (Gauhati): This is not the first time that the East Bengal refugees in Mana transit camp are subjected to this kind of treatment, this kind of ordeal. At the same time the conditions in that camp are deplorable and the Minister knows it. In that context may I know why the Government does not propose to hold an independent and open judicial enquiry with a High Court Judge to enquire into the details of the incidents that have taken place, details of firing and at the same time the details of the deplorable living conditions in that particular camp?

Mr. Speaker: Conditions have nothing to do. The dispute arose on a quite different issue that doles were distributed after ten days or after fifteen days.

Shri Hem Barua: I take out 'conditions'. Are they going to hold an open, independent, judicial enquiry?

Mr. Speaker: He has told us as to what enquiry he is going to hold.

Shri Hem Barua: Is it proposed to hold an open, independent, judicial enquiry?

Shri Tyagi: It is a judicial enquiry.

श्री बागड़ी (हिसार): अध्यक्ष महोदय, मेरा भी नाम था।

अध्यक्ष महोदय: रह गया होगा। मैं लिस्ट को देख कर नहीं बुला रहा था। जो खड़े हो रहे थे उनको बुला रहा था।

श्री बागड़ी: मैं भी खड़ा हुआ हूँ और कई बार खड़ा हुआ हूँ।

अध्यक्ष महोदय: मैंने देखा नहीं होगा गलती हो गई है।

श्री बागड़ी: यह कई दफ़ा गये साथ गलती हो रही है।

अध्यक्ष महोदय: हर एक को बुला भी नहीं सकता हूँ और...

श्री बागड़ी: यह ठीक है जो खड़े होते रहे हैं उनको आप मौका देते रहे हैं। मैं कौन सी विधि सोचूँ जिससे आपकी आंख को पकड़ सकूँ? या आपकी आंख मुझ से दूर रहने की कोशिश करती है?

अध्यक्ष महोदय: दोनों में सच्चाई नहीं है।

श्री बागड़ी: सच्चाई कौन सी है फिर? आखिर मैं एक दल का नेता हूँ। आप भूल जाते हैं कि एक बार नहीं, तीन तीन बार यह बात मेरे साथ हुई है।

13.08 hrs.

KERALA STATE LEGISLATURE
 (DELEGATION OF POWERS) BILL*

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): Sir, on behalf of Shri Gulzarilal Nanda, I move for leave to introduce a Bill to confer on the