

ment opportunities. Tribals can be provided employment in these industries only. I would like to request the Government to immediately set up forest produce based industries for the speedy development of areas like Chhota Nagpur and Santhal Pargana etc.

New industrial policy does not mention a word about reviving a number of sick industrial units of Bihar.

**SHRI KALKA DAS:** Mr. Deputy Speaker, Sir, please call the hon. Minister of Home Affairs, as he is supposed to make a statement on Patel Nagar incident.

[English]

**MR. DEPUTY SPEAKER:** I am fully aware of it. I am waiting for him to conclude.

[Translation]

**SHRI BHUBANESHWAR PRASAD MEHTA:** Dalmia Paper Mill is lying closed rendering 15-20 thousand workers on its rolls unemployed. Government is not serious about revival of the mill and nor has it made any mention in the new industrial policy about the steps it proposes to take to provide jobs to jobless workers of the above mill. I would like to draw the attention of the Government to the dreams of Gandhi and Nehru who dreamt that India would become a self-reliant and a strong nation. Ours is a vast and great country. Though a comparison is made with the small nations like Taiwan and Singapore, yet the present Government forgets the ground realities facing the nation, nor does it formulate schemes in accordance with the requirements of our country. Government has turned a blind eye to making India self-reliant economically and socially, and how to provide jobs to poor workers of our country. That is why I say that the new industrial policy is not suitable for a country like India. Dictates of IMF are clearly visible in the new industrial policy. There is a need for

urgent review of the new industrial policy for the speedy development of Public Sector units. The present conspiracy to do away with the Public Sector Units and granting more monopoly and rights to industrialists like Tatas, Birlas and Dalmias in the new scheme of things, in place of Public Sector should be stopped. With these words I conclude.

[English]

**MR. DEPUTY SPEAKER:** Now, Shri M. M. Jacob to make a statement regarding the death of a suspect in police custody.

13.07 hrs.

#### STATEMENT BY MINISTER

**Death of a suspect in police custody in Patel Nagar, New Delhi on 19th August, 1991.**

[English]

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB):** I wish to apprise the Honourable Members of this august House about the tragic death of a suspect in police custody in Patel Nagar, New Delhi on 19-8-1991.

Following a complaint made by one Smt. Samarjeet Kaur, a resident of Civil Lines, Karnal, Haryana, that her purse containing about Rs. 1,000 in cash, a gold chain and a mangal sutra had been stolen at Community Centre, Patel Nagar on 18-8-1991 where she had gone to attend a marriage, the Police registered a case at police station Patel Nagar, and arrested one Manoj, aged about 12 years. Manoj was earlier also arrested in a case of theft and as per the police version, confessed to having stolen the

[Sh. M. M. Jacob]

purse and handed it over to his father. Injections were given to Shri Jai Ram. He was brought to the police station at about 11.00 p.m. and questioned by SI Satbir Singh, ASI Siri Ram and Constable Satbir Singh.

At about 3.30 a.m. on 19-8-91 Shri Jai Ram was taken to the nearby Khera Nursing Home by SI Satbir Singh. At the Nursing Home two injections were given to Shri Jai Ram. At about 4.15 a.m. Shri Jai Ram collapsed and died. Thereafter senior police officers reached the spot. The ACP, Patel Nagar also requested the Sub Divisional Magistrate, Patel Nagar to conduct inquest proceedings under section 176 Cr. P.C. The dead body was shifted to the Subzimandi mortuary for postmortem examination.

At about 10.30 a.m. some residents of the area, including family members of Shri Jai Ram gathered outside police station Patel Nagar and the crowd increased to about 400/500 at about 12.30 p.m. They were agitating against the police and efforts to pacify them failed. The crowd became violent and indulged in stone throwing and stopped the traffic. They also set on fire a DTC bus and broke window panes of four DTC buses. They stopped a vehicle carrying soft drinks and bottles were thrown on the police. Police used tear gas shells and resorted to cane charge to disperse the crowd at about 1.00 p.m. Three persons were arrested on charges of rioting, arson etc. and a case registered.

Meanwhile senior officers including the Additional Commissioner of Police (Southern Range), had reached the spot, discussed with the local people present and also conducted a *prima facie* inquiry into the events. At about 11.00 a.m. the three concerned police officials, namely SI Satbir Singh, ASI Siri Ram and Constable Satbir Singh had been placed under suspension. The Commissioner of Police also visited Patel Nagar police station at about 1.30 p.m. After he made inqui-

ries into the matter, it was decided to register a case of murder against the three concerned police officials. A case under section 302/342/341 IPC was accordingly registered against SI Satbir Singh, ASI Siri Ram and Constable Satbir Singh. The investigation was entrusted to the Crime Branch.

An inquest into the death of Shri Jairam is being conducted by the S.D.M.

The Government shares the anguish of the Honourable Members over this ghastly incident. I would like to assure the House that the Government is determined to take deterrent action against those exceeding or abusing the use of their powers.

(Interruptions)

SHRI KALKA DAS (Karolbagh): Sir, I would like to ask a clarification.....(Interruptions)

MR. DEPUTY SPEAKER: There is no specific provision to ask any question or any clarification under Rule 372 of the Rules of Procedure. It is given in the Rule that no question shall be asked.

(Interruptions)

[Translation]

SHRI KALKA DAS: Sir, please protect my rights. On all statements made in the House points of clarification have always been sought.

[English]

MR. DEPUTY SPEAKER: I will convince you. We are very much guided by the rules of the House. There is a well-established procedure. Here rule 372 specifically bars any member to put any clarification or any question to any Minister on the Statement made by him.

[Translation]

SHRI KALKA DAS: The entire story, has been fabricated as the police is involved in this case. I am a representative of the area and was present at the spot and it is the police who has fabricated the story just to suppress the facts.

[English]

MR. DEPUTY SPEAKER: You have framed the rules and you have accepted them. If you really feel that there should be some scope for Members to seek some clarification or extract some information, then you have to move an amendment to the rules.

[Translation]

SHRI KALKA DAS: If some one committed theft should his father be called to the police station and killed.

SHRI MADAN LAL KHURANA (South Delhi): It has been the practice that a Member if he so desires, can seek a clarification with the permission of the Chair.

[English]

MR. DEPUTY SPEAKER: Yesterday, Mr. Paswan wanted to ask some questions, but the Chair did not permit him because under Rule 372 the Members are not allowed to do so.

[Translation]

SHRI KALKA DAS: The Members can seek clarifications under the discretionary powers of the Chair. So that the point becomes clear. Sir, please protect my rights and use your discretionary powers and allow me to seek clarification. (Interruptions)

SHRI TARA CHAND KHANDELWAL (Chandni Chowk): The point as to why the accused was taken to hospital and killed is missing in the statement.

SHRI KALKA DAS: Police stations are set up to protect life and property of citizens. So, how can these be used for killing people?

[English]

SHRI BASU DEB ACHARIA (Bankura): On one occasion in this very session five Members were allowed to ask questions after Minister's statement on bank robbery.

[Translation]

SHRI KALKA DAS: I would like to ask a few clarifications, as I am the representative of the area.

[English]

MR. DEPUTY SPEAKER: Everything is correct and true. But with all that, you are Governed by the rules of procedure.

[Translation]

SHRI KALKA DAS: Five points of clarifications were allowed on the statement in bank dacoity case.

[English]

SHRI BASU DEB ACHARIA: The Rules Committee has already accepted this amendment.

SHRI MADAN LAL KHURANA: My request to you is that you allow two or three clarifications on this.

MR. DEPUTY SPEAKER: What was applicable to Mr. Paswan yesterday will apply to you today also because not even 24 hours have elapsed.

(Interruptions)

[Translation]

SHRI KALKA DAS: Mr. Deputy Speaker, Sir, it is all right that the rules do not permit it, but the matter

[Sh. Kalka Das]

is very serious, killings are taking place inside police stations. Therefore, I request you to use your discretionary powers to protect my rights and allow me to place the facts before the House...*(Interruptions)*...

SHRI RAM VILAS PASWAN: Mr. Deputy Speaker, Sir, I could not raise my point. That day also, I had said that there has been one or two occasions in this very session itself when the Chair allowed some hon. Members to seek clarifications. I had brought this thing to your notice that day and I am repeating the same today also. In the other House, sometimes almost the whole day is spent in seeking and answering clarification, while here no one is allowed to seek clarifications. Both are extremes. That is why, the Rules Committee had provided that one or two clarifications may be allowed, of course, with the kind permission of the Chair. Therefore, I request you kindly to permit the hon. Members to seek clarification...*(Interruptions)*

SHRI KALKA DAS: Sir, the bank dacoity was a serious issue, and the present case is also serious. People are being called to Police Station for interrogation and there they are tortured to death. It is a wrong practice. The police took away cash and jewellery from house where a theft had taken place. Manoj's father, Jairam was called to the Police Station for interrogation and there he was beaten up like anything, so much so that he had to be taken to a Private Nursing Home for treatment and he succumbed to his injuries there.

SHRI MADAN LAL KHURANA: I would like to know whether the Police Officer has been arrested or not. This is the fifth such case, in this very police station in last two years. They were all tortured to death inside the Police lock-up. What Special measures have been taken by the Government to check the recurrence of such incidents in future? Had action been

taken on time by the Government immediately there would have been no burning of buses and no demonstration.

SHRI TARA CHAND KHAND-ELWAL: Mr Deputy Speaker, Sir, there is no mention in the statement that the deceased was beaten up in the Police Station. If that is the case, then why was he taken to hospital?

[English]

This is a very important fact which has been hidden in this statement.

[Translation]

SHRI MADAN LAL KHURANA: You may please ask the hon. Minister of Home Affairs to convene a meeting of the Members of Parliament from Delhi and discuss the Law and Order situation in the capital. This incident took place inside the police station.

[English]

MR. DEPUTY SPEAKER: Would you like to respond to this?

SHRI M. M. JACOB: I am always interested in having discussions with the MPs on the general law and order situation in Delhi. I want actually to get more feed back from you, the Representatives of the People.

[Translation]

SHRI MOHAN SINGH (Deoria): I would like to seek clarification on two points, with reference to the statement made by the hon. Minister. First of all, what does the Post Mortem report say and circumstances under which the accused was taken to the hospital and the purpose for which he was administered two injections?

[English]

SHRI MADAN LAL KHURANA: You call a meeting of the Delhi MPs.

**SHRI M. M. JACOB:** I have already welcomed Shri Khurana's suggestion.

**MR. DEPUTY SPEAKER:** There is one more thing. Of course, many people have got their own doubts, so far as this statement is concerned. For that purpose my request is that you kindly make it convenient to meet Shri Jacob later...*(Interruptions)*...

[*Translation*]

**SHRI MADAN LAL KHURANA:** That nursing home is meant for heart patients.

**SHRI KALKA DAS:** Why was the accused taken to a Private Nursing Home, instead of a Government hospital? It was precisely because the nursing home people were hand in glove with the police and gave the latter a 'febricated' report. Yesterday also, I desired to know whether the Government has decided to pay a compensation of Rs. 5 lakhs, to the bereaved family. Secondly, both the crime branch and the vigilance branch are part and parcel of the same police set-up. Therefore I had demanded that the case should be handed over to the C.B.I. Has the Government taken any decision in this regard?

[*English*]

**MR. DEPUTY SPEAKER:** Would you like to respond?

**SHRI M. M. JACOB:** Sir, if you want, I can react to one or two points mentioned by my hon. friends. One point is about the people who are arrested from the locality. They were released. About three persons, as I mentioned, were also arrested because they were rioting and they were released.

Another thing is this Nursing Home is a private Nursing Home and not a

Government Nursing Home. At the same time, I was making the statement that the matter is referred to the SDM for thorough enquiry and the Crime Branch is entrusted with the responsibility of further enquiry. All these things are going on. If there is anything that the hon. Members want to inform me, I am at their disposal. They can bring those things to my notice...*(Interruptions)*.

[*Translation*]

**SHRI KALKA DAS:** That is what I am asking. When Government hospitals are there, why the accused was taken to a Private Nursing Home?

**SHRI MADAN LAL KHURANA:** You call a meeting of Delhi MPS...*(Interruptions)*.

**SHRI INDERJIT (Darjeeling):** Mr. Deputy Speaker, Sir, the hon. Minister has already agreed to meet the M.Ps from Delhi and sort out the matter. I do not think we should take any more time of the House on this subject.

**SHRI E. AHAMED (Manjeri):** Mr. Deputy Speaker, Sir, one thing we have to appreciate that the Government has taken steps to charge these accused under section 302. Even in the *prima facie*, they have charged them. So, that also should have been appreciated. It does not mean that he (the Minister) need not meet the M.Ps; the hon. M.Ps. can very well discuss the matter with the Minister but they have to welcome the stand of the Government also.

[*Translation*]

**SHRI RAJVEER SINGH (Aonla):** The hon. Minister of State for Home Affairs, presented the report before the House which the police officers prepared for him. Through you, I would like to ask the hon. Minister, whether any new law has been enact-

[Sh. Rajveer Singh]

ed, under which a person accused of a minor theft could be taken to a police station and beaten up?

[English]

MR DEPUTY SPEAKER: Rajveer Singh Ji, we know what is going on and the hon. Minister...

*(Interruptions)*

SHRI KALKA DAS: The public should also know what is going on.

[Translation]

It is not proper that the Police take away people to the Police Station, under the pretext of interrogation and torture them to death in the lock up and thereafter, the Minister concerned reads out before the House, a statement prepared by the Police. Will the Government order a C.B.I. inquiry into this case? Will the Government pay a compensation of Rs. 5 lakhs to the next of the kin of the deceased?

[English]

MR. DEPUTY SPEAKER: You have asked and the hon. Minister has responded to it. My request is, after all, the Presiding Officer shall have to be guided by the rules and this hon. House has made the rules. In our practice, if there are any hurdles to dig out truth, as Paswanji has suggested, Rajveer Singh Ji has suggested, amendments shall have to be introduced, and when they come into force, certainly you can ask clarifications. As the law stands today, rule 372 does not permit clarifications. I hope you are satisfied.

[Translation]

SHRI KALKA DAS: At least, the hon. Minister can say whether the case would be handed over to the C.B.I. or not? Because the Crime Branch is part of the Police and we cannot expect justice from them. Therefore, I would like to know whether

the Government intends to order a C.B.I. inquiry into the matter and whether it proposes to provide Rs. 5 lakhs to the bereaved family, as compensation?

MR. DEPUTY SPEAKER: Further the hon. Minister also, with open heart, wants to know the truth of it and he has warmly welcomed you to discuss the matter with him. So, let us make use of the services offered by him.

SHRI KALKA DAS: Thank you very much, Sir.

13.24 hrs.

DEMANDS FOR GRANTS (GENERAL), 1991-92—*Contd.*

Ministry of Industry—*Contd.*

[English]

MR. DEPUTY SPEAKER: Now we can go ahead with the discussion. Shri Vilas Muttemwar.

[Translation]

SHRI VILAS MUTTEMWAR (Chimur): Mr. Deputy Speaker, Sir, we are having a discussion on the Demands for Grants of the Ministry of Industry, the Industrial Policy, the Policy on small-scale industries etc.

Today, the focus of the entire world is on the country's industrial policy, as it provides a vast market for them. Keeping all this in mind, I agree with the sentiments expressed by many hon. Members that the importance of the subject required a separate debate on the new industrial policy.

One thing is clear that this policy has been widely acclaimed by everyone including the entrepreneurs, economists and the common people of