(3) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income tax Act, 1961:—

(i) S.O. 222 published in Gazette of India dated the 20th January, 1979 exempting Delhi Council for Child Welfare under section 10 (23C) (iv) of the Income-tax Act, 1961.

(ii) S.O. 223 published in Gazette of India dated the 20th January, 1979, exempting Lady Tata Memorial Trust under section 10(23C) (iv) of the Income-tax Act, 1961.

(iii) S.O. 225 published in Gazette of India dated the 20th January, 1979 exempting the Bombay Humanitarian League under section 10(23C) (iv) of the Income-tax Act, 1961. [*Placed in Library. See* No. LT-3376/79].

(4) A copy of Notification No. G.S.R. 18(E) (Hindi and English versions) published in Gazette of India dated the 5th January, 1979, together with an explanatory memorandum regarding basic exercise duty on staple fibre and tow of cellulosic origin, issued under Central Excise Rules, 1944. [*Placed in Library. See* No. LT-3377/79].

12.03 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED FIRING BY RAILWAY POLICE ON STUDENTS AT BARAN RAILWAY STATION NEAR KOTA

SHRI KRISHNA CHANDRA HALDER (Durgapur): Sir, 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 reported firing by Railway Police on students at Baran Railway Station near Kota (Rajasthan) on the 26th February, 1979 resulting in the death of three students and injury to many others.'

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Sir, On the forenoon of 26-2-1979, a Railway Magistrate accompanied by some Railway employees and Government Railway Police went to Baran to check ticketless travellers. The party started checking Kota-Guna train near outer signal of Baran. About 50 ticketless travellers were arrested which included some students.

The Railway Magistrate started hearing the case at Baran Railway Station. In the meantime some other students from the same train went to the town and informed their colleagues there. As a result, a sizable strength of the students collected and gheraoed Baran Railway Station and demanded immediate release of arrested students. Some of the students carried lathis and iron rods.

They started throwing stones at the Magistrate and the Police party and Railway Station was set on fire.

Government Railway Police in an effort to disperse the crowd resorted to lathi-charge but it had no effect. Stone-throwing and destruction of Railway property by the students became more intense. The goods shed, PWI's Office and a portion of the Baran Railway Station was set on fire.

Meanwhile the crowd which had increased in size became more defiant The police party which included only 2 armed policemen was in danger of being over-powered, it was at this stage that the Police resorted to firing. As a result 2 students died on the spot and one died on way to hospital. 2 students received serious injuries and were admitted to hospital. 23 Government Railway Police and 37 Railway officials sustained injuries, of them 2 police personnel and 3 railway employees were injured seriously and admitted to hospital.

The Chief Minister, Rajasthan has announced in the Rajasthan Legislative Assembly on 27.2.1979 that a judicial enquiry headed by a Judge of the High Court will be held to enquire into this incident.

MR. SPEAKER: If you had informed me earlier, I would not have allowed it. Any way we cannot now go into the details. A judicial enquiry is there.

SHRI KRISHNA CHANDRA HALDER: I have gone through the statement of the hon. Minister. Firstly, I protest strongly against the brutal firing on students and the people at Baran Railway station. I express my heartfelt sympathy for the bereaved families. Yesterday's *Hindustan Times* says that four students were killed. Incidents of firing at places, torture of Harijans and minority communities, etc. had increasd considerably and proper steps had not been taken to stop the atrocities. People were so agitated that yesterday Kotah and Baran towns observed band and ful hartal factories and bazars were closed (*Interruptions*) We do not support ticketless travel in train. You know thousands of people came to Delhi without ticket by trains to attend Kisan Sammelan, nothing has been done. We also know that in our state of West Bengal thousands of people went to Calcutta without ticket to attend Mrs. Indira Gandhi's meeting, no step was taken at that time. Every day, here and there, there is firing on peaceful people... (*Interruptions*)

AN HON. MEMBER: There will be more incidents of ticketless travel in the suburban areas because Shri Dandavate increased the rates of monthly season tickets.

SHRI KRISHNA CHANDRA HALDER: The rates of monthly season tickets are practically doubled. People are crying that there are no passenger amenities in trains, they have to travel standing. I want to know whether three or four persons had been killed.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): They confuse ticketless travel with class travel.

SHRI KRISHNA CHANDRA HALDER: The Chief Minister has announced a judicial enquiry by a High Court Judge. I should like to know from the hon. Minister whether three or four persons had been killed and whether any steps had been taken against the police officers who were responsible for the firing, whether any punishment had been given to them. I want to know whether any compensation has been paid to the families of those who were killed in the police firing.

MR. SPEAKER: All these will depend on the report of the judicial officer.

SHRI KRISHNA CHANDRA HALDER: I want to know whether they have suspended any police officer....

MR. SPEAKER: That will depend on the report of the judicial officer.

श्री विजय कुमार मल्होत्रा : (दक्षिण दिल्ली) : चूंकि ज्यूडिशल इनक्वायरी के आदेश दे दिए गए हैं इस वास्ते इस मामले की डिटेल्ज में जाना मुनासिब नहीं होगा। लेकिन दो तीन बातें मैं आपके जरूर ध्यान में लाना चाहता हूं। यह मामला सिर्फ एक जगह का नहीं है। सारे देश में पुलिस के फायरिंग्ज से यह मामला ताल्लुक रखता है। क्या फायरिंग ही इस सब का इलाज रह गया है, डैमंस्ट्रेशंज कय मीट करने का क्या यही एक मात्र तरीका हो सकता है? दुनिया भर में दूसरे तरीके निकाले जा रहे हैं। जंगली जानवरों, मैन ईटर्ज, चीतों, बाघों, शेरों आदि के वास्ते भी ऐसी गोलियां निकाली जा रही हैं जिन से वे मरे नहीं बल्कि बेहोश हो जाएं। ऐसी हालत में क्या इंसानी जिन्दगी ही इतनी सस्ती है कि उसकी कोई कीमत ही न हो। जो चीज जाली जंगली जानवरों के लिए की जा रही है उस तरह की चीज क्या जनता पार्टी की सरकार आने के बाद नहीं सोची जा सकती है ताकि फायरिंग न करना पड़े और कोई ऐसे तरीके निकाले जाएं ताकि वायोलेट डैमंस्ट्रेशंज को भी मीट किया जा सके? ऐसे तरीके दुनिया भर में बहुत से निकले हैं। क्या गवर्नमेंट इस पर सीरियसली सोचेगी ताकि किसी भी इंसानी जिन्दगी की मौत इस

[श्री विजय कुमार मल्होत्रा]

तरह से व हो जो कि बहुत कीमती है और इस में जो स्टूडेंट मारे गये हैं उन में वे भी थे जो डैमंस्ट्रेशन में नहीं थे ?

क्या आप यह बतायेंगे कि जनता पार्टी की जो कमिटमेंट है कि फायरिंग वगैरह जो चीज है उससे आप बचेंगे, उसके बारे में आप क्या कर रहे हैं ?

मैं यह भी जानना चाहता हूं कि जिनकी जिन्दगियां इस में गई हैं उनको कम्पेसेशन देने के बारे में भी आपने कुछ तय किया है ?

श्री अनिक लाल मण्डल : हर मामले में पुलिस को दोष नहीं दिया जा सकता है । पुलिस जहां जरूरी होता है वहीं गोली चलाती है और जहां जरूरी नहीं होता है वहां गोली नहीं चलाती है । दोनों को एक साथ मिला करके पुलिस को हर मामले में कंडैम करना ठीक नहीं होगा । कभी कभी गोली चलाना भी जरूरी हो जाता है ।

श्री विजय मार महहोत्रा : टीयर गैस ।

MR. SPEAKER: The matter is under judicial inquiry. If I had known it, I would not have allowed it.

श्री अनिक लाल मण्डल : ज्यूडिशल इन-क्वायरी के आदेश दे दिये गये हैं । माननीय सदस्य ने जो सभी मामलों पर जोर दिया है उस के सम्बन्ध में मैंने कहा है कि हर मामले में पुलिस को कंडेम कर देना यह उचित एटीट्यूड नहीं है। जनता पार्टी के पावर में आने के बाद कुछ स्टेप्स सोचे जा र हैं या नहीं यह भी माननीय सदस्य ने पूछा है इसका डैमंस्ट्रेशन भी पिछली बार जब मुख्य मंत्री सम्मेलन हुआ था और विरोधी पक्ष के नेताओं का सम्मेलन हुआ था तब दिया गया था ।

श्री लक्ष्मी नारायण नायक (खजुराहो) : वहां पर गोली चली है । यह कहा गया है कि अन्दर से तमाम विद्यार्थी आ गए थे और बड़ी भीड़ हो गई। मैं समझता हूं कि रेल अधिकारियों को सजग रहना चाहिए था । हमला तभी होता है जब हम कमजोर होते हैं । अगर आपके पास ज्यादा फोर्स होती, ज्यादा संख्या में पुलिस के जवान होते तो मैं समझता हूं कि विद्यार्थियों तथा दूसरे लोगों को आप रोक सकते थे। शासन को सजग रहना चाहिये था । अगर शासन सजग रहे तो एक भी घटना इस प्रकार की नहीं होगी । उस अवस्था में इस तरह की स्थिति का अच्छी तरह से बचाव किया जा सकता है । मैं समझता हूं कि गोली चलाने की बात अंतिम बात होनी चाहिये । पहले अश्रु गैस छोड़ी जा सकती थी, रबड़ की गोलियां छोड़ी जा सकती थीं जैसा कि दूसरे देशों में होता है कि फोर्स से पानी भी छोड़ा जाता है, जो अपने देश में अभी नहीं अपनाया जाता है। दूसरे देशों में भीड़ को काबू करने के लिए फोर्स से पानी भी छोड़ा जाता है। तो यह कोई चीज नहीं अपनाई गई है और सीधे गोली चलायी गई। अगर गोली चलाने ही थी तो पहले हवाई फायर करते। सीधे माथे और सीने पर गोली नहीं चलाई जानी चाहिये। हवाई फायर करने से भीड़ भाग जाती है। लेकिन सीधे ऐक्शन लेने से जरा असर पड़ता है । तो मंत्री जी बतायें कि गोली जो चली तो किस के आर्डर्स से चली ? क्या वहां कोई डिस्ट्रिक्ट मैजिस्ट्रेट था ?

दूसरी बात मैं यह जानना चाहता हूं कि जज द्वारा जांच की जा रही है जिसमें ज्यादा समय लग जाता है । हम चाहते हैं कि संसद् सदस्यों की कमेटी बने और वह इस दुर्घटना की जांच करे ताकि निष्पक्ष जांच हो ।

तीसरी बात यह कि जितने भी रेलवे के उच्च अधिकारी थे उनका तुरन्त स्थानान्तरण होना चाहिये ताकि सही जांच हो सके ।

श्री अनिक लाल मण्डल : अध्यक्ष महोदय, मैं माननीय सदस्य की भावनाओं से सहमत होते हुए इतना ही कहना चाहता हूं कि इसी को डिटरमिन करने के लिए जूडिशियल इनक्वायरी हो रही है कि गोली चलाना जरूरी था कि नहीं ।

AN HON. MEMBER: Very good.

SHRI BALWANT SINGH RAMOOWALIA (Faridkot): When the matter has been given to judicial inquiry, I do not want to speak more....

MR. SPEAKER: You cannot, if I had known it, I would not have allowed.

SHRI BALVANT SINGH RAMOOWALIA: I only condemn the Police firing. Only one thing I want to say that sometimes the Railway officers and the Railway Police Force join hands, take passengers without tickets and share the money later on. This is what the students are saying. Sir, our student community is having a poor impression of the Police. They have also a very poor impression about some of our railway officers and sometimes when the Police....

MR. SPEAKER: This you can take up during the discussion on the Railway Budget.

Now, we go to the next item.