

(H) Action Taken Statements

SHRI BHAGWAN SHANKAR RAWAT: I beg to lay on the Table (Hindi and English versions) of the Statement showing action taken by Government on the recommendations contained in Chapter-I and final replies in respect of Chapter-V of the following Reports:

- (1) 163rd Report (7th Lok Sabha) on Union Excise Duties Knocked down condition.
- (2) 164th Report (7th Lok Sabha) on Union Excise Duties Electric motors and cotton textiles.
- (3) 195th Report (7th Lok Sabha) on Customs Receipts—Delay in revision of tariff values and exemption orders issued under the Customs Act, 1962.
- (4) 213th Report (7th Lok Sabha) on Customs Receipts—Duty exemptions allowed overlooking condition of end-use.
- (5) 1st Report (8th Lok Sabha) on Import of trainer aircraft.
- (6) 5th Report (8th Lok Sabha) on Delay in the installation of continuous channel testing bays (CCTB) and their unsatisfactory performance, irregular purchase of telephones, inventory control and research, development and production.
- (7) 7th Report (8th Lok Sabha) on Customs Receipts—Duty on Passengers baggage.
- (8) 83rd Report (8th Lok Sabha) on Review on the working of Department of Defence Supplies.
- (9) 101st Report (8th Lok Sabha) on Direct Taxes—Irregular exemptions and reliefs and wealth escaping assessment.
- (10) 117th Report (8th Lok Sabha) on National rural employment programme.
- (11) 125th Report (8th Lok Sabha) on Land management in Railways.
- (12) 3rd Report (9th Lok Sabha) on Functioning of valuation cells and valuation of immovable properties.
- (13) 5th Report (9th Lok Sabha) on Blocking up of capital due to non-commissioning of air conditioning plant.
- (14) 11th Report (10th Lok Sabha) on Universal elementary education in the age group 6-14.
- (15) 26th Report (10th Lok Sabha) on Development of weapon system 'X'.
- (16) 28th Report (10th Lok Sabha) on Short billing of telephone calls charges of heavy callers.
- (17) 39th Report (10th Lok Sabha) on Procurement and utilisation of track materials.

12.24 hrs.

[English]

COMMITTEE ON SUBORDINATE LEGISLATION
Fourteenth, Fifteenth and Sixteenth Reports

SHRI PRITHVIRAJ D. CHAUAN (Karad): I beg to present the Fourteenth, Fifteenth and Sixteenth Report (Hindi and English versions) of the Committee on Subordinate Legislation.

12.24½ hrs.

[English]

STATEMENT BY MINISTER

Search conducted in the Ather Hostel Darul Uloom
Nadawatul Ulema, Lucknow

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED): The search incident of Ather Hostel of Darul Uloom Nadawatul Ulema, Lucknow, during the night of November 21/22, 1994, has been the subject matter of controversy and public criticism. To lay at rest all speculations in this connection, I rise to make the following statement to place the facts before this honourable House.

Hon'ble Members are aware that on October 31/ November 1, the U.P. Police rescued four kidnapped persons (three British and one American national) after raiding certain houses in Districts Ghaziabad and Saharanpur. Certain arrests were made on the same day. In the search of the house in Ghaziabad District, where one of the kidnapers was lodged, a driving licence in the name of one Mohd. Nazaru giving a Delhi address was recovered. Based on this lead, Delhi Police arrested Mohd. Nazaru on November 2, 1994. It was later discovered that actual name of Mohd. Nazaru was Mohd. Nazir Khan. Mohd. Nazir Khan, who turned out to be a Pakistani national, on interrogation stated that house number 736, Kucha Fazalpura in Suiwalan, Delhi, had been rented by the gang and was being used as a hide-out.

During the search, of this house, a briefcase allegedly belonging to one of the accused was recovered. It contained (a) one identity card of Lucknow University in the name of Mohd. Khalid Bashir, a student of M.A. (Part-I), Arab Culture; (b) a polaroid photograph of three persons and (c) a railway ticket of Lucknow Mail for journey from Lucknow to New Delhi of October 14, 1994. The accused persons in custody with Delhi Police identified the photograph on the identity card as that of Shahji, the gang leader of the kidnapping conspiracy, and the other two persons as Noorul Amin and Farooq.

On the basis of this information, the Delhi Police deputed a team of investigators headed by an Inspector, to probe further into the lead at Lucknow.

After reaching Lucknow, the investigating team started the verification process. As regards the identity card, enquiries at Lucknow University revealed that the identity card was fake and had not been issued by the Lucknow University authorities. As regards the Railway ticket, enquiries at the Railways indicated that it had been booked in the name of one Khursheed Ahmed, resident of 202,

Ather Hostel, Nadwah College, Lucknow. On receipt of this information, the SIB officials posted at Lucknow contacted the I.G. Zone, Lucknow on November 20 in the office of Special Secretary, Home, U.P., where the Range DIG and other Police officers were also present. It was mentioned that help of the local police would be required in connection with search and arrest of some suspects connected with the recent case of kidnapping of foreigners.

On 21.11.94, the SIB officers contacted the DIG (Range), Lucknow. The plan of the search operation, slated for the 21st night appears to have been discussed with him at about 6.00 P.M. The DIG asked S.P. (Trans Gomti), Lucknow to discuss with the IB officials and the Delhi Police team the details of the plan of operation and make available adequate force to assist the search team. Pursuant to this, a meeting was held in the SIB office at 9.30 P.M. in which modalities of the search were discussed and settled. If not earlier, at least during this meeting, Nadwa College was mentioned and discussed as the object of the impending search. The Lucknow Police deputed the S.P. (Trans Gomti) along with requisite police force, to accompany the search party in accordance with the plan worked out in the meeting.

Around midnight, the search party headed by SP (Trans Gomti) took two chowkidars of the Nadwa College campus along and proceeded straight to room No. 202. The State Police provided security cover near the room and all over the College premises. The inmates of the room refused to open the door and locked it firmly from inside. When repeated advice to open the door failed, the door was broken open. Seven boys were found in the room. When the team was escorting them out, they shouted slogans on which inmates of the hostels in the entire premises came out in large numbers. They tried to obstruct and prevent arrest of the suspects. When the search team was surrounded by an irate crowd of students, the Police personnel fired in the air to secure passage for the team and the arrested persons. In the melee, one or two country made crude explosive devices were also thrown towards the search party but none was injured. Be that as it may, the search team managed to take the arrested persons to the Park Road Police Post for interrogation. In the scuffle to prevent arrest of the suspects, two college students are reported to have received minor bruises, one on the shoulder and the other on his leg.

Preliminary interrogation revealed that Shahji, the prime accused in the kidnapping case was not among the arrested persons. Nor was Khursheed Ahmed among them. The apprehended students were let off within hours of their arrest after a brief interrogation. The U.P. Police have registered a case about the incident which is under investigation.

In a parallel operation on the same night, one Mohd. Abu Bakr Hanif@ Hamza@ Amrikee, a Guyanese national (an ex-student of Nadwah College till March 1994), was also picked up. Abu Bakr was living in a private hired accommodation about 1/2 km. away from the Nadwa College. Abu Bakr had come to adverse notice of the intelligence organisations during the past few months.

Mohd. Abu Bakr Hanif, during interrogation, identified the photograph recovered by the UP Police during the incident at Sharanpur in which the kidnapped foreign nationals were recovered, as that of Khursheed Ahmed who was shown in the Railway ticket as resident of Room No. 202, Ather Hostel, Nadwa college. He was, however, let off by the U.P. Police after some questioning. The circumstances under which Abu Bakr was released by UP Police, despite his involvement with the militants, is being enquired into by the Enquiry Officer of MHA.

The search at Nadwa College was carried out in a routine manner. It is the conventional practice to take into confidence the concerned college authorities whenever an operation of this kind is carried out. This convention should have been particularly observed in dealing with reputed and well established educational institutions. Available information indicated that the authorities, who planned and carried out the search, had not done so. Moreover, the search party should have exercised more care and caution, circumspection, better strategy and planning in organising search operations. In a sensitive matter like this Home Ministry should have been kept informed: this has not been done.

The Ministry of Home Affairs has, therefore, appointed a Special Secretary in the Government of India to inquire into the incident. Appropriate action would be taken on submission of the enquiry report.

Pending the completion of enquiry, an officer from the Delhi Police has been suspended, and two officials from IB, Lucknow have been transferred. U.P. Govt. is believed to have transferred four officers. (Interruptions).

[English]

MR. SPEAKER: Now, Statement by Minister of Parliamentary Affairs.

...(Interruptions)

SHRI VILASRAO NAGNATHRAO GUNDEWAR (Hingoli): Mr. Speaker, Sir, I have been giving the notice for the last four days. A deadly attempt on any life has been made; I may be given an opportunity to speak ... (Interruptions).

MR. SPEAKER: I am not responsible for transacting the Government Business.

...(Interruptions)

12.28 hrs.

At this stage, Shri Vilasrao Nagnathrao Gundewar came and stood on the floor near the Table.

MR. SPEAKER: Okay, I will allow you after this. Kindly go back to your seat.

12.29 hrs.

At this time, Shri Vilasrao Nagnathrao Gundewar went back to his seat.

MR. SPEAKER: Now, Statement by Minister of Parliamentary Affairs.