

14.36 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**

**REPORTED THROWING OF SOME TRIBALS
INTO THE SUBARNAREKHA RIVER AT
JAMSHEDPUR ON 16TH AUGUST, 1978**

MR. CHAIRMAN: We take up the Calling Attention. Mr. Venkatasubbiah... He is not present. Mr. Laxman Rao Mankar.

SHRI LAXMAN RAO MANKAR (Bhandara): Sir, I call the attention of the hon. Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"Reported throwing of some tribals, including women and children, either alive or dead, into the Subarnarekha river by 'musclemen' of a contractor at Jamshedpur (Bihar) on 16th August, 1978."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Sir, the Government deplore the unfortunate incident in Jamshedpur on the 16th August, 1978 in which five persons belonging to the weaker sections of society lost their lives.

According to the report received from the Government of Bihar, the Tata Iron & Steel Company Ltd. awards annual contract for the right to pick iron scraps from their slag dumps in Jamshedpur. On the 16th August, men employed by the contractor to guard the slag dump chased away some persons who were picking iron scraps from the dump. Some of them were assaulted and thrown into the nullah which meets the Subarnarekha river about 250 yards from the slag dump. Many managed to swim across the nullah, but some of them got drowned. Two deadbodies were recovered on the 16th itself and three on the following day. Two of the dead belonged to Scheduled Tribes, two to Scheduled Castes and

one to a backward class. Further intensive search for bodies resulted in the recovery on the 17th August of one more dead body of a two year child in a highly decomposed state on the bank of Subarnarekha river. No one has so far come forward to claim this body. According to the State Government, this death does not appear to be connected with the previous day's incident.

The Police reached the spot immediately on receipt of information and could effect some arrests then and there. The Commissioner, Additional IGP (CID), Deputy Commissioner, D.I.G., S.P. and other senior revenue and police officials have also since visited the spot. A case under sections 148/149/302/201 read with 109 I.P.C. was registered against the contractor's men. Office premises of the contractor were sealed on the same day and some ammunition kept there unauthorisedly was recovered. A case under the Arms Act was, therefore, registered. In all, 28 persons have been rounded up so far in connection with these two cases. Processes for compelling the attendance of two absconders have also been obtained from the court and their property has been attached. The action of the local administration following the incident was quick and effective and relief to the affected families was provided in cash and kind.

The Chief Minister has announced *ex-gratia* grant of Rs. 5,000 to each of the bereaved families.

The situation is reported to be under control and returning to normal. However, there are certain implications of this incident, such as the contractual system of disposal of these items, the suitability of such a system in a tribal area involving relationship with the tribes and their exploitation and the policy of the Undertaking towards the disposal of slags, which require attention. Government have these issues under consideration.

श्री लक्ष्मण राम बागडर : अध्यक्ष महोदय, यह एक बाड़ी जो 17 तारीख को मिली है, इस के बारे में ऐसा अनुमान लगाया गया है कि इस का इस घटना के साथ कोई सम्बन्ध नहीं है । दूसरी बात मुझे यह जाननी है कि इसका कांट्रेक्टर कौन था और कांट्रेक्टर पकड़ा गया है या नहीं ? क्या वह अभी भी गायब है ? तीसरी बात मैं यह जानना चाहता हूँ कि यह कांट्रेक्टर बेनामी है या अश्रीराज्य कांट्रेक्टर है ?

क्या सरकार को इस बात की भी जानकारी है कि इस कांट्रेक्टर के यहां से—जैसा कि स्टेटमेंट में कबूल किया गया है कि कांट्रेक्टर के यहां से कुछ शस्त्र और ऐसी ही और कुछ चीजें मिली हैं—कौन कौन सी चीजें मिली हैं ? इस का मतलब यह है कि कांट्रेक्टर इस प्रकार से इल्लीगल एम्प्लिशन रख कर ट्राइबल्स पर अत्याचार और अत्याचार करता रहता था । इस से यह भी मालूम होता है कि वह हथियार ले कर आदिवासियों के पीछे दौड़ा जिस के कारण वे नदी में गिर गये ।

क्या मंत्री जी इस बात की भी जानकारी देंगे कि उन के यहां से कौन-कौन से हथियार मिले और कौन-सा अम्प्लिशन मिला ?

SHRI S. D. PATIL: The body which was found on the next day, that is, on the 17th August, is of a child of 2 years and it was in a highly decomposed condition. The incident was avowedly on the 16th and when the body was found in such a decomposed condition, it only indicates that it has no relationship with this particular incident. Nobody has come forward and those who have complained against this have not come forward to say that the body belonged to them

or they could identify it. It is an un-claimed and un-identified body...

SHRI A. K. ROY (Dhanbad): Have you gone to that place?

SHRI S. D. PATIL: I have not, but the Chairman of the Scheduled Castes and Scheduled Tribes Commission has already visited the place.

(Interruptions).

SHRI A. K. ROY: The Minister does not know anything about this incident....

MR. CHAIRMAN: Please sit down, when I am standing you have to sit down.

SHRI A. K. ROY: Had the Minister gone there, he would not have said like this.

MR. CHAIRMAN: Please take your seat, let the Minister continue.

श्री श्री राम बागड़ी (मयूरा) : ये इस को मामूली बात समझते हैं । इन्होंने क्या एग्शन लिया है । प्रधान मंत्री जी गृह मंत्री भी हैं ...

सभापति महोदय : आपको समझ लेना चाहिये कि कालिंग एटेशन में जो चार पांच नाम होते हैं उन के सिवाय न कोई सवाल पूछ सकता है और न कोई उस में हिस्सा ले सकता है । आप लोगों को इस में हिस्सा लेना या तो आप ही चाहिये या कि आप नाम देते ...

श्री श्री राम बागड़ी : नाम दिए हैं ।

SHRI A. K. ROY: Let the Prime Minister come...

सभापति महोदय : मैं अत्यन्त चिन्तनभाव से अपने बंधुओं से यह कहना चाहता हूँ कि हो सकता है कि आप लोगों ने अपने नाम दिए हों कालिंग एटेशन के लिए, भेंटिस भी दिए हों, लेकिन अब वहां क-

केसट होता है तो उसमें अधिक से अधिक पांच नाम निकाले जाते हैं। यह दुर्भाग्य की बात है कि हम में से कुछ के नाम जाते हैं, कुछ के नहीं जाते हैं। जो नाम जाए हैं वहीं बोल सकते हैं, दूसरा कोई नहीं बोल सकता है, जिन के नाम जाए हैं उनको ही मैं बुलाऊंगा। मैंने शुरू में आप से कहा था

श्री विनायक प्रसाद यादव (सहरसा) : बिहार की यह घटना है, एक श्री बिहार के सदस्य का नाम नहीं है। हम लोगों ने सश्री ने नॉटिस दिए थे . . .

श्री ए० के० राय : मेरा विनम्र निवेदन है कि आप प्रधान मंत्री जी को बुलाएं, प्रधान मंत्री होम मिनिस्टर हैं। यह बहुत सीरियस मामला है . . .

समापति महोदय : मेहरबानी करके. राय साहब बैठ जाएं।

श्री ए० के० राय : आप इसे पोस्टपोन करिये, डेकर इस को किया जाए। प्राइम मिनिस्टर को सम्मन कीजिये, प्राइम मिनिस्टर को बुलाइये।

Let the Prime Minister come. We want that the Prime Minister should come and explain this.... (Interruptions).

MR. CHAIRMAN: I am not patient like the Speaker; I will not tolerate this. Anybody who interrupts...

SHRI K. GOPAL (Karur): Madam Chairman, on a point of order. Normally, a Member cannot cast any asperions on the chair I think, you agree with me. But, the chair itself has cast asperions on the chair. You are saying that you are not like the Speaker and you will not tolerate this. What is this?

MR. CHAIRMAN: What I meant was that the Speaker is extremely tolerant and extremely patient; he has been an eminent judge.

I am only a Chairman and I cannot emulate the Speaker. Therefore, I will not tolerate this sort of thing. The hon. Minister may please continue.

श्री मन्त्री राय बाणर्षी : स्टेट मिनिस्टर को क्या धड़ितयार है। प्रधान मंत्री जी गृह मंत्री हैं उन को यहां भाना चाहिये। यह मामूली सवाल नहीं है। . . (अव्यवधान)

AN HON. MEMBER: We would like to hear the Prime Minister.

श्री लक्ष्मण राय भास्कर : समापति जी, मैंने जो प्रश्न पूछा है उस का जबाब ही नहीं दिया गया और दूसरे मंत्री को काल कर लिया गया।

समापति महोदय : आपको जबाब दिया गया है। अगर हाउस में शांति रहेगी तो आप सुन सकेंगे। शांति नहीं रहेगी तो नहीं सुन सकेंगे। मैं बहुत लाचार हूँ, मैंने हाथ जोड़ कर विनय की है शांति रहिये भाई जी, एक दूसरे को सुनने दीजिये, वही अच्छा होगा।

श्री धर्मराय बाणर्षी : मेरी बात का आपने जबाब नहीं दिया ?

समापति महोदय : आपका इसमें नाम ही नहीं है।

(Interruptions)**

समापति महोदय : जो यह सब बात कही जा रही है यह रेकार्ड पर नहीं जाएगी।

जिसको मैं कट्टू बोलने के लिये वह रेकार्ड पर जयिया, बान्की नहीं जायेंगा।

श्री लक्ष्मण राव मणकर : मेरे सवाल का जवाब नहीं दिया ।

समापति महोदय : झूठा बलिये उनका जवाब मंत्री जी, फिर से पढ़ दीजिये ।

SHRI S. D. PATIL: Mr. Mankar has raised three points. I shall say why that body which was found on the 17th August in highly decomposed position cannot be related to the first incident. I had already said that this body which was unclaimed and unidentified was in a highly decomposed state. Since the incident itself was only on the 16th the body cannot be in such a highly decomposed position (Interruptions). Those who had lodged the complaint were there.... (Interruptions) It was unclaimed and unidentified. The second point raised by him was: whether he was the real contractor or who was the contractor in whose name the contract stands. In this particular case one Sachidanand Mishra appears to be the benami contractor because the real contractor is Sheoji Singh who is a rich man in Jamshedpur; he has taken the contract for Rs. 5.25 lakhs and the contract is to expire on 31st December 1978. Both Sheoji Singh and his nephew who are involved in the offences—both Sheoji Singh and Bharat Singh—are absconding and a warrant has been issued. Their properties are also tried to be attached according to procedure. 26 rounds of rifle ammunition were recovered and a case No. 17 of 16th August 78 has been registered in Police Station Sackchi under sections 25A/27/35 of the Arms Act. No other weapons were found with the persons or contractors. The contractor is absconding and he is not traceable. All attempts are being made to trace him. (Interruptions). The real contractor is Sheoji Singh. (Interruptions).

MR. CHAIRMAN: Mr. Roy, you have no business to interrupt. Mr. Minister, will you please address the

Chair and do not have conversation with one another? If any of you have information, you can give it to him outside.

श्री यशवन्त गर्वा (बुरघालपुर): समापति महोदय, मेरे प्रश्न के दो खंड हैं। पहले तो मैं मंत्री महोदय से यह जानना चाहता हूँ कि क्या वह स दुर्भाग्य पूर्ण कांड की उच्च स्तरीय न्यायिक जांच करवायेंगे, जिस से इस मामले की पूरी छानबीन सामने आए।

दूसरे ऐसे पिछड़े क्षेत्रों तथा वर्गों में अमानवीय स्तर की शोषणकारी व्यवस्थाएँ और व्यक्ति जो स्वतंत्रता के तीस वर्षों की लड़ाई में भी न केवल कायम हैं, बल्कि उन के पिछड़े वर्गों के शोषणकारी हीन हथकंडे और भी पनप रहे हैं। ऐसे कुचारी व्यक्तियों के दमन तथा असाभाजिक व्यवस्थाओं के शमन हेतु क्या सरकार अखिलम्ब कोई प्रभावी कानून बनादेगी?

SHRI S. D. PATIL: The demand for judicial enquiry will rest with the State Government. The State Government officials have taken prompt action in this matter. Not only that. Relief is also given to each family. Grant of Rs. 5000 to each affected family by the Chief Minister of Bihar has also been announced. Two cases have already been registered. All responsible officers have gone to the spot, including the Chairman of the Scheduled Castes and Scheduled Tribes Commission and the Joint Secretary of the Home Ministry. Immediate relief has been distributed among the affected families as follows: Rs. 100 in cash, dhoti, sari, 15 days ration, salt, match boxes, etc. to each family. Clothes are also given for all affected persons. Also mustard oil, dalda, rice, dal and lanterns etc.—all these things are provided immediately. (Interruptions).

MR. CHAIRMAN: Hon. members from this side of the House, particularly, it is absolutely wrong to keep

on a running commentary. This is not how the business of the House can be transacted. The Minister answers, but people whose names are not here keep on interrupting. This is very wrong. It should not be done. We will never be able to get through the business like this. Mr. Roy, I will not allow you to speak. Please sit down.

THE PRIME MINISTER (SHRI MORARJI DESAI): I can understand the excitement. But then prompt action has been taken by the authorities there. Culprits have been arrested and relief given. I was assured by the Chairman of the Commission which has been appointed for scheduled Castes and scheduled tribes that he is satisfied with the steps taken. He had gone there and he has made certain suggestions for the future which we are going to consider and act on them. Therefore, it cannot be said that proper action has not been taken in this matter. What has happened is certainly very very wrong but then in future we will make arrangements to see, that such things do not happen. That is all that we can do.

15 hrs.

SHRIMATI AHILYA P. RANGNEKAR (Bombay North-Central): He said they are absconding.

SHRI MORARJI DESAI: Not only have they been arrested, but the property of the absconders has also been attached.

SHRI P. K. KODIYAN (Adoor): I am a little surprised to hear the hon. Prime Minister and the Home Minister also saying that prompt action has been taken. Prompt action has been taken in the sense that some of the culprits have been arrested and some compensation has been paid to the families of those killed, but that is not the main point. The main point is that the Government of Bihar which now claims that prompt action

has been taken, has miserably failed to protect the Harijans and the Tribals from the onslaught of the landlords and other exploiting classes.

You are aware that we were all agitated, the entire House was concerned very much, on the Belchi massacre. It was hoped that the strong condemnation expressed by this House and outside by a large number of people and organisations would result in an improvement of the situation in that State, but unfortunately Belchi was followed by so many other mini-Belchis. It was followed by Pathadda on June 10th of last year when Harijans were forcibly taken away by the landlords, locked in a school and then paraded through the streets. They tied ropes round their necks. The Bihar Government itself appointed a Committee and the Committee has condemned this incident.

It was followed by the Dharampura incident where four Harijans including three educated youngmen were shot dead by the local Mahant and his hirelings.

This incident was followed by the Bishrampur outrage, almost a Belchi-like incident, where Harijans were massacred. The seventy year old father of a local Harijan leader and his 65 year old mother were dragged out of the House and shot dead and thrown into the fire and burnt.

So, my main point is that it is not enough that after an incident has taken place, the police go there and take some action and make some arrests. In the last one year and more, such ugly, shocking, brutal incidents have been taking place one after the other in the State of Bihar. I should point out that this ugly incident in which tribals, Harijans and backward class people have been drowned in the Subarnarekha river is not an isolated one. This is happening under

[Shri P. K. Kодиyan]

the very nose of the Central Government—in the Kanjhawala village. I am happy, the Prime Minister has taken a very correct and very strong position. But I would like to inform the House that shocking incidents are taking place. Today I have received a report! I think, it has appeared in the press also.

In one Haryana village, under Sanwala police Station, in Morkhedi, on 21-8-78, landlords attacked Harijan basti with rifles and *farsa* and killed many Harijans, Subhash, a student of Class IX, narrated the incident that they killed his mother by firing and his father with *farsa*. According to reports, landlords have built a wall around the village land and blocked the gates of the Harijans whose houses are around the village land. Harijans tried to break the wall to get passage to go out from their houses, and landlords beat them and many were injured. In the morning, police went there. Still the culprits are roaming about and no action has been taken.

I have also received a report . . .

MR. CHAIRMAN: Kindly ask your question. The calling attention is with regard to a specific incident, not in general.

SHRI P. K. KODIYAN: We are all very much concerned not only over the accident that has taken place at Jamshedpur, but we want to avoid such instances happening elsewhere also . . .

MR. CHAIRMAN: Ask your question.

SHRI K. P. KODIYAN: I am pointing out that such a grave situation is developing in our country. The Kanjhawala satyagraha has taken a new turn; previously, they never entered the Harijan bastis, but from the 21st of this month, the landlord—satyagrahis have been entering the Harijan

bastis they have been using all sorts of provocative language and they have been trying to have an open, physical clash with them. I have also got information that, in the neighbouring States, in Haryana, in the western part of U.P.—from some tehsils and villages—and in some parts of Rajasthan also, the landlords are organizing their own men, and next Sunday they are going to have another village meeting, another conclave in Kanjhawala village. So, the possibilities are there; the Kanjhawala incident will develop . . .

MR. CHAIRMAN: What you are saying is extremely important and we are all one with you in anxiety over this question. But this call-attention is not the forum for a general discussion of the Harijan problem. The problem is widespread, no doubt. But let us confine ourselves to the subject of this call-attention and you may ask your questions with regard to that. As it is, you have already taken a long time. Please wind up, and ask your question.

SHRI P. K. KODIYAN: I will now put my questions. In view of all these developments, I would like to ask the hon. Prime Minister how the Constitutional responsibility of the Centre for protecting the weaker sections can be discharged. I know, the hon. Prime Minister has written many letters, has issued directives, to the State Governments, earnestly and sincerely trying his best. Since the Belchi incident, so many other incidents are happening one after another . . .

AN HON. MEMBER: What is your point?

SHRI P. K. KODIYAN: My question is this. He is merely sending circulars to the State Governments, he is merely sending directives to the State Governments, to take prompt action whenever and wherever incidents have taken place or to take action to prevent happening of such incidents. But has the time not come

when the Centre will have to intervene in a State where the State Government has consistently failed—for example in Bihar? Whether it is Janata rule or Congress rule, whatever may be the political colour of the Government, I am not concerned with it. Where a State Government has consistently failed to protect the interests of the weaker sections, has the time not come for the Centre to do something more than merely sending circulars and directives? That is my one question.

My second question is: in his reply the hon. Minister, Mr. Patil has said that some ammunition was found out from the residence of the contractor and some other weapons were also found out from the premises of the contractor's men. (Interruptions). Now please have patience. In most of these incidents where Harijans and the tribals have been killed in Bihar, it was mostly by gun-shot and not by using lathis. So I am putting the question Is the government prepared to do confiscate their licences and also seize the unlicensed guns from the landlords and their hirelings so that these guns could not be used against unarmed and innocent Harijans and tribals.

श्री संकर देव (बीबर) : मैं कहना चाहता हूँ कि भानरेबल प्राइम मिनिस्टर ने जो जवाब दिया है ।

समाप्तिस यहीदय : आप नहीं बोल सकते, आप बैठ जाइये । इस समय ऐसा कुछ नहीं लाया जा रहा है जिस में आप बोल सकें । आप बैठ जाइये ।

SHRI S. D. PATIL: Apart from the points which are raised by Shri Kodiyar regarding the atrocities committed against the Harijans and the Girijans, he has made two specific points. One is: what is the constitutional responsibility of the State Government and whether in this particular case, the State Government of Bihar has failed to do its duty promptly. The

reply is that the State Government of Bihar has acted so promptly. In the morning at 12.30 p.m. the offence was registered and the responsible officers visited the spot. Not only one officer but several officers visited the spot and immediately 23 persons were rounded up and 2 are absconding... (Interruptions).

MR. CHAIRMAN: I shall not have these interruptions.

यह क्या तमाशा है ? जिस के नाम लिस्ट में नहीं हैं वे बराबर बोल रहे हैं । आप नहीं बोल सकते हैं ।

SHRI S. D. PATIL: The Chief Minister has sanctioned a relief of Rs. 5000 to each of the bereaved families and also cloth, foodgrains etc. So this is a very prompt action from the humane point of view.

Secondly, we do not feel that the State Government has in any way made any delay in the matter and their action is quite laudable. This has also been corroborated by no less a person than the Chairman of the Scheduled Castes and Scheduled Tribes Commission, Shri Bhola Paswan Shastri who visited the place. He visited the affected families and also had talks with the officials, the management of the TISCO and other local officials and he has expressed satisfaction with the promptness shown by the district officials in handling the situation and the arrangements made by them. This is the certificate given by an independent agency, that is, the responsible Chairman of the Commission.

The second point he raised is about the cancellation of the gun licences or other arms licences. In this particular case what we found is that 26 rounds were unauthorisedly in their possession. Whether they were licensed or not is also a point to be investigated by the Police. The Police has already registered a case under the

[Shri S. D. Patil]

Arms Act and immediately action has been taken and the properties have been attached. Now if there are such cases where the licences are misused, Government will certainly take necessary action. Sir, in this connection, in the meeting which the Leader of the House had with the Leaders of the opposition Groups, this point was made clear and it was categorically stated that if there was any misuse of the licences, those cases will be considered and if there was any misuse, the licences will be cancelled.

MR. CHAIRMAN: Now I move on to the next item—Presentation of the Reports of Public Accounts Committee. Shri Narasimha Rao.

SHRI A. K. ROY: Madam, Chairman, I rise on a point of order.

समापति महोदय : आप नहीं बोल सकते हैं। आप बैठ जाएं (इंटरपॉज) यहाँ पर रुक के मूताबिक काम चलेगा। रुक को ताक पर रख कर काम नहीं चलेगा (इंटरपॉज)। आप नहीं बोल सकते हैं। जिन के नाम नहीं हैं उन में से कोई नहीं बोल सकता है।

SHRI A. K. ROY: Madam, you are also a mother.... (Interruptions)

MR. CHAIRMAN: I have called Shri P. V. Narasimha Rao.

PUBLIC ACCOUNTS COMMITTEE

EIGHTY-FOURTH AND EIGHTY-FIFTH REPORT

SHRI P. V. NARASIMHA RAO (Hanamkonda): I beg to present the following Reports of the Public Accounts Committee:—

- (1) Eighty-fourth Report on action taken by Government on the recommendations contained in the Forty-fourth Report relating to the Ministry of External Affairs.

- (2) Eighty-fifth Report on action taken by Government on the recommendations contained in the Fourth Report on Income-tax.

COMMITTEE ON ABSENCE OF MEMBERS FROM SITTINGS OF THE HOUSE

EIGHTH REPORT

DR. BAPU KALDATE (Aurangabad): I beg to present the Eighth Report of the Committee on Absence of Members from the Sittings of the House.

श्री शंकर बेब (दीवर) : मेरी बात आपको सुननी पड़ेगी। जो घनाचार, भ्रष्टाचार और दुराचार हो रहा है हरिजनों पर यह क्यों हो रहे हैं! पिछले डेढ़ साल में यह बहुत बढ़ गया (इंटरपॉज) इंदिरा गांधी के ग्यारह साल के शासन काल में इतना नहीं हुआ था। मैं उनकी तारीफ नहीं करना चाहता हूँ। मंड्यूल्ड कास्ट्स पर ये भ्रष्टाचार कौन कर रहे हैं?

समापति महोदय : आपको समझना चाहिये कि इस तरह से काम नहीं चल सकता है। रुक के मूताबिक चलना होगा। आप बैठ जाएं।

श्री शंकर बेब : जितने लैंडलाई हैं, ब्राह्मण लोग हैं, क्षत्रिय लोग हैं, उनकी हिम्मत बढ़ गई है, इसलिए हरिजनों के ऊपर, आदिवासियों के ऊपर भ्रष्टाचार बढ़ रहे हैं।

समापति महोदय : आप बैठ जाएं। श्री राम विलास पासवान।