

**SHRI ATAL BIHARI VAJPAYEE:** What has he written? Has he given any reasons?

**MR. DEPUTY-SPEAKER:** He has written:

'I beg to lay with your permission on the Table of the House a letter from Shri G.L. Nanda, M.P., and the Statement of Account enclosed therewith.'

**SHRI JYOTIRMOY BOSU:** Who has signed it?

**MR. DEPUTY-SPEAKER:** Shri Fakhruddin Ali Ahmed the Minister. I am trying to make a fine distinction. But since this item has been routed through the Minister and the Minister has sought the permission of the Chair to lay it, therefore, I take it to be a Government paper....

**SOME HON. MEMBER:** No, no.

**MR. DEPUTY-SPEAKER:** Kindly listen to me.

As far as I am concerned, I am putting it this way to you. I am not taking any decision. I am just putting the facts before you.

Now, I have said that this is not a part of this or a part of that, but he has sought the permission...

**SHRI MADHU LIMAYE:** On what ground?

**MR. DEPUTY-SPEAKER:** I do not know on which ground.

Now, I visualise, I can visualise a time when Members, seized of the matter some day, may seek a discussion on this. Nothing prevents you. You may seek a discussion on this report... (*Interruption*) I am just putting it to you because this is connected. You may raise a discussion on this and the papers that have been laid. Whether this paper also, if allowed, would not be conducive to the discussion at that time?

**SHRI ATAL BIHARI VAJPAYEE:** No, no.

**SHRI INDRAJIT GUPTA:** Do these accounts which are embodied in this paper pertain to the period covered by the inquiry of the Kapur Commission or they pertain some other subsequent period?

**THE MINISTER OF AGRICULTURE (SHRI F.A. AHMED):** I would like to clarify the position. So far as the paper is concerned, it is not a Government paper...

**SHRI SHYAMNANDAN MISHRA:** Not a Government paper?

**SHRI F.A. AHMED:** What actually happened was that the hon. Mr. Nanda, who is a Member of this House, went and sought the permission of the Speaker to lay that paper and then he wrote to me a letter that he has the permission of the Speaker to lay the paper and will you please lay it? So, I just sought the permission.

**SHRI SHYAMNANDAN MISHRA:** He says it is not a Government paper.

**MR. DEPUTY-SPEAKER:** On account of all this, it is difficult for me to take any decision on this without going a little deeper into that question and I hold it over.

17.54 hrs.

**QUESTION OF PRIVILEGE—Contd.**

**NON-INTIMATION TO THE SPEAKER OF ARREST OF SHRI KRISHNA CHANDRA HALDER, M.P. AT BURDWAN—Contd.**

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA):** Sir, According to the information received from the State Govt. on 14th November, 1973, around 12.00 hrs., about a hundred followers of CPI(M) led by Shri Krishna Chandra Halder, M.P. came to Burdwan court compound as a part of the Civil Disobedience Movement in pursuance of the call given by a few political parties in West Bengal. The procession was intercepted by the police at the entry of the court compound has prohibitory orders under section 144 Cr. P.C. were in force in the whole of the Burdwan Municipal area except Ward No. IV. Most of the demonstrators dispersed peacefully but the remaining categorically told the police that they had assembled there with an intention to disobey the prohibitory orders. As a result, 20 demonstrators were arrested and taken to Burdwan police station and a case No. 26 dated 14-11-1973 was registered in Burdwan P.S. under section 188 I.P.C.

Shri K.C. Halder, M.P. who was present nearby was repeatedly requested by the police to come to the office chamber of District Magistrate, Burdwan to place his grievances. A vehicle was kept there to bring him to the office of the District Magistrate. Shri Halder, however, refused to go to the office of the District Magistrate and forcibly entered into a police van, standing nearby, along with his followers. It was very politely pointed out to him that he had not been arrested and that he should come out of the police van but he refused to come down from the van. With a view to dispersing the crowd and to avoiding an untoward situation, the demonstrators, who had already boarded the police van, were taken out of the municipal area of Burdwan. Shri Halder remained in the same vehicle voluntarily. A jeep which was kept for the M.P. also followed. After reaching Galsi Bazar, 13 miles away from court compound, all the demonstrators got down the police van. The S.I. in-charge of the police party again requested Shri Halder to come in the jeep so that he might go back to his residence or wherever he intended to go. Shri Halder replied that he would prefer to remain with his followers rather than going back in a police jeep.

Since Shri Halder was not arrested or detained by the Police, no intimation regarding the incident was sent to the Speaker, Lok Sabha.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : It is not a correct statement; all untruths.

SHRI KRISHNA CHANDRA HALDER (Ausgram) : Mr. Deputy Speaker, Sir, what I want to say is this. The statement made by the Minister, which is received from the State Government or from the District authorities, is untrue. Do you believe that I have voluntarily entered into the police van? Do you think I would have forcibly entered into a police van? (Interruptions).

I moved on the 23rd November and I requested the hon. Speaker in the House that day to send it to the Privileges Committee under Rule 222. It is not correct and is absolutely false and untrue.

18 hrs.

MR. DEPUTY-SPEAKER: I would like to clarify a few points from the Minister. This question came up in this House on the

20th November. I would like to know as to when did he get the reply from the West Bengal Government.

श्री सतपाल कपूर (पटियाला) : यह इनफॉर्मेशन टेबल पर रखी जा सकती है। इस के बारे में क्रास एग्जामिनेशन की जरूरत नहीं है।

MR. DEPUTY-SPEAKER : Let us not take a partisan attitude in the matter. To-day this hon. Member is involved and tomorrow it may be yourself. It is the right of the Member as far as this is concerned.

SHRI RAM NIWAS MIRDHA : Sir, the first information that was received from West Bengal Government is contained in a letter dated 23rd November, 1973. There were certain clarifications; the last telegram received from him was on 21st December to which we sent a certain reply. And this statement is being made after collecting all the information.

MR. DEPUTY-SPEAKER: What was conveyed on 23rd November?

SHRI RAM NIWAS MIRDHA : This was enclosed with a copy of the letter from the District Magistrate, Burdwan addressed to Government of West Bengal in the Home Department; a report from the Superintendent of Police of that district to the Government of West Bengal was also there. They enclosed these two letters by way of information regarding the facts of the case.

SHRI H.N. MUKERJEE (Calcutta North East) : If it is a straight forward case and if it is as simple as the Minister's statement, then this delay is not only unjustified but also a absolutely unintelligible.

If it is merely a factfinding operation which the Government of India at Delhi was performing in relation to the Government of West Bengal in Calcutta, it should not have taken more than one month. On the basis of this, therefore, the presumption is that something is being hidden. We can find out the same only in the Privileges Committee.

MR. DEPUTY-SPEAKER: In the first place there was a delay of more than a month. I personally feel that whatever be the reasons there may be legitimate reasons or not—any decision or direction of

[Mr. Deputy Speaker]

the House should be treated more expeditiously. The delay of one month is rather difficult to justify.

This is one thing.

If, as stated by the hon. Minister, he has not been arrested, I should have thought that Government should have taken the very first opportunity to come and say that he has not been arrested, and put an end to the matter. Why should one month be taken on this?

These questions give rise to certain doubts, and here there are two contradictory statements. Mr. Halder in his letter to the Speaker dated 20th November has stated very clearly.—

“On November 14, 1973, I participated in a civil disobedience movement at Burdwan in pursuance of the call given by the nine Leftist Parties. While participating in a demonstration inside the Court Compound, I was arrested by the police at about 12 noon and was taken inside the police prison van along with a number of volunteers who were also arrested. Subsequently along with the arrested volunteers, I was taken in the van to Galsi about 15 miles away from the town of Burdwan and after reaching beyond Galsi, I was asked to get down from the van as also the other arrested persons. No arrangement was made by the police to take us back to Burdwan, and I had to return to Burdwan with considerable difficulty.”

This is what the Member has said. Of course, the Government, based on the report from the West Bengal Government, has said that he was not arrested but he forced his way into the van. So, there are two statements. Under these circumstances, it is very difficult for the Chair or for me to come to any conclusion.

With due regard to what the hon. Members of this House had said, it is my duty to protect and uphold the rights of hon. Members of this House. I cannot just discount what the Member has said, and on the other hand I cannot also say that what the West Bengal Government has said is not true. There is no way of knowing what the truth is. Therefore, under these circumstances, I refer this case to the Privileges Committee.

18.08 hrs.

STATEMENT *Re*. EVICTED HARIJANS IN HARYANA

SHRI BUTA SINGH (Rupar) : On a

point of order. My submission is that on 30th November, 1973, the hon. Minister of State in the Ministry of Home Affairs, Shri Ram Niwas Mirdha had made a statement..

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI BUTA SINGH: Please allow me to finish what I want to say. He had made a statement on the 30th November, on the floor of this House regarding the agitation launched by the Harijan Sangarsh Samiti in Delhi as a result of which some deaths had also occurred. I think the hon. Minister was under an obligation to enlighten the House about the result of the statement that he had made on both sides, namely the Chief Minister of Haryana as well as the leaders of the Harijan Sangarsh Samiti. I understand that they have already accepted the statement of the hon. Minister. I would like him to enlighten this House about the result of his statement.

MR. DEPUTY-SPEAKER: He only wanted to raise this matter. It is not a point of order.

श्री बटु लिखये (बांका) : उपाध्यक्ष महोदय, इस सदन में कई दफा कहा गया है कि बर्दुय्या, मुंबेर में हरिजनों के जत्ताए जाने के बारे में सरकार की तरफ से बयान आना चाहिए । आज लोक सभा का सत्र खत्म हो रहा है । वह बयान कब आयेगा ? मे पिछले पंद्रह दिन में एक दर्जन दफा इस मामले को उठा चुका हूं । क्या मंत्री महोदय इस बारे में बयान नहीं देंगे ?

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I want to make a submission. I had talked to the Home Minister and I had written nineteen letters to the Hon. Speaker that 25,000 Harijans of Haryana had been arrested, and three of them died in the jail and five women gave birth to children in the jail, and they were not treated as patients but as prisoners and subjected to inhuman treatment, and no blankets and no quilts were supplied to them, and no *charpai* were supplied to them. And yet this Government claims to be a great friend of the Harijans.