

12:30 hrs.

**CALLING ATTENTION TO  
MATTER OF URGENT PUBLIC IM-  
PORTANCE.**

**DETERIORATING LAW AND  
ORDER SITUATION IN DELHI WITH  
PARTICULAR REFERENCE TO  
COMMUNAL TENSION.**

MR. SPEAKER : Shri Bhim Singh ji. The hon. Member is absent. Shri M. Ramgopal Reddy. He is also absent. Shri Satyendra Narain Sinha.

SHRI SATYENDRA NARAYAN SINHA (AURANGABAD) : I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon :

"The deteriorating law and order situation in Delhi with particular reference to communal tension and the action taken by Government in the matter."

THE MINISTER OF HOME AFFAIRS (SHRI P. C. SETHI) : Sir, there has been no deterioration in the general law and order situation in Delhi. In fact since assumption of office in the year 1980, this Government has accorded a high priority to the maintenance of law and order and to give the citizens of Delhi a sense of security which they lacked in the preceding two to three years when the crime graph had reached its peak.

As a result of the various steps taken by the Government by way of opening of new police stations and police posts, substantially increasing the strength of police personnel and purchasing vehicles and equipment, there has been considerable improvement in the mobility and operational efficiency of the Delhi Police. This has been reflected in the steadily declining crime figures from the year 1980. There has been a marginal increase in crime during the first half of 1983 as compared to the

corresponding period of 1982. The Government are seized of this trend and are making all out efforts to ensure that this is checked.

It may, however, be noted that in a metropolitan city of Delhi's size and with the fast rate of increase in population, some variation in crime is possible.

In response to a Calling Attention Motion in the Rajya Sabha on the 9th August, 1983, I had mentioned some of the sensational cases which were successfully worked out by the Delhi Police. I had also mentioned that in respect of the case of the murder of Shri P. S. Rohilla, a bank manager, and Shri and Shrimati Khilnani vital clues had been found and investigation was proceeding in the right direction. I would like to inform this House that these cases have also been successfully worked out and the main culprits have been apprehended. The culprits involved in the hijacking of a Rajasthan Roadways bus and robbing its passengers have also been apprehended and some of the looted properties have been recovered. I would like to reiterate that the Government is not complacent and is anxious to do everything possible to further improve the law and order situation in Delhi.

The Government are alive to the need to maintain communal harmony and have been taking all possible steps to ensure that the factors leading to communal tension are eliminated. It may be recalled that there have been no communal clashes in Delhi after July 1982. In the recent incident involving two communities in the Lal Kuan Area on 17th August, 1983, the police acted promptly and was able to control and contain the situation. Ring leaders belonging to both communities were arrested. Prohibitory orders under Section 144 Cr. P. C. in the area of Lal Kuan, Gali Kasim Jan, Farash-Khana and Rodgran were also immediately promulgated. These orders have since been extended to Naya Bazar and Katra Baryan area. The police is keeping a strict vigil.

While the Government have taken all possible steps to deal with the situation, I would seek the cooperation of the House in eliciting public support for maintaining communal harmony.

12.31 hrs.

[SHRI R. S. SPARROW *in the Chair*]

SHRI SATYENDRA NARAYAN SINHA : The hon. Minister has said in his statement that the crime situation is improving because the number of reported cases of crimes is going down except for a marginal increase in the first half of 1983.

You are aware that in Delhi there have been some sensational cases. For instance, in the posh area of South Delhi several persons committed dacoities and beaten the inmates of the houses. You might recall that the information was sent to the Police Station and two DCPs and 3 ACPs with force had reached there and were there in that locality. Even after their presence these persons went on committing dacoities leisurely and inmates were subjected to severe beating and the police could not apprehend them. This is something which is beyond our comprehension that while the police was present in such a great strength, the dacoits committed dacoities, looting and assaulted the inmates of the house in a brutal manner. The hon. Minister may kindly enlighten the House as to the reasons and circumstances which were responsible for non-apprehension of these dacoits and for not having taken steps by the Police even after having reached the spot. Is it due to certain laxity or leisureliness on their part ?

You may now about the Khilnani case. The hon. Minister has said that it has been worked out and so also a number of other cases. True, some cases have been worked out. But the fact is that these crimes are being committed in Delhi day in and day out and we are hearing from the news reports about the incidents that are taking place daily. Such incidents send shivers through the

people and the whole atmosphere is charged with fear, apprehension and tension. Therefore, though the number of crimes committed might have gone down, that does not indicate the real picture or conditions prevailing. As long as the atmosphere is full of tension and fear, we cannot claim that the law and order situation has improved and people are functioning normally.

The law Commission in the Fourth and Seventh Reports have recommended that there is need for separating the investigating agency from those who are in charge of maintenance of law and order. It was a very healthy suggestion made by the law commission. From my personal experience I know that sometimes those who are in charge of the police station, register cases and they carry on leisurely with the investigation with the result that they are not able to complete the investigation within 90 days; so the culprits are able to obtain bail from the courts. If the investigation is not completed and the charge-sheet is not filed within 90 days, the culprits would be released on bail. The police say this is not possible, because their hands are full, they have this duty or that duty in an area where there is some trouble and they have to be physically present and so they could not pursue the investigations. In view of this situation, it is all the more necessary that the investigating agency should be separate and the cases should be worked out speedily so that it may have a salutary effect on the crime situation. I would like to know from the hon. Minister whether any effective steps have been taken in this regard.

With regard to the number of cases reported on the basis of which the hon. Home Minister says that the situation has improved, may I know whether he is aware of the fact that there are many cases which go unreported, because they are not recorded by the police officers ? Is he aware of such a situation ? If so, has he given instructions that the police officers must scrupulously record all the information about cases reaching them so that they may have a complete picture of the whole

thing? Often enough these cases are not reported. So, the figure given by the hon. Minister is misleading also. I would urge upon the Home Minister to go into this in some depth. I do not understand how the Minister can claim that the law and order situation has improved, when the atmosphere of fear and tension still persists.

It is not beyond the power of Government to ensure law and order in Delhi. This is the capital of the country, where the population has grown and is growing steadily. But I am told that the police force has also been augmented to some extent and many new police stations have been opened. Yet I feel the position can improve if the Government show greater vigilance in this regard. For instance, they were able to hold the Asiad and the Non-Align Meet; even when there were threats of disturbance, yet no untoward incident took place during that period. So it is within the competence of Government to have done so. Now they should be able to give an assurance to the people of Delhi about their safety and these incidents which are taking place should not be allowed to take place, and that is possible with greater vigilance and augmentation of police force.

I would like to know whether the Government are aware that there are many cases which are reported to the police stations, but which are not recorded, and, if so, do the Government propose to issue instructions that all such cases must be recorded by the police?

Secondly, in view of the recommendations of the Law Commission and in view of the fact that the Supreme Court has laid down this period of 90 days within which the investigation must be completed and charge sheets submitted do the Government propose to take urgent steps to set up an investigating machinery which is separate from the machinery set up for the maintenance of law and order?

Now, I come to the question of communal tension. This has been a

festering sore for quite some time. I think this has been there right from 1977 or so. And on the 3rd of June 1982 this communal tension surfaced and there was tension. I understand that the police intervened and they arranged the timing of the *Arti* and *Azem* in a manner they do not clash, and this went on. Again, on the 9th of August there was some trouble, last year there was some trouble and this year also trouble suddenly burst out. Through police intervention they had reached an agreement that they would not maintain the *status quo* and some inquiry would be conducted. On the 17th of August suddenly this communal tension flared up. There was going to be a clash. The police also suffered injuries and according to the police statement people had pre-planned the whole move and on either side they had collected in a large number and they had also got sacks of bottles along with them and also the brick bats which they used. I agree with the hon. Minister that the police were able to prevent this clash from spreading. They had taken prompt steps for which I do congratulate the hon. Minister. But why has this matter been allowed to be festering for such a long time? Why should not any amicable settlement have been reached so far? Because, as the Minister says, since 1982 there have been no communal clashes, suddenly there was some clash on the 17th of August. Why should it have been allowed to take place at all? Should it not have been possible for them to fore see that such a clash was likely to take place?

May I know from the Minister as to why effective steps had not been taken earlier to settle the issue once for all?

Secondly, on the fateful day of 17th August, you know this area with lanes and by-lanes is thickly populated and there was no street lighting. Is it not a matter of concern for all of us that in such a sensitive area the Administration has not taken steps to provide street lighting? And I would like to know that if there if there was no street lighting, whether the police were not given powerful torches with

which they could have seen the culprits straightway and followed them. But they said that there was no light and it hampered them in their pursuit of culprits. Only six persons have been arrested so far. They are known people. They have been agitating about it from time to time and therefore they have been arrested, but then the other persons were also there. The police should have also been able to find out since when this preparation was going on. If there was a pre-planned move, the Government ought to have known, the Administration ought to have known even before that there was likelihood of a clash taking place. The intelligence agency should have warned them about it. It appears that the intelligence agency has failed. May I know whether the Delhi Administration had prior information of the pre-planned move or not, whether the Government were aware that there was no street lighting and whether the Government knew that this was a sensitive area and it was thickly populated and there was tension going on all-round and police pickets had already been posted there? Should they not have taken special steps to provide street lighting there? What are the steps that the Government are taking to solve this matter amicably and for good?

SHRI P. C. SETHI : I would like to deny that the cases are not being registered in the police stations. However, instructions have been issued to all the police stations and S. H.Os that all big or small crimes which are reported there must be registered and there should be no question of over-looking them.

As far as the Defence colony case is concerned, it is true that police had reached there and while they had seen the culprit and they were chasing him, the jeep unfortunately got stuck up in a ditch and, therefore, he escaped taking the advantage of darkness of the night. However, efforts are a foot to see ..

SHRI SATYENDRA NARAIN SINHA : Did they have only one jeep? Delhi is a large Union Territory.

SHRI P. C. SETHI : They had only one jeep there?

As far as separate investigation machinery question is concerned, we have taken up this matter with the Finance Ministry. But it was not approved. However, we have taken it up again and very strongly that a separate investigation machinery should be allowed for Delhi so that pressure on the police may be less and the investigation could be carried on in a free atmosphere.

As far as communal riots are concerned, I would like to point out that they have definitely come down. In the year 1978 they were 304, in 1979 they were 396 and in 1982 they were 155. However, as far as Lal Kuan is concerned, this trouble has been simmering for quite some time and police are aware of this fact. That is why police platoon is posted there. There is dispute about *Chabutra* and mosque. That is why after calling the representatives of both the communities, the time for *Azcn* was fixed and *Arti* was to start after the *Azan* that is at 8.50 in the night. Unfortunately, on 17th *Arti* started three minutes earlier which created commotion. There was no pre-planning. However, police acted promptly. It is not true that there was no street lighting there. Unfortunately, at that time street light went off. That is of course not the fault of the police. However, police acted promptly and they reported the matter and lights were on again. Now six people have been apprehended and action is likely to be taken. We have taken all precautions. We have formed a peace committee comprising of both the communities and we are trying to resolve this Lal Kuan tangle to the best possible extent.

SHRI SATYENDRA NARAYAN SINHA : How long will you take to settle this for good?

SHRI P. C. SETHI : We are doing our best. But it is difficult to fix time.

SHRIMATI KISHORI SINHA (VAISHALI) : The hon. Member who

has spoken before me has covered almost all the grounds. So, I would not like to repeat the same grounds. But I express my deep distress at the growing feeling of insecurity and helplessness. The hon. Minister has given certain figures to show that the reported cases of murder, dacoity and robbery are on the decline. I am afraid, I am unable to agree with him. (*Interruptions*). I may refer him in particular to the crimes against women. These are increasing in number. Even if there are only a few reported cases, they are enough to strike terror and unhappiness among the women-folk. Even small girls are not spared. The House may be aware of the horrifying incident of a small girl, aged 4 years, having been raped by a young man on the 7th September, 1982 in East Patel Nagar. It had sent shock-waves throughout the area. That man had been released on bail only a few days before the incident. He was arrested but the police did not complete the investigation and could not submit the charge-sheet within the stipulated period of 90 days. So, the man was released on bail again. Such was the callous and indifferent conduct of the police.

I would refer to another shocking incident which took place in March, this year. A woman was returning home with her husband. Then, three persons from a scooter waylaid them and forcibly snatched away the woman from her husband. Later she was subjected to gang-rape. The lustful rapacity of the anti-social elements has created an atmosphere of tension and fear. This situation prevails in the capital of the country. You just imagine ! The Government had justly taken credit for the successful holding of the Asiad and Non-Alignment Movement, saying that no untoward incident had occurred. The Government which could ensure peace and tranquility, should then ponder over its failure to maintain law and order and should create an assurance and confidence in the minds of the people about their safety.

The figures given by the hon. Minister of the reported cases do not give the whole story. As long as fear

and apprehension are in the atmosphere, men, women and children are afraid of going out in pursuit of their avocations or their daily life. I cannot agree to the statement that the law and order situation has recorded an improvement.

In addition to this case I refer to the shameful incident of the 17th August. I do not want to go into the details of the events. I understand that the Delhi Administration had asked the ADM to inquire and report about the ownership of the disputed land. Perhaps, this reference was made on the 3rd June, 1982. I would, therefore, like to know if the ADM has since submitted his report and if so, when and what are his findings. If the report from the ADM is yet to be submitted, I would like to know the reasons for such long delay.

The hon. Minister wanted to start separate investigating machinery in 25 police stations but finance came in the way. The Minister has assured that he would pursue the proposal. May I know from him how long would it take to separate the investigating machinery ? I consider it very necessary as I have referred to the case of rape of a 4-year old girl in which the charge-sheet could not be submitted within 90 days. I think, it may be due to lack of machinery.

In the end, I would like to add one more incident which has come to our notice. One person named Shri Ved Prakash Sharma and another Shri Rajpal Singh are harassing Shrimati Saraswati Devi, wife of Shri Naval Singh, serving Soldier No. 2965945, 4 Rajput Regiment. I think, the Minister has been informed about this case but no action has been taken so far.

SHRI P.C. SETHI : As far as the dowry death and the women burning cases are concerned, it is true that the dowry deaths have increased in 1983. But all cases of dowry deaths are being investigated. The *post-mortem* report is compulsory in the case of dowry deaths and it has got to be carried out by two doctors.

Now, there is a separate dowry cell headed by a woman police officer. Therefore, we are taking all possible care and in many of the dowry death cases, culprits have been apprehended and cases have been challaned against them.

As far as the dowry deaths are concerned, there are two bills. One Bill has been already moved in the Rajya Sabha with regard to crime against women. Another anti-dowry Bill as reported by the Joint Select Committee is also to be moved before both the Houses. Cr. P. C. is also to be amended and strict punishment is going to be provided. Even in this Bill which has been introduced in the Rajya Sabha, harassment of women is to be treated as a cognisable offence and as non-bailable offence and a punishment of three years imprisonment for harassment of women has been provided. The report of the Joint Select Committee is a very nice report. The hon. Lady Members of the House did a very good job and certainly the Ministry of Law is going to bring anti-dowry bill.

As far as Lal Kuan incident is concerned, I assure the Hon. Members that all possible precautions are being taken in order to preserve peace there and a Committee has been formed and it is functioning. As far as the dispute is concerned, the Magistrate is enquiring into that. He has not yet given the report. As soon as the report is received, the Lieutenant Governor would be requested to call both the parties.

SHRIMATI KISHORI SINHA :  
 Has the ADM given his report ?

SHRI P. C. SETHI : He has not yet given his report. I can assure the House that we will do our best to preserve law and order in Delhi.

SHRIMATI PRAMILA DANDAVATE (BOMBAY NORTH CENTRAL) :  
 Shrimati Kishori Sinha mentioned the case of Ved Prakash. The Hon. Minister has not said anything on that.

SHRI P. C. SETHI : We are enquiring into the case. I have noted it.

12-58 hrs.

#### STATEMENT ON FLOOD SITUATION IN THE COUNTRY

THE MINISTER OF STATE OF THE MINISTRY OF IRRIGATION (SHRI RAM NIWAS MIRDHA) : I rise to make a statement on the flood situation in various parts of the country. In spite of a little delay in the start of monsoon, very heavy floods have occurred in the Saurashtra region of Gujarat, Konkan, Madhya Maharashtra and Marathwada regions of Maharashtra and Tripura. Some heavy floods have also been reported in some districts of Vidarbha region of Maharashtra adjoining Marathwada. Local heavy precipitation in the nature of cloud burst has caused flooding in and around the town of Rohtak in Haryana. Floods of medium and lower intensity have also occurred in some areas in Andhra Pradesh, Assam, Bihar, Karnataka, Rajasthan, Uttar Pradesh, and West Bengal. Some of the tributaries of Brahmaputra viz., Jhanji and Gainadi in Assam have surpassed their previously recorded high flood levels. Some problem of erosion on the banks of Brahmaputra and Kosi is also reported.

Based on the information received so far from the State Governments, a total area of about 15 lakh ha. and a population of 83 lakhs have been affected. 982 human lives have been lost and 36 reported missing. The total value of damage due to floods and cyclone reported as on 20th August has been placed at Rs. 240 crores approximately. During the last year the area affected was 344 lakh hectares, population affected was 633 lakhs, human lives lost were 1818 and total damage was reported as Rs. 1714 crores.

The State-wise position regarding the flood situation and the flood damage