

LOK SABHA DEBATES

LOK SABHA

Thursday, March 5, 1992/Phalgun 15,
1913 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

[English]

Human Rights Commission

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*122. SHRI SHARAD DIGHE:
DR. Y.S. RAJASEKHAR
REDDY:

Will the Minister of HOME AFFAIRS be
pleased to state:

(a) whether the Union Government
propose to set up a Human Rights
Commission;

(b) if so, the composition and functions
thereof;

(c) the time by which it is likely to be set
up; and

(d) whether any legislation in this regard
is under the consideration of the Govern-
ment?

THE MINISTER OF HOME AFFAIRS
(SHRI S.B.CHAVAN): (a) to (d). The Ques-
tion of setting up a Human Rights Commis-
sion is under examination of the Govern-
ment.

SHRI SHARAD DIGHE: Mr. Speaker,
Sir, the answer is that this setting up of the
Human Rights Commission is under exami-
nation of the Government. My question is, in
view of the fact that the Congress Election
Manifesto promised setting up of such a
Human Rights Commission to investigate
and adjudicate complaints of violations of
human rights and in view of the fact that in
several countries including India non-gov-
ernmental Human Rights Commissions are
functioning and therefore, it is necessary set
up an authentic body like this as early as
possible and in view of the fact that India has
nothing to hide as far as violation of human
rights is concerned, I would like to know what
are the reasons which are causing delay in
setting up this Commission by the Govern-
ment?

SHRI S.B. CHAVAN: Sir, I quite agree
with the hon. Member that there is a commit-
ment on behalf of the Congress Party that
'we propose to set up a Human Rights
Commission', but in the context of the terror-
ists' and extremists' activities in different parts
of the country whether it will be worthwhile to
go in for a Government appointed Commis-
sion or whether it should take some other
shape and form is one of the issues which is,
in fact, engaging the attention of the Govern-
ment.

SHRI SHARAD DIGHE: My second

Supplementary is I would like to now from the Government whether in the mean time the Government is proposing to set up a cell under the Home Ministry to monitor all allegations of human rights violations particularly as far as Punjab and Jammu and Kashmir are concerned.

SHRI S. B. CHAVAN: Actually I would not be sure whether it is a cell but there is a small group which actually is working wherein we try to collect all the information from different areas where para military forces, the armed forces, are being deployed for certain duties and a number of allegations which were made against the army and para military forces have been inquired into. They have their system of appointing the court under the Act and it was a very happy when allegations were made against the army itself volunteered through the voluntary organisation like the Press Council of India to go into the allegations which are made against them and fortunately and very happily they have come with a positive conclusion that the allegations made against the army were totally baseless.

SHRI Y. S. RAJASEKHAR REDDY: Sir, bonded labour is prohibited by our Constitution. Yet, according to a recent survey conducted by Gandhi Peace Foundation, there are about 2.6 million bonded labours in India. How does the Government react about it? Is it a fact that the Government contributes to this? Secondly, India runs first in the population of child labour in the world. I have got some report with me. Is it a fact and if so, what does the Government propose to do about it?

SHRI S. B. CHAVAN: In that context of this question I do not have the information. But if the hon. Member were to ask a separate question and that with the Ministry concerned, they would be able to give a proper reply.

SHRI HARI KISHORE SINGH: Sir, it might have been the brainwave of some-

body who drafted the election manifesto of the Congress Party to include this as a proposed action by the future Government. But does this Government really feel that with the presence of an independent judiciary, free press and all that, the Government should have an institution of Human Rights Commission to go into the complaints which come up in the country from time to time? I feel that the Government should be clearly and categorically state that there is no need of forming such a Commission by the Government, particularly in view of the independent judiciary and free press in the country.

SHRI S. B. CHAVAN: May I request the hon. Member to repeat the question?

MR. SPEAKER: In view of the fact that there is an independent judiciary in India, is it necessary to have a Human Rights Commission also?

SHRI S. B. CHAVAN: We have the judiciary; we have the Parliament; we have different institutions working which, in fact, can independently go into all these questions. But with all that also in other countries where similar kinds of institutions are existing, independent bodies are functioning which are Human Rights Commission and somehow they get some kind of credibility. Unfortunately, we have not been able to set up a Commission and that is why all kinds of bodies are working in India and give a totally distorted reports which, in fact, are being picked up by the Human Rights Commission, the Amnesty International. I am sorry to say that they are distorting the entire thing.

SHRI SAIFUDDIN CHOUDHURY: My supplementary is prompted by the Minister's remark that they are still thinking whether this Commission should be Government appointed or it should be of some other shape. Now I think this debate must end. May I know from the Minister whether there will be any credibility of such a Commission which would be appointed by the Govern-

ment and whether it is not proper to have a really neutral and independent Commission formed by the law passed by Parliament under the Constitution and which will have no influence on it by the Government?

SHRI S. B. CHAVAN: This is exactly the question which the Government is considering.

[*Translation*]

SHRI DILEEP SINGH BHURIA: Mr. Speaker, Sir, I would like to know from hon. Minister whether the Madhya Pradesh Government has constituted the Human Rights Commission? I would also like to know whether any guidelines have been issued to constitute such commissions in other States also. If so, what are the norms?

SHRI S. B. CHAVAN: The Central Government has not reached on any conclusive decision in this regard. Therefore, the question of issuing guidelines does not arise.

[*English*]

Central Residential Schools for SCs/ STs in Rural Areas

*123. **SHRI G. M. C. BALAYOGI:** Will the Minister of WELFARE be pleased to state:

(a) whether the Union Government propose to set up Central Residential Schools for Scheduled Castes and Scheduled Tribes in rural area;

(b) if so, the number of such schools likely to be set up during 1992; and

(c) the allocation made for the purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF WELFARE (SHRIMATI K. KAMALA KUMARI): (a) A Centrally sponsored scheme for establishing Ashram

Schools in Tribal Sub-Plan Areas, has been in operation since 1990-91

(b) and (c). During the year 1991-92, there is an allocation of Rs. 2 crore for the Scheme and the grants have been released for construction of 44 Ashram Schools for STs. Under the Scheme, Central Assistance is provided to the State Governments on 50:50 basis for construction of school buildings and upgradation of existing Ashram Schools.

SHRIG. M. C. BALAYOGI: Mr. Speaker, Sir, the hon. Minister's reply is not clear. I have asked the hon. Minister whether the Government is setting up Central Residential Schools for Scheduled Castes and Scheduled Tribes in rural areas, where as the Minister is saying that a Centrally sponsored scheme is there for establishing Ashram Schools in Tribal Sub-Plan Areas since 1990-91. In the public schools, the results are very good.

[*Translation*]

MR. SPEAKER: Balayogiji, you don't have to readout the question.

[*English*]

You have to ask the question.

SHRIG. M. C. BALAYOGI: Keeping this in view whether the Government is going to set up any Central public school for the upliftment of Scheduled Caste/Scheduled Tribe boys to avoid drop-outs and to give better education in the Ashram schools.

[*Translation*]

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): Ashram schools were opened in almost all the States. They were specially opened for Scheduled Tribes and they are working well. As far as question of State Government is concerned, 1555 Ashram Schools are working throughout the