

12.04¼ hrs.

SELECT COMMITTEE ON CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL

Evidence

[English]

SHRI AMAR ROY PRADHAN (Coochbehar) : I beg to lay on the Table the record of evidence tendered before the Select Committee on the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996.

12.04½ hrs.

STANDING COMMITTEE ON TRANSPORT AND TOURISM

Thirtieth Report

[English]

SHRI P.C. CHACKO (Mukundapuram) : I beg to lay the Thirtieth Report (Hindi and English versions) of the Standing Committee on Transport and Tourism on Functioning of Indian Airlines and Alliance Air.

12.04¾ hrs.

MOTION RE : SIXTEENTH REPORT OF THE BUSINESS ADVISORY COMMITTEE

[English]

THE MINISTER OF TOURISM AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SRIKANTA JENA) : Sir, I beg to move :

"That this House do agree with the Sixteenth Report of the Business Advisory Committee presented to the House on the 13th August, 1997".

MR. SPEAKER : The Question is:

"That this House do agree with the Sixteenth Report of the Business Advisory Committee presented to the House on the 13th August, 1997."

The motion was adopted.

[English]

MR. SPEAKER : Now the question is whether we should take up Zero Hour or not.

DR. T. SUBBARAMI REDDY (Visakhapatnam) : We must have the Zero Hour today..(Interruption)

SHRI SONTOSH MOHAN DEV (Silchar) : What about the statement by the Home Minister? ...(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Sir, let us first take up Item No. 18 and then my submission on Item No. 21...(Interruption)

MR. SPEAKER : Will the hon. Home Minister read it? Or, he can place it on the Table of the House.

SHRI SONTOSH MOHAN DEV : Sir, let it be read.

MR. SPEAKER : All right. Yes, Mr. Home Minister.

...(Interruptions)

[Translation]

MR. SPEAKER : I will allow.

...(Interruptions)

MR. SPEAKER : It will be taken up after the Home Minister makes his statements

...(Interruptions)

[English]

MR. SPEAKER : It is about abduction of Sanjay Ghosh, a social worker in Assam

...(Interruptions)

[Translation]

MR. SPEAKER : I have already said that I will allow you .

...(Interruptions)

[English]

MR. SPEAKER : We will allow you today. Let the hon. Minister first make the Statement.

...(Interruptions)

MR. SPEAKER : I will allow you to speak. We are sitting here at least upto 6 o'clock.

12.06 hrs.

STATEMENT BY MINISTER

RE : Abduction of Sanjoy Ghosh — A Social Worker in Assam

[English]

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : Mr. Speaker, Sir, with our permission, I would like to

make the following statement regarding abduction of Shri Sanjoy Ghosh, a social worker in Assam.

On July 4, Shri Sanjoy Ghosh, the General Secretary AVARD-NE accompanied by Chandan Doley (member of AVARD) went to Makhagaon at 10 a.m. as per invitation of the Jubak Sangha, Makhigaon in Majuli, a riverine Island of the Brahmaputra river under the Jorhat district in Assam. Both of them were kidnapped there by armed miscreants on that day. On getting this information, the police immediately swung into action to trace out the abducted persons. However, Chandan Doley, who managed to escape from the clutches of his kidnappers appeared at the Nematighat outpost on 6.7.1997 and reported the matter.

While efforts were on to trace out the abducted Sanjoy Ghosh, the Commander-in Chief of ULFA, Paresh Barua came out with a statement on 9.7.1997 which appeared in the newspapers dated 10.7.1997 claiming that ULFA had arrested Sanjoy Ghosh for being a member of RAW and that he is in their custody. Further, it claimed that they will try and punish him accordingly. On the night of 22.7.1997, ULFA issued a statement which appeared in various newspapers of 23.7.1997 wherein they claimed that Sanjoy Ghosh and two ULFA cadres namely (i) Rupsing Timong and (ii) Kalyan Deori who were escorting him were drowned in the river Brahmaputra when their canoes capsized because of the current of the river on the 8th July, 1997. However, again on 23.7.1997, another press release purported to have been issued by the Publicity secretary of ULFA appeared in newspapers dated 24.7.1997 wherein they stated that Sanjoy Ghosh was alive and very much in their captivity. This led to serious public misgivings and there was genuine apprehensions that Sanjoy Ghosh might have been killed by ULFA while in their custody during the first few days of his abduction and the ULFA was trying to cover the above incident by fabricating different stories for public consumption. The public misgivings and confusion were further complicated by a second press release issued and signed by Mithinga Daimary, Publicity Secretary which was in Assamese language, published in local newspapers dated 24.7.1997 indicating that Sanjoy Ghosh was safe and sound and was very much alive in the custody of ULFA. This was followed by another press statement issued by Paresh Barua, Commander-in-Chief and published in the local dailies that Sanjoy Ghosh would be released provided the following conditions are fulfilled:-

(a) AVARD-NE would wind up all its activities in Majuli and in the State of Assam and would leave Assam for good.

(b) It should seek public apology to the people of Assam for injuring their sentiments.

(c) All operations by security forces shall have to be suspended and if he dies in an encounter, then ULFA will not be responsible for that.

(d) If the above conditions are fulfilled, Sanjoy Ghosh will be released and handed over to a foreign organisation.

In compliance with this, the AVARD-NE wound up their activities and left Assam begging apology to the people of

Assam. At the specific request of the family members of Shri Sanjoy Ghosh, Government decided that the security forces or the police should not take any action in connection with the release of Shri Sanjoy Ghosh since any such action could have jeopardised his life. It was also agreed that some representatives of International Commission for Red Cross based in Delhi could get in touch with the abductors for securing the release of Sanjoy Ghosh, as desired by the family. Since there were some newspaper reports that Government had put certain conditions to ULFA for the release of Sanjoy Ghosh, a press release from the Government was issued on 5.8.1997 clarifying that there is no truth in the press reports and that responding to an appeal from Shri Ghosh's family, the Government have decided not to intervene in any manner with regard to his release, as it is being negotiated directly by the family. However, after fulfillment of all conditions and amidst expectation of his imminent release, a press release purported to have been issued by Publicity Secretary of ULFA on the night of 6.8.1997 appeared in local newspapers on 7.8.1997 stating that Sanjoy Ghosh while trying to escape from their captivity have fallen from a hill in Arunachal Pradesh and died. The press release is silent about his dead body or as to how it is being disposed of ULFA activist Tulen Baruah s/o Nityananda Baruah of Garmur Kharjan, Na-Satra, Police Station Majuli, District Jorhat, who has been arrested in this connection admitted his involvement in the abduction and stated that ULFA activist Phatik Hatomota and Siraj Bora abducted Sanjoy Ghosh Chandan Doley. Subsequently, ULFA activists (i) Bhaskar Barua, (ii) Arup Barua, (iii) Pradip Baruah, (iv) Phatik Hatimota and (v) Siraj Bora took Sanjoy Ghosh to a place called Sikarighat to shift him in a boat. During his interrogation Tulun Baruah further revealed that while Ghosh was in their custody he was killed by ULFA in Majuli itself, contrary of the claims made in the above press release.

Hon. Members would kindly note that in kidnapping cases it is very essential that no undue publicity is given and that matters are handled very cautiously since any wrong moves on the part of the Government or the security forces could jeopardise the life of the kidnapped person. In all such cases, the guiding principle is that preservation of the life of the kidnapped person is given the top most priority. Government have followed this very principle and various functionaries in the Government have been in touch with the family continuously and respected the wishes of the family in this regard.

It is unfortunate that in spite of appeals from various voluntary organisations and human rights organisations from around the world and appeals from eminent persons like Mother Teresa, ULFA not only did not release Sanjoy Ghosh as promised but definitely created great confusion about his life and death. Sanjoy Ghosh has obviously done some excellent development work in Majuli Islands as is evident from the tremendous support he has received from the local community. The actions of ULFA are a naked attack on democracy, civil society and people's rights to organise themselves for their own betterment. The Government of India strongly condemns this dastardly act of ULFA. The State Government has been advised to follow up the investigations in the case already registered diligently.

Notwithstanding what I have already said, I would like to point out that since the dead body of Shri Sanjoy Ghosh has not been recovered so far, in the strict legal sense, we cannot declare that he is dead.

[English]

SHRI KASHI RANA (Surat) : Sir, it is very important. All the non-MPs from Gujarat(Interruptions)

SHRI A.C. JOS (Idukki) : Sir, is it Bihar hour or is it Zero Hour.

DR. T. SUBBARAMI REDDY (Visakhapatnam) : Please see to it that Zero Hour is there.

SHRI A.C. JOS : We want no more of Bihar. We have had enough of Bihar.

DR. T. SUBBARAMI REDDY : We want Zero Hour. Every day, we are talking only about Bihar. How long would we fight for Bihar?

[Translation]

DR. SHAFIQR RAHMAN BARQ (Moradabad) : The Home Minister is present here. He should direct the State Government that injustice being meted out to Phoolan Devi be stopped. She is Member of the Lok Sabha. All the past cases standing against were withdrawn when Mulayam Singhji was the Chief Minister. Despite that, even today she is being harassed. The people of the constituency from where she has been elected have given a clear mandate in her favour. Despite this, injustice is being meted out to her. She is sitting outside the Gate. At present the Home Minister is present here. You should ask him to give such direction so as to see that injustice is not meted out to her.

DR. GIRIJA VYAS (Udaipur) : When in distress, there is no one to come to your rescue. Phoolan Devi is sitting outside the door to express her grievances. It is our duty because on the one hand we talk of women's reservation and are celebrating fiftieth anniversary of Independence and on the other hand atrocities are being committed against women. When dacoits surrendered in 1962 and 1972, the Government stated that their cases would be settled in eight years. Cases of several dacoits who surrendered in 1962 and 1972 have been settled but her case could not be settled. Whatever she committed that time, Mayawatiji wants to raise those crimes afresh.

[English]

MR. SPEAKER : I think, you have made your point.

[Translation]

DR. GIRIJA VYAS : I want to say that we should hear her. If somebody wants to become a good citizen then he should be accepted.

....(Interruptions)

SHRI PRAMOD MAHAJAN (Mumbai North-East) : Mr. Speaker, Sir, Phoolan Devi is an honourable member of this House. She is sitting outside, she must come inside. When Mulayam Singhji was the Chief Minister, he had withdrawn the cases filed against Phoolan Devi. As far as I know, as per law if Chief Minister or Home Minister withdraws a case and a Court refuses to withdraw it, then, no Government can do anything in such a situation. The Court has opposed this withdrawal. B.S.P. and BJP Governments have nothing to do with it....(Interruptions)

[English]

MR. SPEAKER : You have made it clear.

....(Interruptions)

[Translation]

THE MINISTER OF DEFENCE (SHRI MULAYAM SINGH YADAV) : Pramod Mahajanji has mentioned my name in the context of Phoolan Devi. We withdrew all cases and being a woman, on humanitarian ground.....(Interruptions) We are also not weak....(Interruptions) What is this?(Interruptions)

[English]

MR. SPEAKER : Let us listen to the hon. Minister.

....(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV : If they do(Interruptions) What will you do?....(Interruptions) What do you think? We are not such people who.....(Interruptions)

[English]

MR. SPEAKER : Why can you not listen?

....(Interruptions)

MR. SPEAKER : Please listen to the hon. Minister.

....(Interruptions)

MR. SPEAKER : Why you cannot listen?

....(Interruptions)

MR. SPEAKER : You need not have to do like this.

....(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV : I want to say that we released Phoolan Devi on humanitarian grounds. Before this, several notorious dacoits of India have been released. They were totally acquitted in 3-5 years. Phoolan Devi remained imprisoned for eleven years continuously, she is a poor backward and weak woman and whatever has happened to her cannot be narrated here. The day these incidents occurred,