

क्योंकि मिल मालिकों ने प्राविडेंट फंड का खर्चा अभी तक भ्रदा नहीं किया है, इसलिए सरकार कानूनी तौर पर उनसे हासिल कर रही है और मैं माननीय सदस्य को बताऊँ कि सरकार ने कुछ ऐसे मिल मालिकों को जिन्होंने कि पैसा भ्रदा नहीं किया है उनको भ्रदालतों में प्रसीक्यूट कर रही है।

#### Rules and conditions of Detention of Political Detenus

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\*419. Shri Warrior:

Shri Indrajit Gupta:  
Shri Vasudevan Nair:  
Shri Prabhat Kar:

Will the Minister of Home Affairs be pleased to state:

(a) whether uniform rules and conditions of detention have been made for political detenus detained under the D.I.R.;

(b) if so, the details thereof; and

(c) if the answer to part (a) above be in the negative, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). There is no class of detenus classified as "political detenus". It is primarily for the State Governments to determine the conditions of detention. However, the Central Government have recently made certain suggestions with a view to ensuring a measure of uniformity in the conditions of detention obtaining in the various States in respect of those detained for security reasons. These suggestions relate to the classification, clothing, interviews and correspondence and other facilities and amenities to be given to detenus in jails.

Shri Warrior: Recently, we understand that the political detenus—whether there is any classification or not, everybody knows who is a political detenu—have classified as Class A detenus and, if so, is it the same in all States?

Shri Vidya Charan Shukla: The question of classification of security detenus was considered and the Central Government advised the State Governments to classify these into two classes only, if possible.

Shri Warrior: May I know whether in the case of family allowances paid to the detenus, the Central Government has suggested that there should be a uniform rate and that the Central Government will go to the help of the States if funds are required by the States?

Shri Vidya Charan Shukla: The Central Government suggested to the various States that as far as possible there should be uniformity in the rate of family allowance that is given to security detenus and we have suggested that, as far as possible, the minimum family allowance to be given should be Rs. 50 per month.

Shri Indrajit Gupta: In view of the very wide discrepancy which exists from State to State in the facilities given to detenus under the D.I.R. and the fact that a large number of hunger-strikes have taken place inside jails for the redress of unsatisfactory conditions, may I know why, in spite of the fact that detentions have been going on for over three years, the Central Government has never thought it fit to exercise its powers under article 353 of the Constitution to give directives so that uniform conditions are brought about in all the States?

Shri Vidya Charan Shukla: This kind of directive was not necessary. There were some differences in the conditions but the Central Government wrote a letter to the State Governments and suggested certain uniformity.

Shri Indrajit Gupta: When?

Shri Vidya Charan Shukla: That was done first in 1962 and again it was done later on, after the Attorney General brought this matter to the notice of the Central Government and again a circular was sent. Now

the conditions of detention or the facilities given in the jails are, more or less, the same. But some differences there may be here and there.

**Shri Vasudevan Nair:** The hon. Minister says that there are some differences still between the different States and he says that the First instruction or the suggestion went from the Central Government in 1962. Are we to understand that there are State Governments who just brush aside the suggestions and the advice given by the Central Government, as for example, the West Bengal Government who are arresting people under the D.I.R. in spite of the statement by the Home Minister in this House?

**Shri Vidya Charan Shukla:** As far as the conditions of detention are concerned, no State Government has brushed aside the suggestion of the Central Government. They have been, more or less, implemented and some of them are under implementation.

**Dr. L. M. Singhi:** We would like to know what are the main difficulties experienced by the State Governments in implementing what the hon. Deputy Minister described as suggestions from the Central Government in respect of securing uniformity, particularly in the operation of a statute for which the Central Government is essentially and basically responsible.

**Shri Vidya Charan Shukla:** There is no difficulty that is experienced. Some State Governments were prompt to implement the suggestions and some were not so prompt. (*Interruptions*).

**Shri Ranga:** Why? What is the reason?

**Shri Hem Barua:** On more than one occasion, it was disclosed by the Government that they have asked the State Governments to liberalise the use of the extraordinary weapon in the armoury of the Executive called the D.I.R. In that context, may I know if it is a fact that some State

Governments like the State Government of Bihar or the State Government of West Bengal, have opposed this decision of the Union Government and if so, what steps do Government propose to take?

**Shri Vidya Charan Shukla:** No State Government has opposed this suggestion.

**Shri Hem Barua:** May I submit, Sir...

**Shri Ranga:** Have they implemented it?

**Shri Hem Barua:** They have not implemented it. On the other hand, the Bihar Chief Minister has made a statement—it was published in the newspapers—that he is not going to follow the suggestion of the Union Government because it affects his position in certain ways in his own State.

**Shri Vidya Charan Shukla:** As far as Bihar is concerned, they have not opposed any of the suggestions. One suggestion that they have not yet implemented and on which they say that they will implement is about the minimum allowance, but that is also being implemented by them.

**Shri Ranga:** In view of the fact that at the Tripartite Labour Conference it was decided that the Government and private employers should attempt to pay not less than Rs. 100/- as the minimum wage for all workers—I think the Railways have, more or less, implemented it—why is it that Government have not thought it fit to think of giving a family allowance of Rs. 100/- even in the case of the people who are put into jail and are kept under detention?

**Shri Vidya Charan Shukla:** First of all, these family allowances are not wages. We have taken various factors into consideration..

**Shri Ranga:** What are those factors?

**Shri Vidya Charan Shukla:** ..and this is the best that Government could do in the circumstances.

**Mr. Speaker:** Mr. Sham Lal Saraf.

**Shri Ranga:** He does not even say that Government will consider this. There should be a senior Minister here. The Deputy Minister is not able to give proper thought to it. Where is the senior Minister? What is he doing?

**Shri Sham Lal Saraf:** Since D.I.R. has been passed by Parliament and it is followed by the States, may I know whether the Centre is being informed of the arrests made and of the people detained under the D.I.R., i.e., how many are detained and how much is being paid to them as family allowances?

**Shri Vidya Charan Shukla:** We are kept informed about them.

**Shri D. C. Sharma:** May I know what is the difference in the rate and conditions of detention between Sheikh Abdullah, an arch preacher of treason to this country....

**Shri Ranga:** It is not proper..

**Mr. Speaker:** It is not proper.

**Shri D. C. Sharma:** ...and Shri A. K. Gopalan, one of the esteemed members of Lok Sabha?

**Shri Vidya Charan Shukla:** That is because of the different conditions of detention... (*Interruptions*).

**An hon. Member:** Why this preference to Sheikh Abdullah?

**Shri Hari Vishnu Kamath:** Is he a royal detenu?

**Mr. Speaker:** How much is paid to one and how much to the other?

**Shri Vidya Charan Shukla:** The reason why the difference has been made is a question of policy which I cannot answer during Question Hour. (*Interruptions*).

**Mr. Speaker:** How much is being paid to Sheikh Abdullah and how much is paid to Shri A. K. Gopalan?

**Shri Vidya Charan Shukla:** If a separate notice is given, I shall give the information.

**Shri S. M. Banerjee:** In his answer to the original question—if I have heard the Deputy Minister correctly—he has said that there are no political detenus. I would like to know whether it is a fact that during the time of the Britishers when those of my friends who are now ruling the country were detained, they were treated as political prisoners by the Britishers. I would like to know the circumstances as to why this Government fails to recognise the political opponents as political detenus.

**Shri Vidya Charan Shukla:** Nobody has been put in detention in this country for political reasons or because they were political opponents. They were all detained under the DIR because they were security risks or risks to the security of the country. That is why we call them security prisoners.

**Shri Hari Vishnu Kamath:** He does not know what 'political' means.

**Shri Ranga:** His father was also a detenu; so, he should know this. He should have the decency to concede that they are all political detenus.

**Shri Bhagwat Jha Azad:** Are not security reasons political reasons?

**Shri Hari Vishnu Kamath:** He does not know.

**Mr. Speaker:** The hon. Member should not ask that question of me.

**Shri Hari Vishnu Kamath:** He is a new Minister, and, therefore, probably he does not know what is meant by 'political'?

**Shri S. M. Banerjee:** Let him clarify what 'political' means.

**Mr. Speaker:** That can be done in any other manner and not in this manner.

**Shri Surendranath Dwivedy:** Even during the British times, those who

were detained under the security Act were treated as political prisoners but now our Government even refuse to say that they are political detenus though they are detained under the DIR.

**Shri S. M. Banerjee:** They are detained because they are political opponents. Let him clarify the position. If he cannot clarify it, let him resign.

**Shri Surendranath Dwivedy:** If the Deputy Minister cannot clarify the position, let Shri Hathi clarify the position.

**The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi):** As my colleague has explained, the persons who are detained are not detained because they are members of any political party as such....

**Shri Surendranath Dwivedy:** That is a different thing altogether.

**Shri Hathi:** They are detained because of their activities.

**Shri Ranga:** That is 'political'; the reasons are political then. What else are they?

**Shri S. M. Banerjee:** They want to brand everyone as a criminal.

**Some hon. Members:** Let him clarify what 'political' means?

**Mr. Speaker:** That can be clarified by any other method and not in this manner.

### बेरोजगारी बीमा योजना

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- \* 420. श्री यशपाल सिंह :  
 श्री बागड़ी :  
 श्री किशन पटनायक :  
 डा० राम मनोहर लोहिया :  
 श्री उदिया :  
 श्री श्रीनारायण दास :  
 श्री विश्राम प्रसाद :

श्रीमती साबित्री निगम :

श्री म० ला० द्विवेदी :

श्री हुकम चन्द कछवाय :

श्री रामसेवक यादव :

श्री लिंग रेड्डी :

श्री रा० बरुआ :

श्री रामचन्द्र उलाका :

श्री धूलेश्वर मोना :

श्री प्र० चं० बरुआ :

श्री भागवत झा आजाद :

श्री स० चं० सामन्त :

श्री सुबोध हंसवा :

श्री महेश्वर नायक :

श्री दी० चं० शर्मा :

क्या अन्न, रोजगार तथा पुनर्वास मंत्री 16 नवम्बर, 1965 के तारंकित प्रश्न संख्या 254 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या इस बीच बेरोजगारी बीमा योजना लागू करने का अन्तिम निर्णय कर लिया गया है ;

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं ;

(ग) उसके लिए कितनी राशि दी गई है ;

(घ) क्या उस पर होने वाले व्यय में राज्य सरकारों का भी भाग होगा ; और

(ङ) यदि उपरोक्त भाग (क) का उत्तर नकारात्मक हो तो निर्णय करने में विलम्ब होने के क्या कारण हैं ?

अन्न, रोजगार तथा पुनर्वास मन्त्रालय में उपमन्त्री (श्री शाहनवाज खां) : (क) अभी तक नहीं ।

(ख) से (घ). अभी तक ड्राफ्ट स्कीम के व्यौरे को अन्तिम रूप दिया जाना है ।