

16.09 hrs.

CRIMINAL LAW AMENDMENT (AMENDING) BILL

AS PASSED BY RAJYA SABHA

[*English*]

MR. CHAIRMAN: Now, we take up item no. 8. Shri Mufti Mohammad Sayeed.

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, I beg to move:

"That the Bill to amend Criminal Law Amendment Act, 1961, as passed by Rajya Sabha, be taken into consideration".

Sir, the publication of correct maps of the country is a matter of national concern as depiction of incorrect boundaries of the country amounts to indirectly questioning the frontiers of India and the territorial integrity of the country. Any tendency/action on the part of anybody to question the territorial integrity and frontiers of the country has to be curbed and stringent action is required to be taken to discourage other persons from indulging in such activities. Government is keen to ensure that only correct maps of the country are published.

16.10 hrs.

[SHRI VAKKOM PURUSHOTHAMAN *in the Chair*]

Several measures were taken in the past for this purpose. In 1966, instructions and guidelines were issued to the State Governments/Union Territory Administrations to see that publishers get their maps vetted in advance by the Survey of India who publishes the authentic maps of the country. It was decided later that the Survey of India would make available on free sale basis the outline maps of various scales which the publishers could utilise as base. In such cases, it would not be necessary to get the

maps scrutinised by the Survey of India before publication. Where maps were to be prepared on scales different from those on which outline maps were made available by the Survey of India, the publishers were required to get them vetted before publication. In spite of these measures, instances of incorrect depiction of external boundaries of India by private agencies and newspapers continued to come to notice. It was not found feasible to take action under the existing law unless it was proved that a wrong map was published in a manner which was or was likely to be prejudicial to the interests of the safety and security of India or that *mala fide* intention was involved.

During discussion in this House on 21st August, 1987 some hon. members had pointed out that publication of a wrong map of India was taking place frequently. Hon. members had also desired that the Government adopt some foolproof provisions or arrangements to curb such publications in future and consider having a law to enable the Government to take action against persons publishing wrong maps of the country. At that time, the House was assured that if the legal provisions were not sufficient enough to take deterrent action against those who distorted the maps of our country, the Government was willing to review the whole thing and come forward to this House with a view to taking stringent action against them.

In Rajya Sabha, the Bill was supported by all section of the House and was passed without any amendment.

With these words, I commend the Bill for consideration of the House.

MR. CHAIRMAN: Motion moved:

"That the Bill to amend Criminal Law Amendment Act, 1961, as passed by Rajya Sabha, be taken into consideration."

SHRI P. CHIDAMBARAM (Sivaganga): Mr. Chairman, Sir, we welcome this Bill and we support this Bill. Sir, I only wish that the

Home Minister had, in his opening remarks, mentioned that the Bill was prepared by the previous Government and approved during the tenure of the previous Government. That is why, this received unanimous support in Rajya Sabha and I am sure, this will receive unanimous support in this House. We think, this is a wholesome measure. This casts strict liability on those who publish maps. They cannot escape under technical defence. Whoever publishes a map which is not in conformity with the map of India published by the Survey of India is now liable to be punished. This was a measure which was contemplated, prepared and drafted by the previous Government and I am glad that the new Government though it fit to introduce it in the same manner as we had approved it.

We support this Bill.

SHRI JAGDEEP DHANKHAR (Jhunjhunu): Mr. Chairman, it is a non-controversial Bill. I am quite sure the credit goes to the earlier Government also. It is a timely Bill. The incidence of misrepresentation of our boundaries was on the increase. Now, there is a definite provision in the Bill whereby punishment could be meted out to the persons who are engaged in such mischief.

Map symbolises the sovereignty, unity and integrity of a country and its misrepresentation is a serious matter. Earlier, there was no definite provision in the existing criminal laws whereby the authorities could proceed in a categorical manner against the defaulters.

I need not take much of the time here. But there are several instances, in the changing political complexion, where extensive publications are coming out, misrepresenting our boundaries over one area or the other. This is happening overseas also and I am quite sure the Government will act very vigilantly by taking diplomatic manoeuvres and initiatives to see that overseas publications also do not misrepresent our boundaries. I wholeheartedly support this Bill.

MR. CHAIRMAN: Order please. I have no objection to your talk. But the sound should not reach the Chair and cause disturbance to others.

SHRI JAGDEEP DHANKHAR: I wholly agree with my brother Shri Chidambaram and I give him the fullest congratulations that it was his Government which mooted the idea though after many decades.

[Translation]

SHRI GUMAN MAL LODHA (Pali): Mr. Chairman, Sir, while extending my whole-hearted support to the Bill I would like to remind my colleagues in the Opposition that merely making an amendment, in principle, regarding the map of India would not be much useful. According to it, the publication of a distorted map of India is being made a punishable offence. The present Government is going to make an amendment in section 2 of the Act to provide that any person who has incorrectly depicted the external boundaries of India would be punished, but mere distortion of the map will not be an offence. At the time of Chinese invasion when thousands of miles of our territory had been occupied by the Chinese, the Congress Government was in power at the centre and they had pledged here in the House that every inch of Indian territory which has been unauthorisedly occupied by China would be taken back. But even today the areas like Mansarovar lake, a part of Tibet and Aksai Chin, where Major Saitan Singh and thousands of other soldiers had laid down their lives, continue to be under the unauthorised occupation of China. Therefore, I would like to say to the hon. Members of the Congress party that mere a provision on the paper will not do. We should take back our land for which our brave soldiers had shed their blood and sacrificed their lives. The depiction of Indian map with all that territory which includes Mansarovar, Tibet and Aksai Chin etc. will make it a complete map of India and restore its all grace and greatness as the Greater India. We used to recite the follow-

[Sh. Guman Mal Lodha]

ing lines in her praise—

"Mansrovar jheel jahan hai, chandan
ka van hai nyara,
Aisa pyara desh hamara, sari duniya
se hai nyara."

India should once again have its sovereignty over all its parts. For this purpose I would like to request all the hon. Members of both the Houses of Parliament to work for this objective. While passing this amendment Members of all the political parties should express political will that the forcibly occupied territory would be taken back and a complete map of India would be depicted again.

The Section 2 of the Amendment Bill says that whoever questions the territorial integrity or frontiers of India in a manner which is or is likely to be, prejudicial to the interests of the safety or security of India, shall be punishable....."

However I regret to say that while bringing an amendment the hon. Minister must have taken note of the original provision made under section 2 of the parent act which initially provided the punishment for a period of three years but the proposed Amendment has brought it down to six months which is quite insufficient. I would not like to involve myself in this controversy but would like to take the Bill in its true spirit to say that whoever questions the sovereignty of the country should be given deterrent punishment.

With these words, I wholeheartedly support this Amending Bill.

[Translation]

SHRI AMAL DATTA (Diamond Harbour): This Bill is amending an Act which was passed in 1961. The 1961 Act has certain provisions regarding cartographic war, making claim of some other country's

territory or questioning the sovereignty or territorial integrity of a country. That Bill made an offence of a visible representation amongst other things, questioning the territorial integrity of frontiers of India in a manner which is or is likely to be prejudicial to the interests and safety and security of India and that offence was punishable by imprisonment which could extend to a term of three years. This was happening. This was there and in spite of that various maps were being published in India and abroad and circulated in India the maps that were published abroad which did not represent the actual territory of India as published by the Survey of India—the claim of the Government of India regarding the territory of the people of India. What was happening? Even in spite of this provision being there in the law, why was it necessary to bring another Act? This is a question about which, I think, the hon. Minister should have told something. We have not been made any wiser. The other thing is: how will this make it possible to punish those who are questioning the integrity of India by some kind of a cartographic war? Will it make more possible to do so by punishment for an offence whose punishment is much lesser. Previously, that was three year and this is only for six months. What was the immediate cause of bringing forward this Bill? It was actually brought forward on first August 1989. It was first introduced in the Rajya Sabha on that date as per the Bill.

Now, I will try to go through the paper clippings which are practically the only resources available in the library. I found that in 1987, there were several publications; there were several maps, maps published by the *Newsweek* two or three times in the same year which showed a part of the territory of India as once belonging to China; second time the same territory belonging to Pakistan. Further, one map on Bangladesh published by some very well known publisher in India also showed part of India belonging to Bangladesh Export Processing Zone. They were advertising through a map. In that map, part of the territory of India was given over to China or Pakistan. This is what happened. Finally, what extracted a promise

from the then Home Minister S. Buta Singh was a publication by the Tamil Nadu Government which also showed part of India as China's territory. So, the then Member Shri B.S. Ramoowalia belonging to the Akali Dal Party brought it to the attention of the Home Minister and the Home Minister promised—this incident happened in August 1987—that he would soon bring forward a Bill to redress the situation if the existing punishments were not stiff enough, if the existing penalties were not good enough. I do not know whether somebody really applied his mind to see whether the existing penalties were good enough, stiff enough or not. But this Bill has been brought forward. We support it. It is not that we are opposing it. We are supporting it. But the point is: may be in that particular Clause something more could have been added if something more was needed. That Clause was comprehensive enough to punish anybody who questioned the territorial integrity of India by means of a map. A map is a visible representation. That is possibly known. But this is an addition which may create some difficulties in course of time because one inflicts lesser punishment than the other.

There is, of course, some certainty added because of the question: What is the territory of India? This is finally concluded by the map published by the Survey of India. If that expression had been given to that particular section, it would have been enough. A map which is published by the Survey of India is final. If anybody questions the integrity of that territory of India, he is making a visible misrepresentation. He is questioning the integrity of India. But this has not been done. What I would like to know is whether the Government has in fact taken action right from 1961 when the Criminal Law Amendment Bill was passed and made this kind of cartographic war a punishable offence. From that time till now, has the Government actually prosecuted anybody? Has it been at all used? Probably, the answer is 'no'. (*Interruptions*)

SHRI SONTOSH MOHAN DEV (Tripura West): Who is he to answer for the Government?

SHRI AMAL DATTA (Diamond Harbour): Somebody said so because they were in Government. Some of you will know better than the present Home Minister. The law has been changed. It is all right. But the Government has to answer to the House by taking some more action and by being more vigilant. It is only when somebody else points out to the Government that so and so has published a map which give up part of the territory to Pakistan or gives a part of the territory to China, only then the Government wakes up and makes a statement in the House and then takes two years to bring a Bill. This is the kind of patriotism or a sense of duty of the Government itself, of the previous Government. So, they have protected to the best of their ability the sovereignty. It is now for our Government, to which we support, to do so.

SHRI SONTOSH MOHAN DEV: Our Government?

SHRI AMAL DATTA: 'The Government which we support'. I have corrected myself.

Another thing which occurs to me in this connection, is that many of these maps are published abroad, in the Newsweek or some other journal which has a circulation in India. Now some maps have been published in Moscow and have come. And in some parliamentary discussion, Mr. Ajit Singh had pointed out that Mr. Gorbachev readily agreed to correct the map of India published in the USSR. He said "As soon as he goes back, he will see to it that the map is corrected." But the then Prime Minister refused to take up this matter with USSR Government. He had criticised it and found it in the press published about the inaction of the Prime Minister in India. Now there have been inaction not only of the Prime Minister but of the entire Government throughout this period. There is no point in changing the law when the Government is not going to act on that law. Nobody has been prosecuted. No Government has been questioned. Can the Ministry tell us whether any Government has been questioned—the US Government or whichever Government had published it or whichever country has published it. They were

[Sh. Amal Datta]

responsible to see that the territorial integrity of India is not questioned by publications of our country. Have you lodged any protest? What has been the response to the protest? We would like to know these things. Otherwise, what is the point in waiting the time of this House by bringing such bills which will never be put to any use? My question is very simple. We are all ready to support the Government in maintaining the territorial sovereignty—although this did not come from the previous Government. Territorial integrity must be protected not only in the map but in actuality also and in fact, on the grounds also. But we must also see that the Government acts. We must prompt the Government to act. We must make the Government accountable in this House in respect of the maintenance, the attitude and the territorial integrity of India, in map also. They must report to the House and, if necessary, the Government must set up a separate section for that. A person must be appointed to look at all the maps and report. And the Government should report about the action taken on this. Otherwise, there is no point in unnecessarily burdening the law books of this country. So, we support the Bill. But we ask the Government to act, to be vigilant and also to report to the House whenever this thing happens, whatever action they have taken and what is the response of the Government.

MR. CHAIRMAN: Now a statement by the hon. Deputy Prime Minister regarding the Jute Price Policy.

16.29 hrs.

STATEMENT REGARDING PRICE POLICY FRO RAW JUTE FOR THE 1990-91 SEASON.

[Translation]

THE DEPUTY PRIME MINISTER AND THE MINISTER OF AGRICULTURE (SHRI DEVI LAL): The Government of India has

fixed the minimum support price for TD-5 grade of jute in Assam for the 1990-91 season at Rs. 320 per quintal. This marks an increase of Rs. 25 over the price fixed for the last year. The corresponding prices for other grades of raw jute shall be fixed by the Jute Commissioner of India, Ministry of Textiles, in the light of normal market price differentials.

We are confident that the Minimum Support Prices will enthuse the farmers to continue to step up the production of raw jute.

The Jute Corporation of India will undertake price support operations as and when required. The Corporation would take its decisions in respect of jute transactions on a commercial basis and make its purchases from the cultivators at the prices that may be warranted by the prevailing market conditions, but in no case below the minimum support price.

16.30 hrs

**CRIMINAL LAW AMENDMENT
(AMENDING) BILL—CONTD.**

[English]

SHRI P.C.THOMAS (Muvattupurzha): Sir, I am supporting this Bill whole-heartedly. It is quite relieving at this stage that a Bill of this nature has been brought before the House. Secessionist activities are increasing in some of our borders. At this stage any kind of publication against the recognised publication as per the Survey of India should be very seriously dealt with. In fact it is not only the publishers, but also the person who are behind them should be booked in such cases. I am afraid, though this amendment is good enough to catch hold of persons who are directly responsible for such publications, it is not enough to catch those persons who are actually responsible and who are actually behind the publication. In many a case we find that person who are respon-

sible are not coming within the definition of the persons who are the actual publishers.

I have also moved an amendment to this Bill. I am not speaking on the amendment, but I would like to say that the power of prosecution is given to the Government. Why it comes to the notice of any citizen of India, it must be within his power to go directly to a court of law and lodge a case against such a person.

As has already been said, the punishment sought to be given is too low. I would think that a punishment which is deterrent and also a punishment, the minimum extent of which is to be specifically mentioned.

When we are going to pass such a law at this stage, I am reminded of a statement which was made by one of our leaders in Kerala, belonging to the Left Democratic Front. I am not accusing him. At one stage when the country was in real difficulties, when there was a war with China in 1962, a piece of land was described by one of our eminent leaders as a piece of land which China says as theirs and which we say as ours. Such type of misunderstandings should not be there—Leave alone with leader—even with any person. Let there be a Bill and let there be a law in which the boundaries of India are well defined. The boundaries of India cannot be changed at the will of any person and it cannot be changed by the invasion of anybody from outside or even by the actions of secessionists or terrorists from any portion of India.

[Translation]

SHRI TEJ NARAYAN SINGH (Buxar): Mr. Chairman, Sir, I support this Bill and would like to say that such a Bill was a must for the safety of our territorial integrity. The enactment of law creates a fear in the minds of those who do not abide by law. However, it is altogether a different thing that there are law abiding citizens who are always ready to sacrifice any thing for the security of their country even if a law to that effect has been or has not been enacted. There are certain

people who do not bother about the security of the country and with that thing in view, this bill, which was necessary has been brought. The map of the country should depict the original boundaries of the country as they were at the time of partition. Indian territory occupied by the China should also be shown as the part of our territory. If anyone shows the aforesaid land in the map of China, he will be guilty and action should be taken against him. And if any foreigner publishes a wrong map of India, action should be taken against him as per the provisions of law and in case an Indian citizen depicts a distorted map of India, action should be taken against such person. If legal action is not taken in such cases, it would lead to lawlessness. Therefore, this Bill is in the interest of the country. With these words I welcome the Bill.

[English]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, Shri Amal Datta has pointed out that the Government should be very serious in taking action and asked what was the necessity in bringing this amendment.

Sir, according to Section 2 of Criminal Law Amendment Act, 1961,

"Whoever by words either spoken or written or by signs, by visible representation integrity or frontiers of India in a manner which is, or is likely to be prejudicial to the interests of the safety or security of India, shall be punishable with imprisonment for a terms which may extend to three years or with fine or with both"

"In order to constitute an offence under the above provision of law, the following conditions are to be fulfilled i.e. territorial integrity and frontiers of India are questioned:

- (1) by visible representation or sign or words written or spoken;
- (2) it is done in such a manner which is

[Sh. Mufti Mohammad Sayeed]

likely to be prejudicial to the interests of the safety and security of India."

So, Sir, it was very difficult to prove any person or any publisher who publishes a wrong map of India that he has done that with a *mala fide* intention or rather harming the territorial integrity of India. And so, this amendment was suggested, whereby no private citizen can make any complaint. Under Sub-section 3 of the act, no court shall take cognisance of the offences punishable under Sub-section 2, excepting on a complaint made by the Government.

Regarding the suggestion made by Shri Amal Datta that whenever such wrong maps are published, there should be some agency which should look into the matter and take necessary steps, I have nothing to add.

MR. CHAIRMAN: The question is:

"That the Bill to amend Criminal Law Amendment Act, 1961, as passed by Rajya Sabha, be taken into consideration".

The motion was adopted

MR. CHAIRMAN: Now, the House shall take up Clause-by-Clause consideration of the Bill.

Clause 2-

(Amendment of Section-2)

MR. CHAIRMAN: There are amendments to Clause 2.

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Sir, I beg to move:

Page 1,-

for lines 8 to 11, substitute

"(2) Whoever publishes a map of India or has published during

the last two years, which is not in conformity with the maps of India as published by the Survey of India, shall be punishable with imprisonment which may extend to two years and with fine" (3)

SHRI NATHU SINGH (Dausa): Sir, I beg to move:

Page 1, lines 10 to 11,-

for "six months" substitute "one year" (4)

SHRI P.C. THOMAS (Muvattupuzha): Sir, I beg to move:

page 1,-

omit lines 12 to 14. (5)

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr Chairman, Sir, I would like to make the following Amendment in it:-

[English]

"Whoever published a map of India or has published during the last two years, which is not in conformity with the maps of India as published by the Survey of India, shall be punishable with imprisonment which may extend to two years and with fine."

[Translation]

It means that period of imprisonment should be extended from six months to two years. The Bill contains the expression 'imprisonment or with fine' which means there will be either six months imprisonment or fine. It again means that the offender will not be punished with imprisonment but only with fine. I would like to suggest that the term 'six months' imprisonment should be substituted by 'two years imprisonment' and the words 'or with fine' be substituted by 'and with fine'. The persons involved in such

actions should not be allowed to go scot free only with the punishment of fine because it concerns the maps of the country. I would say that more stringent law should be made for this purpose.

Secondly, it should also be ensured that the Survey of India have the correct maps. The Indian territory under the Pakistan occupation which is called the Azad Kashmir should also be shown on India's map. Land occupied by Pakistan in Punjab should also be shown in the map of India. The map of India has become so distorted after partition that the students or even the teachers cannot draw the correct map of India. Many of our learned friends in the House also cannot depict the correct map of our country. Perhaps the hon. Minister may also not know as to which of the areas are the parts of India. Instructions should also be issued to the Survey of India that the land occupied by China and Azad Kashmir and the areas of Punjab now under the occupation of Pakistan belongs to us. And in case any one published a wrong map of India, he should be punished with two years imprisonment and with fine. What I mean to say is that instead of 6 months, he should be punished with two years imprisonment and with fine. I am introducing this Amendment with the intention to strengthen the National Front Government. Due to the publication of wrong map, Pakistan is browbeating today and saying that this land has been shown in the map as their land and China says that it has been shown in the map as their territory.

I support the Bill brought by the Government and request that my Amendment should be accepted. To stress this point, restriction should be imposed on the Survey of India and if they also publish a wrong map, there should also be a provision to punish them. The Government should ensure that in future, no wrong map is published. I would like to request the Government to make it a point to accept my Amendment.

SHRI NATHU SINGH (Dausa): Mr. Chairman, Sir, I welcome the introduction of this Bill, but it would have been better, had it been brought much earlier. Many a time, we

have read in the newspapers that distorted versions of the Indian map have been found on balloons. Such things have been found in Uttar Pradesh, Bihar and some other States. Sometimes, these materials are in the Chinese language and sometimes in some other language. The Government should also make an amendment in the Bill to the effect that stringent punishment would be given to those who distort the original map of India, or those who are found in possession of such material. It is necessary to make such a provision, taking into consideration, the activities taking place in Punjab, Kashmir and other parts of the country.

You must have read in the newspapers that militant groups are very much active in the north-eastern parts of the country, like Assam, Manipur and Nagaland. They have planned to rebel. Under these circumstances, they can make and distribute distorted versions of the Indian map in other languages and make an excuse that these maps have come from outside. Therefore, in order to curb such tendencies, a provision should have been made that those who are found in possession of such material, would also come under the purview of this Bill and would be liable for punishment. In this Bill, a provision for only six month's imprisonment has been made. It would have been better, had it been made for one year. I am saying this because going by the activities of the militants, provision for six month's imprisonment is not sufficient. Therefore, in order to instil fear in their minds, the punishment should be increased to one year. My second submission is that as the hon. Member just pointed out, the district administration should be held responsible in case such a matter is reported to them and they do not take any action. The District Collectors and the SPs or the SHO should be held responsible if such a case is reported within their jurisdiction.

I support the Bill introduced by the Government.

[English]

MR. CHAIRMAN: Mr. P.C. Thomas, have you got anything more?

SHRI P.C.THOMAS: I am not adding anything. My only amendment is that Clause 3 should be deleted so that the right to prosecute will not be limited to the Government. Even a private person should get an opportunity to bring the offence to the notice of the Court and prosecute.

MR. CHAIRMAN: Mr. Minister, have you got to say anything?

SHRI MUFTI MOHAMMAD SAYEED: Sir, I oppose all the amendments.

MR. CHAIRMAN: Mr. Girdhari Lal Bhargava, are you pressing your amendments? The Minister has already opposed your amendments.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: I request the Government to accept the amendments or else I will have to withdraw them. I am a part of the Government and had submitted these things, with your permission. I will make only those submissions, which would satisfy the Government.

[English]

MR. CHAIRMAN: Has Shri Girdhari Lal Bhargava the leave of the House to withdraw his amendment?

MANY HON. MEMBERS: Yes.

The amendment No.3 was, by leave, withdrawn

MR. CHAIRMAN: Mr. Nathu Singh.

NATHU SINGH: I seek leave of use to withdraw my amendment.

MR. CHAIRMAN: Has Mr. Nathu Singh the leave of the House to withdraw his amendment?

MANY HON. MEMBERS: Yes.

Amendment No.4 was, by leave, withdrawn

MR. CHAIRMAN: Mr. P.C.Thomas.

SHRI P.C.THOMAS: I must hear something from the Home Minister for me to withdraw my amendment. The Home Minister is not saying any reason as to why he is opposing the amendment. If the reason which he gives is convincing to me, I may withdraw.

SHRI MUFTI MOHAMMAD SAYEED: I request the hon. Member to withdraw his amendment.

SHRI P.C.THOMAS: I seek leave of the House to withdraw my amendment.

MR. CHAIRMAN: Has Shri P.C.Thomas the leave of the House to withdraw his amendment.

Amendment No.5 was, by leave, withdrawn

MR. CHAIRMAN: The question is:

"That Clause 2 stand part of the Bill"

The motion was adopted

Clause 2 was added to the Bill

Clause 1-

(Short title)

Amendment made

Page 1, line 4,-

for "1989" substitute "1990" (1)

(Shri Mufti Mohammad Sayeed)

MR. CHAIRMAN: The question is:

"That Clause 1, as amended, stand part of the Bill".

The motion was adopted

Clause 1, as amended, was added to the Bill

Enacting Formula

Amendment made

Page 1, line 1,-

for "fortieth" substitute "Forty-first"
(2)

(Shri Mufti Mohammad Sayeed)

MR. CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill"

The motion was adopted

The Enacting Formula, as amended, was added to the Bill

MR. CHAIRMAN: The question is:

"That the long Title stand part of the Bill".

The motion was adopted

The long Title was added to the Bill

SHRI MUFTI MOHAMMAD SAYEED: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted

16.32 hrs.

[English]

STATEMENT ON ESCAPE OF DETENUES
FROM THE SRINAGAR CENTRAL JAIL
ON 28TH MARCH, 1990

THE MINISTER OF HOME AFFAIRS
(SHRI MUFTI MOHAMMAD SAYEED): Sir,
In response to the anxiety expressed by the

Hon'ble Member during the zero hour in regard to the incident of jail break in Kashmir I wish to inform the House that it has been reported by the Government of Jammu & Kashmir that in the early hours of 28th March, 12 **detenues** escaped from Central Jail, Srinagar.

All these detenues were housed in a special barrack meant for high-risk security prisoners. It is learnt that they broke open an iron wire net and, subsequently, scale down the jail wall by use of an improvised ladder. The security forces in five sentry posts as well as the Watch Tower of the Jail could not detect the escape. The headquarters of a BSF Company besides their two platoons were deployed on security duty in the Jail.

Most of the 12 escapees are known JKLF activists and Pak/POK-trained militants who were under detention under the State Public Safety Act (PSA). Nine of them were residents of border districts of Kupwara and Baramullah. Among those who escaped are Khurshid Ahmed Chalkoo and Abdul Rasheed Jalta who were known to be guides for taking Kashmiri youth across the border for arms training. Another escapee, Nissar Ahmed Paul, is a discharged JKP Constable, who was arrested for subversive activities. The particulars of escapees are:

- (i) Nissar Ahmed Paul, S/o Abdul Rashid,
- (ii) Khurshid Ahmed Chalkoo, S/o Ali Mohammad of Uri,
- (iii) Majez Bhat, S/o Fozdar Bhat,
- (iv) Bashir Ahmed S/o Ahmed
- (v) Azad Khan S/o Alfa Khan
- (vi) Abdul Rashid Sheikh S/o Ghulam Ahmed Sheikh.
- (vii) Ghulam Rasool Shah S/o Ghulam Mohd.
- (viii) Gulam Nabi Lone S/o Late Mohammad Subhan.