

12.20 hrs.

CALLING ATTENTION TO
MATTER OF URGENT PUBLIC
IMPORTANCE

Reported death of many Adivasis and
Injuries to other as a Result of Firing by
Police in Sahebganj District of Bihar

[*Translation*]

SHRI HARISH RAWAT (Almora) :
Mr. Speaker, Sir, I call the attention of
the Minister of Home Affairs to the
following matter of urgent public
importance and request that he may a
statement thereon :

“Situation arising out of the
reported death of many Adivasis
and injuries to others as a result of
firing by Police in the Sahebganj
district of Bihar and the action taken
by the Government of India in the
matter”.

[*English*]

THE MINISTER OF HOME
AFFAIRS (SHRI S. B. CHAWAN) :
Sir, I rise to speak on the unfortu-
nate incident that took place on 19th
April in village Banjhi, District
Sahebganj, Bihar.

2. As reported by the State
Govt. of Bihar, it appears that on
25th March, 1985, a dead body of an
Adivasi was found floating in a tank in
village Banjhi, P. S. Borio whose fishing
right was settled on one non-Adivasi
(known as Diku) Moti Bhagat of the
same village. Adivasis had resented
this settlement and suspected hands of
Moti Bhagat in this murder as he did not
allow fishing by Adivasis and other
villagers in the tank. In reaction,
Adivasis had damaged the house of Shri
Moti Bhagat and set fire to wood stock
near the tank on 25th March, 1985.
On getting information, deputation of
armed force with Magistrate was made
and necessary preventive measures taken.
On getting further information of possi-
bility of trouble on 26th March addition-
al armed forces with a Magistrate was
sent along with Sub-Divisional Magistrate
and Dy. S.P., S.D.O. assured the
Adivasis that appropriate action would

be taken against those responsible for the
said murder and that traditional fishing
right in the tank would continue as
usual. Thereafter, the Adivasis dis-
persed. As a precautionary measure,
proceedings under section 107 Cr. P. C.
were initiated against both the parties.
In order to maintain law and order, two
sections of Armed Police Force, two
A.S.Is., and one Inspector with
Magistrate were deputed at the place of
occurrence.

3. However, the atmosphere
seemed to have become vitiated.
After organising a meeting in village
Rekso, P. S. Borio on 15th April, 1985
in this connection, which was addressed
also by Shri Sibu Saren, and Shri Simon
Marandi, the two sitting MLAs, Adivasis
started agitational programme in different
parts of the district against non-Adivasis,
Mahajans and Police Administration.
In this meeting, provocative speeches
were made and tribals were asked to
assert their rights vis-a vis non-Adivasis.

4. As further reported by the State
Govt., on 19th April, 1985, Adivasis
put up road blocks around village Banjhi
P. S. Borio, distt. Sahebganj. Before
the police reinforcement could reach the
village in the afternoon, the tribals who
had gathered in strength, started attack-
ing non-tribals and looting and burning
their properties. In this process some
houses and a post office was burnt. The
mob there surrounded the police camp
and attacked it with bricks and arrows.
After taking all precautionary measures
and finding no alternative to save life
and property, Police had to fire twenty
five rounds in which 15 persons have
been killed including Anthony Murmu,
former M.P. Divisional Commissioner
and range D.I.G. have visited the spot
and reported that situation is fast
returning to normal. Supply of essential
commodities has been arranged for every
village since the market is still closed.
On inquiry by them from villagers, it
appears that around half a dozen
Santhals have received injuries but are
not coming up for treatment to any
hospital. They are being persuaded to
receive treatment in the villages under

the supervision of doctors who have been sent from Sahebganj. No report of any untoward incident or tension has been received from anywhere thereafter. Police pickets accompanied by Magistrates have been deputed at all police stations. Intensive patrolling is continuing.

5. Chief Minister along with Chief Secretary and Director-General of Police visited place of occurrence on 22nd April, 1985 and talked to Adivasis and non-Adivasis. State Ministers Shri Thomas Hansda and Shri Sarju Upadhyia accompanied him Shri Somon Mandhya, MLA, was also present there. Peace Committees comprising prominent local members from Adivasis and Non-Adivasis have been formed to restore complete normalcy in the area. Divisional Commissioner has already commenced an inquiry into the police firing. He has been instructed to submit inquiry report early. Chief Minister announced ex-gratia payment of Rs. 5,000 each from Chief Minister's relief fund to the next of kin of each deceased person and Rs. 1,000 to each injured person.

[*Translation*]

SHRI HARISH RAWAT : The statement made by the Hon. Minister shows that if the local administration had taken precautionary measures in time, this unfortunate incident could have been averted. According to this statement, there was not one but three opportunities when the senior officers of the area could visit the spot and settle the issue then and there through persuasion, but none of the senior officers tried to do so. When, the Adivasis became violent and tried to *gherao* the police station and started looting the people belonging to a particular community, the action taken by the senior officers of the area was that they resorted to the police firing.

I would request the Hon. Minister to apprise the State Government of our feelings that senior officers should not have shown such indifference in this matter.

It is a matter of great regret that ever

since the Adivasis and Tribal people have become conscious of their rights, the number of crimes has been increasing. This is the reason for the increase in resentment in the areas inhabited by the Adivasis. It may be North eastern States, which are governed by the Adivasi people, or Bihar, Orissa, Madhya Pradesh, U. P. or Himachal Pradesh, which have non-*adivasi* governments, there is resentment among the Adivasis on account of varying reasons. These may relate to 'Koolistan' or 'Gorakhaland' or creation of separate States for Bastar and some other areas in Bihar. Various separatist forces are raising their heads. There is need to go deep into the causes of all these things.

According to my information, we have formulated many schemes for the welfare of the Adivasis. Many laws have been enacted. Parliament and State Assemblies have passed resolutions on many occasions to implement the welfare programmes meant for them, but there is need to see whether these resolutions are being implemented or not in the real sense. I feel that the major reason for resentment among them is that they are being evicted from the lands on which they have been traditionally doing shifting cultivation, irrespective of the fact whether they had the proprietary rights with them or not. Under various laws they are being prevented from making use of their lands. At many places certain people had purchased their lands because of their being illiterate. The State Governments enacted laws to make this purchase of land null and void, but these laws could not be enforced properly. In my area the people of the Tharu community live in Tarai region. Their lands were purchased by the affluent people. These affluent people own 100 to 200 acre farms at present and these people, who were once owners of those lands, are working with them like bonded labour. The State Government have enacted the law, but has not been able to enforce it. The Madhya Pradesh Government have taken an initiative in

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this respect. I would suggest that you ask other State Governments also to take similar initiative so that the traditional right to property is restored to the tribals. I further suggest the Hon. Minister to bring forward a Central legislation in regard to the tribal land so that they may not remain the mercy of the State Governments or remain dependent on their implementation machinery. You should bring a Central legislation and a Central machinery should look after it.

Moreover, I would like to submit that the Adivasis living in any region of the country earn their livelihood through forests. The legislation passed by the State Governments or the Central law enacted in 1980 in regard to forests has hit at their traditional rights in respect of forests. The Adivasis feel that the Forests Conservation Act, 1980 and the State Acts have hit at their traditional rights. They used to earn their livelihood through forest products and now they are living at the mercy of the Forest Officers, Police Officers and others. I would like to submit that you should advise the State Governments to restore the traditional rights to the Adivasis, whether they are Banjaras or other people. At many places, the cultivated land in the Adivasi areas is in the possession of State Governments or the pressure groups and almost all the big projects are generally built in tribal areas. The Adivasis are evicted from there and they have to vacate that land. But when the question of their rehabilitation comes, they are not given any preference in the matter of providing employment or alternative sites to them. You should take steps to ensure their timely rehabilitation.

I feel that another reason for resentment among Adivasis is that the outsiders exploit them because of their simplicity. You have said in your statement that they have expressed their resentment against a particular community, i.e.,

Mahajan. They have looted their property. The Adivasi problem is a big one and there is no scope for detailed discussion here. I would like to know from the Hon. Minister what steps are proposed to be taken to save the Adivasis from the middlemen and the exploiters

As I said in the beginning, we have given many incentives and have taken initiative in regard to the welfare of the Adivasis. In the Fifth, Sixth and the Seventh Five Year Plans, we have tried to ensure more allocation for them each year. There has been an increase in allocations also. Large funds have been provided. But it is seen that the officers, who have been entrusted with the job of implementation, do not have any understanding about the tribals. They do not have sympathy towards their problems. Generally they lack the requisite sympathy and the spirit of commitment towards implementing the programmes, resulting in great resentment among the Adivasis. Hence, I would urge you to set up a permanent machinery, other than the Ministries in the States, which may implement the programmes meant for the welfare of the Adivasis.

I would also like to submit that different Ministries allocate funds for the tribal Sub-Plans, but many of the States do not spend the entire funds. I would like to know the amount spent by the States out of the funds given to them under the Tribal Sub-Plans during the years 1983, 1984 and 1985 and the amount spent by them for other purposes. There was a press report in 1982 or 1983 in respect of Uttar Pradesh that only 50 percent of the funds allocated to the State under the Tribal Sub-Plan for implementing the welfare programmes for these people were utilised. Similar may be the case of other States also. You provide funds to the State Governments under the Tribal Sub-Plan and the State Government reallocate those funds to the different departments. Will you ask the State Governments to give these funds to only that department which is

responsible for the tribal development? Will you spend that money through that department only?

In addition, will you see whether the funds allocated to the States under the Sub-Plan have been properly utilised or not? Have the funds provided by you been spent for the purpose for which they were provided? Will you make some monitoring arrangements? Are you prepared to go into these questions?

Then, it is necessary to preserve the culture of the tribals. We have to see that all the programmes meant for their social development are in accordance with their culture and way of life. One of the reasons for the resentment among them is that Government are working against their culture and way of life or contrary to their feelings. If we undertake any welfare work for them, it should be done after persuading them. In this work you should engage those persons, who may keep all these things in mind. They should implement welfare policies meant for them without hurting the feelings of the Adivasis. What steps are being taken by you in this direction?

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN) : Mr. Deputy-Speaker, Sir, if I go into the questions raised by the Hon. Member, it will be a full-fledged debate on the work being done in the tribal areas.

I want to make it clear that *prima facie* my impression is that perhaps, this incident could have been averted had the police officers of the State Government acted in time. But, it would not be proper for me to give my opinion while sitting here. I cannot say anything about what situation the local officers were facing at that time and particularly when the inquiry into it is going on, it will not be proper on my part to express any opinion about that. But, *prima facie*, I agree with your opinion.

It is true that a new awareness is

being witnessed in all the tribal areas. A new awareness for their rights appears to be gaining ground. It is very heartening to note that how an awareness is there among them about the rights which they have been given and the rights which should have all along been given to them. But, at the same time, there are some extremist elements, the elements who are forcing them to adopt a wrong course by taking advantage of their resentment.

We have requested all the State Governments that the schemes in the tribal areas, whether they are Central Government schemes or State Government schemes, or whether they have been started by the banking institutions for their benefit, should be properly implemented and good officers having faith in the welfare of the tribals should be assigned the job of implementation of such schemes. We have told all the State Government about it and we have also given financial incentives to these people, so that all these schemes could be implemented properly under their supervision.

The report that I have received from the Government of Bihar says that they have constituted a monitoring committee to see how the programmes for the tribals are being implemented at the project level, the district level and at the state level and that they have appointed such officers as coordinate their efforts to find out, how the programmes for the tribals are being implemented.

I agree with your opinion to a large extent. The tribal people have their main interest in their lands, but due to poverty, the dominant section usurps their lands because of their riches and money lending business in spite of a ban on such land transaction. The State Governments have enacted laws in this regard, but in spite of inalienable rights, the land is sold to them and they will have to return that land. Such laws have been enacted by each State, but

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the position in all the States is not uniform. In some States, the work in this regard is done efficiently whereas in the case of some other States, this work has not been done properly. I shall again write to all the State Governments, particularly about the fact that the laws enacted to restore the lands of the tribal people should be properly monitored and efforts should be made to do as much work as possible to restore the lands to the tribals by fixing specific targets year-wise.

Mention was made about the Forest Conservation Act and it was said that it affected the traditional rights of the tribals. I do not agree with it. The Forest Conservation Act is aimed at checking the illegal felling of trees and large scale deforestation. The true culture of the tribals is in the forests and this Act has been enacted for their protection.

SHRI HARISH RAWAT : I want to bring to the notice of the Hon. Minister the fact that when the tribals go to the forests to bring tree leaves for feeding the sheep, goats and other cattle, they are prevented by the Forest officers from doing so.

SHRI S. B. CHAVAN : So far as I know, there is no such restriction in the Act. Still, I shall try to gather information in this respect so far as my information goes, it can be a matter of harassment by the lower level officers. Under the provisions of this Act, there is no restriction on the traditional rights, if somebody brings tree leaves for cattle feeding. This is the position as far as I know and *prima facie* also it does not appeal to me. I agree that with a view to harassing the people or extracting money from them, the local officers might be indulging in such kind of things, but I do not think there is any such restriction in the Act. Still, I shall try to get information in this regard.

Then comes the question of middlemen. Steps have been taken to emancipate the Adivasis from their clutches. Today, an impression has gained ground among the tribals, which is true also, that whosoever comes there comes to exploit them. An impression is gaining ground among them that the people who come for the welfare of the tribals, actually go there for their exploitation. This impression needs to be removed. With a view to removing this impression, if the people who want to sincerely work among them go there and provide them with all the facilities, only then we shall be able to restore confidence in them. Efforts have been made to minimise the role of the middleman. The contract system prevailing there has since been abolished. Efforts are made to get all the forest work done through forest societies and labour societies. About 120 Forest Labour Co-operative Societies have been formed there and the entire work is done through them. The forest labour rate which was Rs. 4.50 till 1982 has been enhanced to Rs. 8.50. Thus, they have been benefited by eliminating the middleman.

Fair Price Shops are also being opened there. Low Societies, which are called 'LAMPs' by the tribals have also been opened there in large numbers so that the tribals could be protected against the exploitation of shop-keepers. Arrangements have been made in this connection. We hope that the committees which have been functioning for their welfare, would implement the schemes formulated for the welfare of the tribals. The funds provided by the Central Government and the State Government would be utilized in a proper manner. I think the work done by these committees would benefit these people very much.

SHRI ZAINUL BASHER (Ghazipur): Mr. Deputy-Speaker, Sir, by going through the Statement of the Hon. Home Minister, it appears that the Bihar

Government have not tried to deal with this matter very seriously, which has been admitted by the Hon. Home Minister also. If efforts had been made to deal with this matter tactfully and keeping in view the feelings of resentment among the tribals, I think this tragic incident would not have occurred. Yesterday, our Hon. Speaker had expressed a very good feeling that the efforts at creating an atmosphere of violence in the country should be checked and the people of the entire country, the Members of all the political parties and this august House, should condemn the incidents of violence. First of all, I would like to express my sympathy to those people who have been killed or injured in the Police firing. There is a resentment brewing for a long time in Bihar, Madhya Pradesh, Orissa and Bengal and Central parts of India, which have a large concentration of the tribals. Economic or social factors might be the cause of this feeling of resentment. The tribals have been accustomed to a particular way of life. They have been leading a particular way of life for centuries in the forests. Now, there is development of Science and Technology. It is a coincidence that our mineral deposits are located in these very areas. Power plants and canals have also to be constructed on the land in these areas. Therefore, with development, these people are coming in contact with the outside world and naturally this is causing a feeling of resentment and hostility among them. This feeling of hostility and resentment is aggravated. When they do not get justice as a result of the growing development. These people have been deprived of their lands because of the development projects which have been completed and are in the process of implementation and appropriate compensation has not been paid to them for their lands. They have been paid a nominal compensation. In the places, where development projects are being undertaken, factories are being set up, railway lines are being laid or canals and hydro-electric projects are being constructed, there also the lands belonging to the Adivasis have been acquired.

In such cases, it has been the policy of the Central and the State Governments to provide job to at least one member of a family whose land has been acquired, but this policy is not being implemented. This matter has been raised many a time in the House. We have raised this matter in the consultative committees of Unions Ministries as well, but one person from each family is not being given employment. The persons residing in Rourkela Steel Plant area have not been provided with jobs. In the areas where Railway Projects are being undertaken, the people have not been provided with jobs. The people living in those areas where hydro-electric projects are being constructed have also not been provided with jobs. When the public sector units have not provided them with jobs and have not done justice to them, how can one expect justice in the private sector where people from outside areas are always appointed ?

Mr. Deputy Speaker Sir, according to my information, the employees of the Forest-Department are appointed from outside areas even in these forests which are surrounded by the tribals and the local tribals are not provided with any jobs. Naturally this causes a feeling of resentment among them. This feeling of resentment is being exploited by those who want to create an atmosphere of terror and violence in the country. This has led to demands for separate States. Sometimes there is the demand for a separate Jharkhand State and sometimes the demand is raised for a separate Kaihan State, to which our Minister of State for Home Affairs Shrimati Ram Dulari Sinha had referred sometime back in Rajya Sabha. Sometimes some elements try to incite this feeling of resentment among them and some foreign agents are also active in this work. We have also received complaints that some foreign missionaries, active in these areas, are also involved in this activity. These people are also inciting and inciting them to adopt a hostile attitude. Under such a situation, it becomes imperative on our part to pay attention to the basic

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problems of these tribal people, because economic and social problems are the cause of their resentment. I agree that these people do not have any political ambition which might be exploited by some people. I would, therefore, like to ask the Hon. Home Minister if he has got any clue regarding the involvement of foreign elements in inciting them? When Gianiji was the Home Minister, he had said that in any foreign involvement was found, we would put to an end such an involvement. Has he found any foreign involvement or not? Has he conducted any inquiry in this regard? Has the Ministry of Home Affairs conducted any inquiry to know about the activities of the foreign missionaries functioning in such areas? If any inquiry has been made in this regard, what has been the results of that? There is volcano of disintment in the tribal areas and it might erupt at any moment. It is high time that we redressed their grievances and in the background of the atmosphere of unrest, terror and violence all around the country, we should pay special attention to these tribal areas. I still hold the view that these people do not have very high political ambitious, but they have economic and social problems which must be solved. I cannot blame the Bihar Government for the recent incident, because I do not have full details thereof, but the gap between the number of people of various castes and classes in the Police and the administration in Bihar has grown so much that the possibilities of excesses being committed on the tribal people cannot be ruled out. The report in this regard, which would be submitted later in or the information which would be collected by the Home Minister through his sources would provide complete details, but *prima facie* it appears that the way the Bihar administration is falling a victim to casteism, communalism and class, considerations and the position of the Bihar Police there is good deal of likelihood excesses have been committed against the tribal people. The reason for this likelihood is that

every time it is the tribals and Harijans who are killed. Sometimes caste Hindus kill Harijans and sometimes other people kill tribals and sometimes the Police kill in collusion with both. Therefore, there are possibilities of excesses being Committed on them. Keeping in view all these factors, it becomes imperative on the part of Government to keep a close watch on the Bihar administration and to remain alert specially with regard to the Police. In addition, the recruitment of tribals in the Police Department should be increased

Mr. Deputy-Speaker, Sir, whenever riots have occurred in the Counting, whether there riots were communal riots or riots in the basis of caste, time and again a demand has been made in this House that the minorities, the Harijans, and the ex-servicemen should have reasonable representation in the State Police forces. I am happy to say that this section of the society has got sufficient representation in the CRPF and the BSF and that is why there are no complaints against the personnel of the CRPF and the BSF. On this basis, letters on behalf of the Central Government have been written to the State Governments that these people should be given more and more representation in the Police but the State Governments are not paying any heed to it. I would like to know from the Hon. Home Minister if he would take any action in this regard so that the minorities and the tribals could be given greater representation in the Police Forces of various States.

Mr. Deputy-Speaker, Sir, in the end I would like to urge Government that there should be a judicial inquiry into this incident of firing. The inquiry to be conducted by the commissioner is meaningless. In an incident where fifteen persons have been killed in firing and there is an atmosphere of terror among the tribals, if becomes necessary that judicial inquiry through a High Court Judge or Supreme Court Judge be ordered into the entire episode, and only then the true picture would emerge.

The moneylenders, traders and contractors get the land settlement done in their own favour with the help of the Administration. In the first instance, they grab the land which has been in the occupation of the tribals for 100 years or 150 years and thereafter they are between up by their goondas and then land settlement is got done in their own favour with the help of the Administration. Such things are being frequently reported. This love and attachment of the tribals towards their land sometimes leads to riots. I would, therefore, like to ask the Hon. Minister if any Central agency would make a detailed survey for a new settlement and whether it would be decided in such a survey that there will not be any encroachment on the lands of the tribals and the laws for the sale of their lands will be strictly implemented ?

With these words, I would request the Hon. Minister that he may kindly reply to my questions.

SHRI S. B. CHAVAN : Mr. Deputy-Speaker, Sir, it is very difficult to reply to all the points which have been raised through this Calling Attention Notice. I have noted all these points. I agree with your view that their economic and social condition under which they live and the manner in which they have been exploited by the people have created a feeling of frustration among them and they want that they should be relieved from such a situation and this feeling of getting freedom from such a condition has emptied sporadically. I would also like to add that there is a growing feeling of discontentment among them. If the people who have been suppressed till now raise their voice, it is also not liked by some people. It is a sign of social awakening among them, which should be supported by us. It is a good thing among them. Even if they go on the wrong path, we should not put the blame on them. Instead we should provide relief to them and protect them and check their exploitation. We should provide them protection against harassment by the middle men and the officers.

These are the basic issues for which guide-lines could be issued by the centre and the Union Government could advise the States. But it would not be proper for us to take over this responsibility.

13.00 hrs.

Just now an Hon. Member asked if the centre had any plan to make a comprehensive survey regarding the alienation of land by some people. We have no objection to making such a survey, but a parallel machinery would have to be set up there. In my view, if a parallel organisation is set up and such a survey is made by the Centre, it would not be possible to take any follow up action if the State Government do not take interest in it. This work should be done by the State Government. We shall have to motivate them and provide them incentives and only then this work could be done. The Central Government can impress upon the State Governments to speed up this work to the maximum extent and this we would certainly do.

I have come to know that there is a new feeling of awakening in the tribal areas in various States and slowly they are plucking up the courage to raise their voice against those who have been exploiting them. It is a good sign. Some people who want to have political advantage out of this situation as also some extremists and missionaries have penetrated into these areas.

In the name of providing education, social service and other facilities, organisations have been working there for the last 10 to 20 years or even for longer than that. If social organisations are banned, it is likely to be misconstrued. Social service should continue, but a strict watch should be kept by the Central Government as well as the State Government to check anti-national activities in that area and to thwart the efforts of the people to take political advantage of the situation in the tribal areas. But I am not perturbed about it so much as I am perturbed

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about the diversion of crores of rupees meant for their welfare and benefit. This is a matter of great concern for me. I would myself visit those areas and find out if any schemes could be formulated in consultation with the people of those areas, which could benefit them directly. I would apply my mind towards this. I am happy to say that I have made a special request to my colleague, Shrimati Ram Dulari Sinha, to visit those areas and she has accepted my request to go there. She would go there tomorrow and study the entire situation and we would decide about the future course of action.

So far as the judicial enquiry into this matter is concerned, it should be left to the State Government. Although it is a State Subject yet as it concerns the Adivasis, we are also concerned with it. But law and order, in any case, is a State subject. In the matter of law and order when a judicial enquiry is pending it will not be within our jurisdiction. The Chief Minister has returned from there only yesterday and if he thinks it proper, he can make an announcement to this effect on behalf of the State Government. But we do not think it proper to give our opinion in the matter from here.

About money-lenders and contractors, I have dealt with it just now.

Whatever has been said about employment or the compensation being less, when their lands are acquired for various projects, is true and some people should come forward to help them. There are still some shortcomings in this matter.

If all the political parties and political organisations support their case to provide justice to these people, these people would be able to get whatever is due to them under the law. At least one member from each of their families must get a job. A law has been enacted in some of the States for their rehabilitation. We would ask the State Governments to make amendments in

the laws for their rehabilitation in a proper manner without delaying other schemes.

SHRI ZAINUL BASHER : They are not being taken in many Central projects.

SHRI S. B. CHAVAN : Without apportioning blame to the public sector, the private sector, or the State sector or the Central sector, I would say this much that none of them has been as careful as they should have been. I do agree that this lacuna should be removed. We would have to think in a different manner in this regard. I do not think it proper to reply through a calling attention notice in this regard.

[English]

SHRI C. MADHAV REDDI (Adilabad) : The statement of the Minister does not clearly show about the action taken by the State Government after one Adivasi was murdered in that particular village. It is last month, about five weeks ago that this incident occurred and before that series of incidents had occurred in Santhal Parganas because of the proposal of the State Government to divide Santhal Parganas which is inhabited by the Santhals and other tribals into 3-4 small districts and they were feeling that the Adivasis will be in minority in all the districts. There was agitation about this, a lot of discontent about this and the situation of tension, existed in the whole of Santhal Parganas. It was easier for the State Government to know that this murder was likely to lead to a lot of law and order situation.

I would like to point out that this particular incident in Santhal Parganas is not an isolated incident, as has been pointed out by other Hon. Members. In other States similar incidents had occurred during the last 2-3 years. I am reminded of a very serious incident which occurred in Adilabad District. In the Indravali firing, about 40 tribals were killed and hundreds of tribals

were wounded and a reign of terrors started after that. Then there was an incident in Maharashtra, I remember in Dule District. I suppose on the Bhils of the District, There was an attack by the armed gang employed by the landlords in which about 8-10 persons were killed. The whole settlement of the Bhils was wiped out and their cattle were driven away and so on and so forth such incidents occurred in Gujarat, in Madhya Pradesh, in Bastar. Mandias suffered such incidents. In several places, such incidents occurred and there is a uniform pattern of these incidents. I agree with the Hon. Minister that there are certain extremists who are trying to exploit the situation.

But I feel that since this is of a recent occurrence, particularly because we used to hear of the insurgency activities only in the North-East Provinces, that were going on for a number of year. But in the Central India and in the Eastern India such incidents were rare. But today we see that in all these tribal areas there is trouble. State Governments had promulgated a number of measures including Land Transfer Regulation Act. It is good that the land which the tribals had lost and alienated illegally should be restored to them. Law should be made and implemented to see that these lands are restored to them. But we must remember that all these tribal areas even though we have some concentration here and there, are mixed population areas. The tribals live along with the Harijans and other people. All types of people go there, purchase lands there and settle down. We have to see that the lands alienated 15 to 20 years back, may be illegally, are taken back and restored to the tribals people. The lands should be restored to the original land owners, but in the process we are creating bitterness. Some States have barred the interference of courts. But several States have not done it. On the one side the tribals are not happy because of Court's stay orders, and on the other side the non-tribals are also unhappy. There is a talk in some places that non-tribals will have to vacate and go away, that

a day will come when the non-tribals will have to go away from the tribals belts. I have seen many cases where the non-tribals could not alienate the property to some other non-tribals. The non-tribals has to sell only to the tribals which means that the property has no value, because these are interferences with the property rights of the individuals.

Now, if such is the case, naturally there is a feeling of insecurity among the non-tribals and the tribals are not feeling very safe because both the tribals and non-tribals are on the path of confrontation. We should have such a policy in the tribal areas which will not lead to confrontation between the tribals and the non-tribals. They have to live happily and they have to live peacefully.

The Hon. Minister was talking about the money-lenders and the merchants who are there, in the tribal areas. The money-lenders are going because the credit is required by the tribals. The so-called Kangal banks in Maharashtra and Madhya Pradesh are still in operation. It is a shame that we still have these Kangal banks in operation in these areas, and we have failed to supply the credit to the tribals, or to take care of the credit needs of the tribals.

Now, coming to the Santhal Parganah 19th April incident, I am aware that an inquiry is going on. But I feel that this type of inquiry is no good, because unless we have a judicial inquiry the truth will not come out. We are particularly anxious to know why action has not been taken and why nobody has been arrested when a murder has taken place. Had they taken action immediately after the murder this thing could have been avoided. I feel the Hon. Minister would agree to a judicial inquiry. I know that this is a State subject, but tribal welfare is a central subject. Even though law and order is the subject of the States, because tribal welfare is involved, and

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it is a very serious situation, having its repercussions elsewhere, we can suggest to the State Government that they should institute a judicial inquiry into it.

SHRI S. B. CHAVAN : Most of the points which the Hon. Member has raised, I have clarified in the beginning in reply to two other colleagues of ours, who spoke in the beginning.

I am not aware of any such proposal of having divided Santhal parganas into three or four districts as the Hon. Member has alleged here. I have inquired from my esteemed colleague, Shrimati Ram Dulari Sinha, who happens to come from Bihar. She is also not aware of any such proposal of dividing Santhal Parganas into three or four districts and reducing the Adivasi population to a very small minority. Certainly, we will have to look into it. I think, this is not a solution to the problem. The solution to the problem does not merely lie in reducing them to a minority. Actually their socio-economic conditions have to be improved. There are many welfare schemes meant only for them. We have to take special care to see that the benefits definitely reach these people. This is exactly what we are thinking of doing.

There can be a large number of incidents which can be quoted from different areas. I will not be able to reply to any of those points. But the fact of the matter still remains that under some of the Acts where alienation is prohibited and in spite of that if the lands are being sold to non-Adivasis then it is the primary responsibility of the State Government to see that those lands are restored to the Adivasis. We will have to take special care in this respect. I have been given to understand that in Bihar they have set up monitoring committees at the district project and State Government levels. But merely setting up committees is not

going to solve the problem unless the objective with which these committees have been set up, is fulfilled. I cannot ask the State Government to hold any judicial inquiry. It is primarily a State subject. Looking into the circumstances which arise if the Chief Minister feels that a judicial inquiry is necessary, then it is entirely within his domain to order a judicial inquiry. The Central Government cannot interfere in the matter.

SHRI DHARAM PAL SINGH MALIK (Sonepat) : I know that certain points have already been touched. I would like to highlight the remaining points.

MR. DEPUTY-SPEAKER : But be brief. Do not take more time.

SHRI DHARAM PAL SINGH MALIK : The Adivasis have been agitating for a long time against non-Adivasis at both political and non-political levels. There is no denying the fact that Adivasis have been exploited over the centuries both by non-Adivasis Indians and outsiders. The Jharkhand Mukti Morcha has, for a long time, been operating as the so-called representative of the Adivasi interests. There is every reason to believe that the foreign powers are out to destabilise India. They are jealous of our progress. Those foreign powers are behind the Adivasis versus non-Adivasis differences. There are reports of anti-national elements inciting the Adivasis. Naturally, this is a cause for great concern for this august House. But the point is that what our intelligence agencies are doing. After all, the attack on the Banjhi village must have been planned and then the plan was executed. How is it that our intelligence agencies could not foresee all this? I would like to be excused if I say that our intelligence agencies need to be very cautious. We have lost our beloved leader and former Prime Minister, Shrimati Indira Gandhi. These agencies begged their share of blame for this. This House is greatly concerned

over this type of incidents which are developing in Assam and Punjab. It would not be surprised if those very powers who are operating in Punjab and Assam are also operating actively among the Adivasis. The Adivasis are simple folks. They are innocent though poor and neglected. They have definitely been misled by anti-national and anti-social elements.

In the circumstances it is my humble submission that no time should be lost to improve the economic, social and cultural lot of the Adivasis and other tribals of this great country so that nobody could dare to incite our brethren in order to jeopardise the integrity of this great nation headed by our dynamic Prime Minister, Shri Rajiv Gandhi.

Now, the question arises when the Government was already aware of this dispute about the fishing rights between Adivasis and non-Adivasis, sufficient steps should have been taken to prevent this incident. If it was not done, then who is responsible for it and what steps the Government propose to take against those officers who are responsible for this ?

Secondly, as stated by the Hon. Minister, the dispute about fishing rights was settled between the Adivasis and one Mr. Moti Bhagat. May I know from the Hon. Minister who is this Moti Bhagat and what right he has got to oppose the ancestral fishing right of Adivasis, and how he has got this dispute settled ? I would like to know from the Minister whether the Government machinery was involved in setting this dispute or not.

Thirdly, what steps the Government propose to take to safeguard the ancestral fishing right of Adivasis so that no such incident takes place in future ?

And lastly, may I know from the Hon. Minister whether there is any

proposal of the Government to give more liberal assistance to the victims of this incident from the Central funds ?

SHRI S. B. CHAVAN : Sir, I have clarified most of the points which Hon. Member has made, excepting perhaps the point on which the clarification has been sought by the Hon. Member and that is about who is this Moti Bhagat and how is it that he has been able to settle the fishing rights between Adivasis and himself. The fact of the matter, as it has been reported by the Bihar Government to us, is that this tank was leased to Moti Bhagat for fishing purposes and traditionally, whosoever gets the lease, he uses to allow the traditional rights of the local Adivasis for fishing in the tank. But, for the first time, or might be that in this particular case, though this was a traditional right, which had been going on for a number of years, Moti Bhagat did not allow them to fish in that pond and that is how the whole trouble started. Later on, when the officers intervened in the matter, they brought about the settlement and prevailed upon this Moti Bhagat to allow the Adivasis their traditional right of fishing in that area. So, this was kind of settlement which was arrived at. I do not think that I need clarify all other points. Most of points which the Hon. Member has made, were also raised by other Members and I have replied to all those points.

SHRI PIYUS TIRAKY (Alipurduar) : Sir, before I begin, I would like to record my unhappiness. You have mentioned here that a former M.P. was killed by the police firing but you had not informed the house at the time of his arrest. Earlier, it was done whenever some M.Ps. were killed or they died. Secondly, Sir, you have to be very serious. It is not a question of State Government alone. The President is looking after the interests of the entire tribal areas of the country, so, it is the duty of the Home Ministry also to see that wherever the tribals are harassed, the Government of India

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should come forward and see why or who are the people who are harassing them politically, economically or otherwise. The tribals do not want to live on the mercy of the State Governments. We have seen the Assam problem and we have also seen how that problem has spread over a number of other places like Mizoram, Nagaland, Meghalaya, etc. They are still fighting for their political rights. The tribals India is asking for its political rights. They do not like to be ruled by anyone. They have got their own common laws. They were very peace-loving people but their culture and everything is being exploited by all sorts of people going into the tribals areas in the name of politics or otherwise because corruption is spreading to all the Departments. So, before I come to the tribal problem, I would ask the Government whether it is serious about their problems, whether it has discussed their problems with their leaders here. The leaders are Sibhu Sorong, Suraj Mondal, Krishna Hemrom Anand Toppno and Narayan Jonko. If they want to have some solution there, are the Government ready to sit and discuss with them as to what can be done for Adivasis? They are working with the political party there. Are the Government ready to sit with the Adivasi leaders working in different political parties in the area? If you want to have a permanent settlement there, can you tell what they want, what their suffering is and what they would like to have? They do not like to go outside India, they were the first persons to come to India, they loved India and they remained in India with others, but they will not tolerate this sort of harassment and corruption and they do not want to be treated as second-class citizens. Perhaps you have not given information to the House about the killing of the ex-MP, who was a Member of this House. I know that because he was an Adivasi, the House was not informed.

Sir, they had a demand for a separate State in that area. What is wrong in

it? Bengal asked for it, Punjab asked for it, Haryana was divided and a number of States were divided according to the language the people speak in a particular area. If tribals have their own culture, language and tradition and common laws and if they want to live in India having a separate State, what is wrong in it? Do you like bloodshed to be there like in Punjab or Assam? In Assam what is happening? Many Assamese are coming to West Bengal because Bengal is their former State. It is the same case with Orissa and Madhya Pradesh also. So, it is a just demand. You should not neglect the voice of the tribal India; otherwise, it will be too late for you to get out of this turmoil. It is tribal blood. Once they become angry, nobody will be able to save you. So, be careful about this tribal India and take concrete and sincere steps to go through their demand. You have got the Chotanagpur Tenancy Act there. What is it? Please give a copy of it to all the Members of Parliament. Let the Members know what this Chotanagpur Tenancy Act says to protect the rights of the tribals in Chotanagpur area and the tribal area so that they will come and speak about this here. You have already said that all the land which has been taken by non-Adivasis will be returned. Please ask the Bihar Government to what extent they have taken action on that question.

Jarkhand wants to be a separate State. For that you will say that anti-national movement is going on there. You do not want to accept Adivasi leadership. Wherever an Adivasi leader comes, you say that he is an agent of Missionaries or he is an anti-national or he is an extremist. This is the situation. You still think that Adivasi cannot think properly, they are sub-human and these people should not be given political rights. If this is the understanding of the Government of India, it will fail on this issue and just now you are seeing that in Punjab they are fighting for a petty religious thing. But tribals are fighting for their

existence. Everywhere they are fighting for their existence. So, I warn the Government and specially the Central Government and appeal to them to see that these poor people are not exploited anywhere. Even in the case of services, they are treated as second-class citizens. Even in officers cadre, even in promotion cases also, the Adivasis are not there. In Bihar, there are many Adivassis. How many Adivasis are there in the police and in the administration? Chota Nagpur, Santhal Parganas and Singhbhum are mostly tribal districts. But how many of them are in the services? I will say none. From North Bihar, outsiders, those who have no regard for Adivasi culture, no regard for Adivasi language, no regard for their way of life come. These people are worse than the Britishers. They go for exploitation. They go for looting the adivasis. They go for raping the adivasi women. So, be careful about it. This is the first warning bell. 15 people have been killed by the police. You have said that the quarrel has erupted. Who others have been killed? You have not mentioned. Why have the police concerned not been arrested or dismissed otherwise? Because it was adivasi, you do not take any action. Had it happened in Punjab, Ministers would have gone there. Had it happened anywhere else, you would have had a sleepless night. It is because they are Adivasis, you have nothing to do and you speak with smooth-tongue.

You blame the missionary. If the missionary is not there, the tribals would have been doomed. You take Meghalaya. Your Government has been there and it is boasting that it has recruited a number of tribal people. Who have done it? It is the missionaries who have educated these tribals. They have regard for the tribals language, they have regard for the tribals culture and therefore they have helped the tribals. Your Government should be more concerned now about the welfare of tribal people. They should be brought on the mainstream of the Indian national life. No politics should be brought in the case of adivasis. Lot of

money is being spent in the name of their welfare. For whom are you spending? You never call for any record. How much of this money has done good to them? You have no record of it. You are satisfied that crores of rupees are spent. But adivasis do not want your help. They want political rights. They want that they must be able to survive and stand on their own legs. They do not want your help. They do not want corrupt Government and those corrupt officers who go there for exploitation.

I would now ask the questions. I have already put some questions. Are you serious to sit with the leaders? I will tell the names of the leaders also. They send the instructions that the police should kill their leaders and no leadership should grow. You have mentioned the names of two or three leaders also. I will request you to sit with those leaders and find an amicable solution. I will give some names. They are Narayan Jonko, Krishna Hemron; Anand Toppno, Suraj Mondal; and Sibhu Sorang. They are the noted people and the Bihar Government have pointed out that any-how they must be killed. They have sent the instructions, "It is your duty that no tribal leader whichever party he may belong to, should be saved. Otherwise, the thing will go on the wrong way." So, if you are clear in your mind to find the solution, you please sit with these people and sort out the issue and work out the programme. There is still time. If it goes on like this, it will go the Punjab way or the Assam way or even the Tamils way or the Gujarat way. So, Sir, I repeatedly tell the Hon. Minister that he should sit with these leaders who are in a position to sort out the issue and find a solution.

They have asked for the continuance of their laws and customs. Common laws of the adivasis should be respected. They have their own laws. Those laws should not be disturbed. You have put your own panchayat there. That panchayat is of corrupt people. The

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adivasis have no faith at all in your police and your judiciary. It is because, they have become a purchasable commodity. The justiceis being purchased in our country. How can you hope that adivasis can get justice? Your police can be purchased. Your police there and here also are helping only those who have money and who can pay them. The police goes to the help of those people who can give them good *Khana-Peena*. That is why the poor Adivasis are being harassed and killed. You must immediately stop that.

The Opposition in Bihar have demanded the dismissal of the Bihar Government. Bihar is caste-ridden State and they speak on caste lines. Such a Government should not be authorised to rule Bihar. Ours is a democracy. We do not speak on caste lines or religious lines. If the voting system in Bihar is on caste lines, if it still exists and it is going on like that, the Government is not worth its name to rule Bihar. And that should be dismissed immediately.

SHRI S. B. CHAVAN : Only two points I would like to clarify. The first is about the information which is supposed to be given about the ex-M.P. who has died. I will myself find out if the Home Ministry is supplying the information about all the MPs and, if so, why it is that in the case of an Adivasi ex-MP this kind of a discrimination has been done. I do not think this is going to be correct. But still unless I check it up, it will not be possible for me to saying anything positive on this matter.

The second question is about asking the Bihar Government to find out as to how far they have been able to implement the law in restoring the land to Adivasis which normally they were not supposed to pass on to non-Adivasis. If non-Adivasis have purchased the land in spite of the fact that there is a ban on alienation of this land and if they have taken a decision to restore the land, we will certainly look into it as to that progress they have made in this matter.

When I talked about consultation with different people in regard to welfare schemes meant for the welfare of Adivasis, whosever is prepared to give us any concrete suggestions so that the middlemen do not get away with the money which is being provided for the welfare of Adivasis, if any suggestion can be put forth by any section of people, we are prepared to welcome any suggestion on behalf of any section of society.

I am not aware about the names which the Hon. Member has put forth. But we have the Members of Parliament who represent Adivasi constituencies. They can definitely put forth their suggestions and we will welcome any suggestion, which they should be able to put forth in order to see that full benefit reaches Adivasis.

SHRI PRIUS TIRAKY : You have mentioned in your reply that certain Mukti Morcha is leading there and you have given the reply. My request is that you call them and you find out what difficulties they have get.

SHRI S. B. CHAVAN : My colleague, Shrimati Ram Dulari Sinha, is going to that area. She will also be accompanied by some of the officers. She will certainly try to find out who are the people with whom she must have negotiations in this matter. She will definitely go and tour that area and have the first-hand information.

These were the only points which I thought I should clarify.

PROF. MADHU DANDAVATE : What about the demand of the dismissal of the Government of Bihar ?

SHRI PIYUS TIRAKY : What about the Jharkhand demand ?

SHRI S. B. CHAVAN : I do not think it has any relevance with the Calling Attention Notice.

SHRI PIYUS TIRAKY : It is relevant because the trouble is coming out of that.
