

**Enforcement of Ban on Legal Action
against Policemen**

423. SHRI JYOTIRMOY BOSU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that Government have enforced a ban on legal action against policemen; and

(b) if so, in which States and Union Territories this has been enforced and the details thereof?

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI YOGENDRA MAKWANA):

(a) No Sir, Government of India have not enforced a ban on legal action against policemen. However, some States and Union Territories have amended the provisions of Sections 45(2) and 197(3) of Cr. P.C.

(b) (i) (a) The President has promulgated the Code of Criminal Procedure (Assam) Amendment Ordinance, 1980, so as to amend sections 45(2) and 197(3) in their application to the State of Assam so as to (a) extend the protection available under section 45(2) of Cr. P.C. to members of the Force charged with the maintenance of public order to all public servants charged with the maintenance of public order, and (b) extend the protection available to "members of the Forces charged with the maintenance of public order" under section 197(3) Cr. P.C. to all public servants charged with the maintenance of public order.

(b) in exercise of the Powers conferred by sub-section (3) of Section 197 of Cr. P.C. 1973 (Act II of 1974) the Governor of Bihar, and Lt. Governor of Delhi by a notification, have declared that the provisions of the sub-section (2) of the said Section shall apply to the serving officers and men of the respective police force charged with the maintenance of public order.

(ii) State Governments of Himachal Pradesh, Kerala, Maharashtra, Mani-

pur, Meghalaya Nagaland, Orissa, Sikkim, Tripura, Uttar Pradesh and the Union Territories of Andaman and Nicobar Islands, Arunachal Pradesh, Chandigarh, Dadra and Nagar Haveli, Lakshadweep and Pondicherry have not imposed any ban on legal action against policemen.

(iii) The information from the State Governments of Andhra Pradesh Gujarat, Jammu and Kashmir, Karnataka, Madhya Pradesh, Punjab, Rajasthan, Tamil Nadu, West Bengal and Union Territories of Goa, Daman and Diu and Mizoram is still awaited.

**Criticism regarding distribution of
Salt Land**

424. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the Comptroller and Auditor General's report for 1977-78 has severely criticised distribution of salt land in Bombay;

(b) if so, names and designation of the parties and officials involved in it; and

(c) if so, what action has been taken against officials and the businessmen who have allegedly defrauded the exchequer to the tune of five crores of rupees?

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY (SHRI
CHARANJIT CHANANA): (a) The Comptroller and Auditor General has made the following observations in his report for 1977-78 in regard to unauthorised occupation of Government salt lands in village Chembur, Bombay:

(i) When the Revenue authorities of erstwhile Government of Bombay in 1959 erroneously showed the names of the trus-

tees of these lands in revenue records as occupants of land instead of owners of salt works, the Salt Department did not take it up with them to indicate the correct position;

- (ii) When the State Government awarded compensation to the trustees in December, 1963 for the land acquired by them, no protest was made by the Salt Department;
- (iii) When the condition imposed while permitting transfer of licence (to the effect that the transfer would not imply recognition of the right of the trustees over the land) was withdrawn in November, 1966, the Salt Department did not make it clear to the trustees or the transferee that the land should not be used for any purpose other than for manufacture of salt; and
- (iv) Salt Department did not take action for resumption of the land of the value of Rs. 5.10 crores when the manufacture of salt was stopped in December, 1968.

(b) The parties mainly involved are M/s. Framjit Pestonji Vakil Trust (licencees) and S/Shri Shamji Khimji Chheda and Raoji Khimji Chheda to whom the salt works were transferred. The official concerned was the Deputy Salt Commissioner, Bombay.

(c) Government have issued notices to the parties for taking action under Public Premises (Eviction of unauthorised Occupants) Act, 1971. The parties have challenged the action taken by the Government in the High Court of Bombay and the matter is sub-judice.

Action against officials concerned will necessarily have to await the verdict of the Court of the question of ownership of the land in question.

Influx of Bihari Evacuees from Assam to Bihar

425. SHRI N. E. HORO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the heavy influx of Bihari evacuees from different parts of Assam, mostly from tea garden areas, Gauhati, Digboi and Tejpur, to Bihar;

(b) whether It is a fact that the Bihari workers in Assam oil fields are insecure and are leaving in large numbers for their homes; and

(c) if so, the number of such people and the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA):

(a) to (c) Government are aware that minorities in Assam including the plantation labour and Bihari workers are feeling insecure. There are reports of these workers leaving Assam but a precise number of such persons is not readily available. Government is conscious of its responsibility to provide full security and safety to minorities and is taking all necessary steps in this direction.

Secret Pamphlet on Revolution in Assam

426. SHRI ARJUN SETHI:

SHRI K. MALLANNA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a secret pamphlet, widely circulated in Shillong on the 15th May, 1980 sets out a 35-point programme for a total revolution in Assam through the formation of underground society;