roughly fifteen years ago. The Republic of Korea is also involved, on an increasing scale, in undertaking construction projects in West Asia. There are encouraging prospects. both for enhancing our bilateral economic relations and for working jointly in third countries, in a manner which is beneficial to these countries as well as to India and the Republic of Korea. I was gratified to note that the Republic of Korea appreciates India's contributions to international peace and cooperation. particularly in the context of the non-aligned movement and in our sub-continent. Our views on the peaceful reunification of Korea, through direct bilateral discussions without any outside interference, have been fully understood and appreciated by the Republic of Korea as well as by the Democratic People's Republic of Korea Our position on this question has been viewed by both parties as helpful towards the eventual goal peaceful reunification which is the wish of all the Korean peoples.

The Republic of Korea has a great desire to intensify the cultural links with India. As an example of this, I saw that there is a very active Hindi Language Department in the Foreign Languages University near Seoul, where nearly 140 Korean students are busy learning Hindi through modern audia-visual methods.

While in Seoul, I was received by the President Mr. Park Chung Hee, Prime Minister of the Republic of Korea, His Excellency Mr. Choi Kyu Hah and the Deputy Prime Minister, H. E. Mr. Duck Woo Nam and I had a round of talks with my counterpart, His Excellency Mr. Tong-Jin Park, the Foreign Minister.

In conclusion, I was impressed by the friendship, warmth and the estem in which India is held in both these countries. The possibility of cooperation in a wide variety of fields exist, and I hope that we can play our part in this process.

15.28 hrs. ...

STATUTORY RESOLUTION RE. DIS-APPROVAL OF DELHI POLICE OR-DINANCE, 1978—contd.

and

DELHI POLICE BILL-contd.

MR.CHAIRMAN: Now the House will take up further discussion of the statutory resolution moved by Shrimati Parvathi Krishnan on the 17th August, 1978, namely:

"This House disapproves of the Delhi Police Ordinance, 1978 (Ordinance No. 2 of 1978) promulgated by the President on the 1st July, 1978,"

and also the following motion moved by shri S. D. Patil on the 17th August, 1978, namely:

"That the Bill to amend and consolidate the law relating to the regulation of the Police in the Union Territory of Delhi, be taken into consideration."

Already 45 minutes have been taken and 2 hours and 15 minutes remain. Shri Shambu Nath Chaturvedi has already taken six minutes; he may continue his speech and take five minutes more.

SHRI SHAMBHU NATH CHATUR-VEDI (Agra): On Friday last I was speaking about the diverse nature of the duties of the police and its preoccupation with the law and order duties, leaves very little time for investigation, detection and prevention of crime. If we have to judge the Police Bill that has come before us properly, we should consider it in the perspective of the nature and range of police duties, conditions and environment in which they have to work, what is the basic goal they have to achieve and whether this Bill is a step in the right direction or not. The duties of the police are manifold. In fact, no other arm of the Government has such wide-ranging functions as the police. Public peace and social tranquility, which makes life livable.

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[Shri Shambhu Nath Chaturvedi]

are greatly dependent on the operations of the police. Quite often, the police are involved in unpleasant duties and have to take strong action and they becomes the target of public criticism. The environment in which they have to work is one of distrust and suspicion. Part of it is attributable to historical reasons. The police was conceived by the British as an enforcement agency and not as a service organisation. Its emoluments are so meagre that it had virtually to live on the people. That unfortunate tradition has been largely responsible for its alienation from the public and its inability to win the trust and confidence of the people. Therefore, what is required is that the police has to increase its operational efficiency and also to improve its image before the public.

There are two system at present. As I said in my opening remarks, the present set up was governed by the 1861 Act which is completely outmoded and which was given to us by the British. The Commissioner's system has been successfully worked in Bombay State. This Bill is modeled on that Act. For efficient functioning, it is necessary that the police force has to be organised as a unified force with clear lines of command and control in which the D.M.'s position becomes palpably anomalous as a non-departmental outsider. This gives occasion to misunderstanding, tension and conflict at the district level. As a matter of fact, the current trend is also clearly towards substantial independence of the S.P. from the D. M. the police Department, by the very nature of its job, has tended to become more and more specialised, diversified and inward looking. The Commissioner, under the new system, is directly and exclusively responsible for the maintence of law and order and exercises executive powers relating to law and order and allied matters which are normally entrusted to the D. M. The

judicial powers are exercised by the Metropolitan Magistrate. There is no confusion here about the centre and focus of authority. This arangement is conductive to better discipline, and absence of any divorce between authority and responsibility facilitates quick decision and swift action and leaves little excuse for indecision, vacillation and delays. It also ensures better accountability and provides greater scope for exercise of initiative. The old system leads to unnecessary wastage of quality manpower. Where one high level officer could handle the work, it provided for two.

It is very necessary that if the police work is to improve there must be cooperation of the people. It cannot be one-sided. If the present distrust continues, with such wide-ranging duties and activities the police cannot give its best and the quality of its service is bound to suffer.

As I said, Let us forgot the historical background. The Commissioner system has worked well in Bombay. The Bombay police is the most popular and probably the most efficient in the country, and although this measure is a little half-hearted, I think it will tend to increase and improve the efficiency of the police and bring it nearer to the public. I therefore support this Bill.

I shall move my amendments at the proper time.

MR. CHAIRMAN: Shri Edurado Faleiro

SHRI KANWAR LAL GUPEA: I have to go and so may I request my friend to allow me to speak before

SHRI EDUARDO FALEIRO (Mormugao): I am at your service.

MR. CHAIRMAN: I cannot call you before I call an Opposition Member.

SHRI KANWAR LAL GUPTA: have to go, and he agrees.

MR. CHAIRMAN: All right, you may speak

SHRI EDUARDO FALEIRO: After him I may be called.

भी संबर लाल गुप्त (दिल्ली सदर): सभापति महोदय, मैं मंत्री महोदय को बधाई देना चाहता हं कि वे दिल्ली के लिए एक ऐसा विधेयक लाए जिस से हम यह माशा करते हैं कि शायद दिल्ली की का एण्ड बाईर की स्थिति सुधरेगी। अभी तक जिस तरीके से दिल्ली में पुलिसिंग हो रही हैं, वह सिस्टम भाउट-डेटेड था, माऊटमोडेड था भीर भंगेजों के समय से चला भारहा था। प्राप को सून कर ग्राश्चर्य होगा कि दिल्ली पुलिस एक्ट जो भी है, वह बहुत पराना है भीर शायद सी साल पराना है भीर इस से भी ज्यादा पुराना वह शायद है उस में एक क्लाज यह है कि झगर कोई व्यक्ति काला सांप मार कर थाने में लाएगा, तो उस को एक माना मिलेगा। वह क्लाज श्रभी भी है भौर इस तरह की बहुत सारी एवसर्ड चीजें उस के भन्दर हैं। तो यह भाग ने भण्छा किया कि जो भाऊट-डेटेड भीर भाऊटमेटेड तरीके का कानून था, उस को भ्राप बदल रहे हैं।

खोसला कमीशन 1966 में बना था भीर उस खोसला कमीशन ने 1968 में भपनी रिपोर्ट दी लेकिन आज तक जो रिकमेंडेशन्स उस ने दी थी, उन पर काम नहीं हुआ।। सब से बढ़ी रिकमेंडेशन यह थी कि यहां दिल्ली में पुलिस कमिश्नर होना चाहिए लेकिन द:ख की बात है कि 10 साल तक यह कोल्ड स्टोरेज में पड़ी रही और सब जनता पार्टी के प्राप्ते के बाद वह कोल्ड स्टोरेज सें निकल कर सामने उभर कर के बाई है बौर उस के लिए मैं मंत्री महोदय को बधाई देना चाहता है।

सभापति महोदया, भाप तो दिल्ली की रहने वाली हैं, 7.5 परसेष्ट बिल्ली का आप को समझना चाहिए | Not 75 per cent, but 100 per cent. You were a Minister in Delhi, I forgot, I am sorry.

ग्राप को मालूम है कि दिल्ली की पापूलेशन हर ताल ढाई लाख बढती है और दनिया की कोई भी राजधानी ऐसी नहीं है जहां पर पापूलेशन का बढ़ना इतनी गति से ही रहा हो जितनी गति से दिल्ली में हो रहा है भीर विल्ली के धन्दर ला एण्ड आर्डर एक बडा काम्पलीकेटेड इश् है और मैं यह कह सकता हं कि अब आप ने जो अधिकार इस में पुलिस कमिश्निर को दिये हैं, उन से काफ़ी लाभ होगा। पहले यहां पर इझल कण्ट्रोल या भीर भव वह इसल कण्टोल खत्म हो गया है और उस की जगह पर एक युनिफाइंड बाबोरिटी बाप बनाने जा रहे हैं। मैं उस का स्वागत करता हं। श्रव श्राप एक श्रादमी को जिम्मेवार ठहराएंगे मगर कानून की व्यवस्था ठीक नहीं रहेगी। पहले तो यह होता था कि पुलिस मेजिस्ट्रेट को कहती थी भीर मेजिस्ट्रेट पुलिस को कहता था भीर दोनों का भापस में झगड़ा होता था, जिस से देरी होती थी। श्रव एक यूनिफाइड बाबोरिटी होने के बाद, मैं समझता हूं कि डग्नल कण्टोल समाप्त हो जाएगा भीर भव इस के बाद माप ने इतने मधिकार इस सें दे विए हैं, शायद मेरे ख्याल से कुछ जरूरत से ज्यादा भी अधिकार आप ने दे विये हैं। इस सम्बन्ध में मैं एक बीच यह कहंगा कि सेक्शन 31 में भाप ने हैड कांस्टीबिल की यह अधिकार दिया है कि वह किसी असेम्बली को, किसी मीटिंग को, जिस को वह ठीक समझें बरखास्त कर सकता है, तोड़ सकता है। श्रव हेड कांस्टेबल को इतने श्रधिकार देना. में समझता है कि वह बहुत ठीक नहीं होगा। ग्रापका जो सेक्शन 28 है उसमें <del>}</del> ---

Power to make regulations under the Act has been given to the Commissioner in respect of all matters specified therein, which include regulating the conduct or behaviour or হাই ভাৰ কাৰ ৰূপ্যা actions of persons constituting assemblies and processions. But the most obnoxious provision of the Bill is that the Commissioner has been empowered to make any regulations, or after or rescind them without any publication and such orders shall come into force at once. It is without any publication.

बिदाऊट पब्लिकेशन है। आपने जो इतने अधिकार दिये हैं उनके लिए तो सुझे कहना नहीं है लेकिन विदाऊट पब्लिकेशन आप कानून बना कर लायू कर दें और लोगों को पता नहीं हो तो यह बात सोचने वाली है। पता नहीं यह बात कैसे अनुमान में रह गई; या किस ने इस को रखा। मेरा कहना है कि इस बिल में ऐसी चीजों नहीं होनी चाहिएं।

इसके प्रतिरिक्त सभापति महोदया भीर बहुत सारी बातें ग्रापने दी हैं। सेक्शन 32 में कहा है—

This section empowers the Commissioner, on the report of the incharge on the police station or otherwise, to prohibit the carrying on in any premises of any trade, avocation or operation resulting in or attended with noise, if it causes discomfort or annoyance to any person who dwells or occupies any property in the vicinity.

भव इस से यह होगा कि जो छोटे छोटे लोग हैं, उनको कोई भी कांस्टेबल झा कर तंग करेगा। इस के मलावा भापने पुलिस एक्ट के अन्वर महास हामेटिक परफार्नेंसिज एक्ट, सिनेमोटोग्राफ एक्ट, इंडियन लूनेंसी एक्ट, प्रेंस एन्ड रिबस्ट्रेंगन भाफ बुक्स एक्ट भी दे दिये हैं। इस तरह से भापने एक बहुत ही पावरफुल इंस्टीट्यूगन खड़ी कर दी है। चूंकि इस इंस्टीट्यूगन को खड़े हुए अभी बहुत बोड़े से विन हुए इसिनए इस के सम्बन्ध में सभी कुछ कहना साबह ठीक नहीं होगा क्योंकि सभी तो इस की शुक्थात ही है। लेकिन सभी तक

को पिछने बो-सीन महीने का सनुमय है, उसमें पुलिस के रवैंये में कोई परिवर्तन नहीं यालून होता, कोई बेंज विश्वाई नहीं देती । उस के बेसिक धाळडलुक में को बेंच होनी चाहिए थी, वह नहीं है । मैं मंत्री महोवय से निवेदन करूंगा कि धापके जो धाफिससे हैं, उनका रिघोरियेण्डेशन कराइये, उनको ट्रेनिंग वीजिएं, उनके धाळडलुक में परिवर्तन लाइये धौर उनका जो बेमेज्ड इमेज है, उसको ठीक करिए । उनको धच्छी ट्रेनिंग मिलनी चाहिए, उन्हें माडरेनाइज सिस्टम मिलना चाहिए। उनकी मोबिलटी ठींक होनी चाहिए।

सभापति महोदया, जब चौधरी चरण सिंह होम मिनिस्टर थे, तो उन के साथ हमारी मीटिंग हई थी। खोसला कमीशन ने भी यह बात कही है कि दिल्ली में पूलिस की संख्या जितनी होनी चाहिए, उतनी नहीं है। चौघरी साहब ने मीटिंग में वायदा किया था कि हम दिल्ली में पुलिस की संख्या बढायेंगे। लेकिन ग्राम्चर्य की बात है कि ग्रामी तक दिल्ली में करीब दस लाख पापुलेशन ऐसी है जहां पुलिसिंग है ही नहीं, जहां पुलिस का कोई कांस्टेबल जाता ही नहीं, जो किसी थाने के नीचे है ही नहीं। दो-दो लाख. तीन-तीन लाख की पापुलेशन इस तरह से रहती है। इसलिए मैं कहना चाहता हं कि इस तरह के सिस्टम में परिवर्तन होना चाहिए। सभापति महोदया, जब तक यह नहीं होता तब तक ला एण्ड धार्डर की प्रोब्लम भी ठीक नहीं हैं गी।

मुझे बर है कि मंत्री जी घांकड़े दे देंगे। प्रांकड़ों से मुझे बहुत डर लगता है। इसलिए मैं उन से चाहता हूं कि वे मेहरबानी कर के घांकड़े न दें। मेरे पास घी घांकड़े हैं जिन से मैं यह साबित कर सकता हूं कि हमारी गवर्नमेंट के घाने के बाद से कितना काइंज बढ़ा है, कितनी डकेटीज, रोबरीज, स्नेचिंग हुई हैं। ये घांकड़े मैं नहीं देना चाहता। वकीत्वां पिछले साथ शहर थीं भव 39 हुई हैं, रावरीज 327 भीर भव 587, वरवलरीज 1443 भीर भव 2174 इसी तरह से बैण्ट्स भी नहीं हैं। मर्वेर 103 से बढ़ कर 111 हो गए हैं। एटेंस्प्टटू मर्बर 116 से 150 हो गए हैं। ये सब बढ़ते जा रहें हैं। कहा यह जाता हैं कि हमने पूरी अवस्था कर ली है।

श्री रामानन्य सिवारी : (बन्सर): जब से पुलिस कमिण्नर हुमाहैं तब से काइम बड़े हैं या कम हुए हैं?

भी कंबर लाल गुप्त : यह बहुत सुन्दर सवाल उन्होंने किया है। तब से कोई भी बदल बिल्कुल नजर नहीं झाता है। बेसिक ग्राउटल्क में बिल्कुल बदल मुझे नजर नहीं माता है। जो मेरे साथ घटना हई उसको बताने में समय लग जाएगा। मैं बताना नहीं चाहता कि किस तरीके से हमारी पार्टी की मीटिंग हो रही थी भीर वहां पर यूथ कांग्रेस के लोगों ने भा कर धरना दिया भीर गड़बड़ की। हमारे पास धर्मशाला में मीटिंग करने की परमिशन थी। लेकिन वहां पर हिस्टी शीटर मा गए। जब पुलिस में रिपोर्ट की गई तो एक घण्टे के बाद पुलिस झाई। उसने कोई कार्रवाई नहीं की भीर कहा कि भीर पुलिस प्राएगी । उस में घीर एक घण्टा लग गया। लोगों ने बताया कि यह जो एस एच मो हैं यह इन लोगों के साथ, हिस्ट्री शीटचं के साथ शराब पीता है, यह किसी को भी गिरफ्तार नहीं करेगा। मैंने कहा कि भव ऐसा नहीं है, मैं बात कर लुंगा, सब ठीक हो जाएगा। लेकिन इसके बजाय कि हमारी शिकायत पर कार्रवाई होती हम को ही डाटा गया और हमारे खिलाफ़ शिकायत लिख दी गई। यह जो पुराना तरीका है इसको बदलना ऋदिए। अनदा ही जारत है तो पुलिस काले अपनी नवीं पाड़ वेते हैं और शिकायत लिख देते हैं। ये जो पुराने तौर तरीके हैं इनको बदसा जाना चाहिए।

What is the general opinion of the people residing in Delhi? May I request the hon, Minister to kindly visit the areas of Delhi and find out—talk to the ladies particularly—what are their views. They have a pery bad image about the police, the police has a very bad image. There is no sense of security in the minds of the people. I must tell you frankly. Being a representative from Delhi, if I do not say it, I will be failing in my duty.

ध्रापने जो ताकत दी है उसका हम स्वागत करते हैं। लेकिन इसके ध्रच्छे परिणाम सामने ध्राने चाहियें। ध्रगर ऐसा नहीं होता है तो ठीक नहीं होगा। बन्दर के हाथ में ध्रापने कुछ चीख तो देदी है लेकिन तब उसके नतीजे खतरनाक भी हो सकते हैं।

बम्बई में पुलिस कमिश्नर बहुत ग्रन्छा काम कर रहा है, यह कोई दलील नहीं है कि यहां भी धच्छा काम होगा। एक कोस्रोप्रे-टिव सोसाइटीच एक्ट है, महाराष्ट्र में, गुजरात में, बहुत अच्छा चल रहा है भीर बहत कामयाब है जब कि दिल्ली में भगवान की दया है, उत्तर प्रदेश में नार्थ इंडिया में भगवान की दया है। यह एक फैमिली बिजिनैस बन गया है। यह हो सकता है कि बम्बई में भ्रच्छा हो भीर दिल्ली में न हो। उस वास्ते इसको धण्छा बनाने के लिए ग्रापको चाहिए कि ग्राप उनके भोर्स्येटेशन के लिए, उनकी देनिन के लिए, उनकी माडनाइक करने के लिए, उनके एसपैक्ट को बदलने के लिए कार्रवाई करें। एमर-जेंसी से पहले जब हम अयोजीशन में बे और जब हम प्रक्रवीस तीस बार जेल गये में तब हमने देखा कि जो सीनियर पुलिस माफिसर ये वे बहुत केपेशल ये भीर किसी भी सिष्कान को हैंडल करने की क्षमता रखते थे। लेकिन घट प्रापने प्रनाही सर

[श्री कंदर लाल गुप्ता]
कर रख दिए हैं। उनको न पब्लिक से
वास्ता है भौर न किसी और से। एक दिन
मीटिंग में बात हो रही थी। तब पता
खला कि भापके जो एस पी हैं वह मैट्रोपालिटंग कार्ऊसिल के मैन्बरों के नाम तक
नहीं जानते हैं। उनकी शक्ल नहीं मालूम।
तो पिलक रिलेशन्स क्या है भापका ?
Unless you have public relations,
you cannot do anything.

वह इलाके में नहीं जाते। विखा देते हैं थाने में गये। जहांतक जीप जाती वहां का चक्कर मार भाते हैं, लेकिन भागे गलियों में क्या हो रहा है यह नहीं जानते। तो भाप उनको समझाइये. उनकी मीटिंग कीजिए, भीर जब तक यह नहीं होगा तब तक यहां की समस्या हल होने वाली नहीं है। कहते हैं कि दिल्ली की हालत कमप्लीकेटेड है। लेकिन मैं बताता हं कि जब हम अयोजीशन में थे तो उस समय जितने डेमान्स्टेशन होते थे उसका दसवां हिस्सा भी श्रव नहीं होते। कभी इन्दिरा जी. कभी जनसंघ, कभी जयप्रकाश जी, कभी शाचार्य कृपालानी जी ने डेमान्स्टेशन किथे। श्रव तो कुछ भी नहीं होता है। श्राज जो ला एण्ड भाइंर की शोबलम है उसकी भाप ठीक करने के लिए कहिए। आप पुलिस कमिश्नर बनाइये या न बनाइये, दिल्ली सें शांति होने बाली नहीं है।

मैं इसका स्वागत करता हूं । इसके बारे में मिक्स्व फ्रीलिंग है । एक तो फ्रीलिंग यह है कि पुलिस इतने अधिकारों के साथ पागल हो सकती है । भीर अगर उस पर कोई रोकचाम नहीं की गई तो काम नहीं चलेगा । पहले का जो सिस्टम था वह एक तरह से चैक और बैलेंस का सिस्टम था। विकिन अब कुछ नहीं रहा। अब तो पुलिस बाले रह गथे। कहीं ऐसा न हो कि पुलिस अधिकारी इसका बुरपयोग करें। इसकी आप देखिए।

एक सुझाव और देंगा। पुलिस के अलावा बीर जो काम धापने विये हैं, ला ऐंड बार्डर, इनवेस्टीगेशन या प्रोसेशन के प्रलाबा भीर जो काम दिये हैं, जैसे इंडियन ल्नेसी ऐक्ट, प्रैस रजिस्ट्रेशन बुक्स ऐक्ट के प्रधीन जो काम पुलिस को दिये हैं यह पहले लोकल बाडीज के क्षेत्र में भाते थे। लेकिन भव यह अधिकार पुलिस को मिल गये हैं। जब तक वह लाए ड भाईर की स्थिति ठीक नहीं कर सकते तब तक इन ग्रधिकारों का उपयोग ठीक से कैसे पुलिस बाले कर सकते हैं? मेरा कहना है कि यह अधिकार ग्रमी थोडे दिन लोकल बाडीज के पास ही रहने दीजिए। ग्रीर स्वयं देखिए कि अगर पुलिस वाले ऐफ़ी शियेंसीं दिखाते हैं तो ठीक है। नहीं तो भ्रधिकार न दीजिये। उनको लाएण्ड ग्रार्डर पर कन्स्ट्रेट करने दीजिए।

Anyway, I want to conclude. I congratulate the hon. Minister, It is a new experiment. I do not want to comment on that. Let us give time to the police and let it change its outlook.

भीर भाप भी उस तरफ कोशिश कीजिए, मौडर्नाइब कीजिथे पुलिसको, जो संख्या कम है उसको बढ़ाइथे, उनकी मोबिलिटी बढ़ाइथे. भक्छे भार्म्स दीजिए।

इन शब्दों के साथ मैं इसका समर्थन करता हूं भीर भाषा करता हूं कि दिल्ली के लोगों को कुछ राहत की सांस मिलेगी भीर वह अपने को दिन में भी असुरक्षित महसूस नहीं करेंगे। असुरक्षा का बाताबरण जो जो इस समय है वह समाप्त होगा। तीन, चार महीने बाद जब अगले सब. में मिलेंगे तो मंत्री महोदय से बात करेंगे धीर भाषा करेंगे तब तक कुछ सुधार जकर होगा।

SHRI EDUARDO FALEIRO (Mormugao): Madam Chairman, Mr. Kanwar Lai Gupta, our hon. Colleague, has reeled off statistics to show how the law and order situation, particularly in Delhi, has deteriorated during the

last several months. He might as well have said that if has deteriorated, in fact, all over the country since the Janata Party took over. This is an unfortunate thing to say, but it is true. It has particularly deteriorated in Delhi, I fully agree with him. We appreciate the concern of the Government in tackling this deteriorating law and order situation, the concern which has been expressed by the Prime Minister in June for instance, when he presided over a meeting of senior officials of Delhi Administration, the concern which has been expressed, for instance, as Mr. Kanwar Lal Gupta has said, by Mr. Charan Singh when he was Home Minister and had a meeting with MPs from Delhi, the concern which has been expressed by Mr. Charan Singh who said lying in his hospital bed that, as soon as he got well he would have another meeting to tackle this problem, and to find ways and means to tackle this problem of deteriorating law and order situation in Delhi. But, in the meanwhile he himself was removed from the portfolio. Now, I appreciate this concern, but then I have said that I feel unhappy that the solution suggested will in fact make the cure worse than the disease.

Now, what is the solution suggested? Again I am relying on my hon, colleague, Mr. Kanwar Lal Gupta. The solution suggested is this. If the people are violent, then this violence must be met with violence. It must be met by giving increased powers to the Police, by removing all controls on the Police and by letting in fact, loose the Police force on the neople who cause this violence. Madam, there is no attempt to analyse the causes of violence, why people turn violent and there is no attempt to find out what are the political justifications, what are the economic causes and what are the sociological causes. We are resorting to: what was known in the olden days as: the Maghai doctrine which later became the colonial doctrine and more recently our friends have proclaimed 2571 LS....

as the doctring of "that traumatic experience of Emergency."

Madam Chairman, Delhi Administration is completing full circle with this business. We had the Emergency discipline, then we had the Janata Party indiscipline and now we are going to have this discipline of the Police Commissioner and of the Delhi Police Bill under the auspices of this very Party which came riding on the crest of an anti-Emergency wave. So. what I am objecting to is this. You are trying to solve the law and order problem by giving increased powers to the Delhi Police when the Police does not deserve these powers. I am not in a position, due to lack of expertise, to disagree either with the Khosia Commission or with so many other Commissions who have condemned this duality of the District Magistrate on the one side and the IGP on the other side. They have found that this is not working well and that they are not co-ordinating well. What I say is: if you are going to abolish the District Magistrate, do it by all means if it is adviseable technically. But, then, at the top of the Police force, as Police Commissioner do not, for God's sake, put a man from the Police force, but put a civilian. That is the only solution to the problem.

We all know that our Administration is corrupt, that it is inefficient. But, it is not only this Administration, it is not only this Government but corruption has been here for a long time. Also it is not only in this country but it has been there in other countries also and it is there practically in every country. But the point that I am trying to emphasize is that out of the corrupt departments, the most corrupt undoub. tedly the most inefficient possibly is the Police Department. A Police constable will not rest quite unless he extracts Rs. 5 from a shop-keeper or from a Mudka gambler or from a bus conductor.

SHRI VAYALAR RAVI (Chirayan-kii): Mudka rate is very high.

SHRI EDUARDO FALEIRO: II it is very high in the case of a Police constable, the point I am trying to make is, then it is much higher in the case of the IGP. There is a rate for the IGP also. The excuse or justification you have mentioned here in the Bill for making the Police Commissioner a man from the Police force is that he will be a senior Police officer. To my mind, this is not going to solve the problem. I am personally aware that many IGPs take bribes that many IGPs collect money not only from outside persons but even from Police constables and other subordinate officials for promotion . . .

### AN HON, MEMBER: In Goa?

SHRI EDUARDO FALEIRO: I would not like to mention the place. It is not fair to identify the person, but the fact is that there is a running rate, there is a going rate for promotion of a Police Constable and in the case of a particular IGP the going rate was Rs. 5000. In my place which you have mentioned there is a saying that a thief who steals from a thief gets hundred years of pardon. No punishment for him for 100 years. That is saying. But, all the same, we could not agree with that. A thief is a thief in any condition,

So, Madam Chairman, in my humble submission which I hope will be the submission of eevryone who has had any contact or any experience in any capacity with the Police force for God's sake don't give all these wide powers you are trying to give, to a man from the Police force.

Shri Kanwar Lal Gupta has again made most of the case which is my case and he has mentioned so many provisions where wide powers are given to the Police, I will cite one more provision and that is clause 47. Clause 47 says:

"Whenever it appears to the Commissioner of Police-

(a) that the movements or acts of any person are causing or are calculated to cause alarm, danger or harm to person or property:

16 hrs.

He can do whatever he wants to dohe can extern a person or even arrest him or do whatever he wants to do. This is the subjective opinion of a Police Commissioner and no one can interfere with it. He can extern the person likely to cause alarm. You are going to give wide, unqualified and undefinable powers to the police force. What I am saying is that the powers are likely to be abused and are bound to be abused very soon.

I would like to tell you in this context-it struck me just now-what was said about corruption of the Police by no less a person than that eminent judge of the High Court, Shri Anand Narain Mulla. He said several years ago while delivering a judgment in the case of a Police Inspector who had been convicted for fabricating evidence. He said these words:

"There is not a single lawless group in the whole of the country whose record of crimes comes anywhere near the record of that organised unft which is known as the Indian Police."

These words remain true upto this date. So, it is not a question of corruption alone but it is a question of inefficient people. The police force are not trained properly. There were so many murders committed in my territory which have gone undetectedrobberies and murders are major crimes which have gone undetected. Due to their inefficiency in detection, the police resort to third-degree methods and there will be no control on them from outside the police force once we support this provision and there will be no end to it. My submission is this. During emergency similar types of powers were given to the police. The District Magistrate was there but he was made ineffective. We all know how District Magistrate's

signed blanket warrants forms for MISA detenus. We know the types of abuse of nowers that were done. The District Magistrate was not functioning at all. I shall mention one thing. Under the Bill these will be an appeal to the Administrator from the orders of the IGP, now Commissioner of Police. During the emergency we know how they acted-the Administrators-and how they became a rubberstamp and a non-entity. Everybody knows about the unfortunate Shri Kishan Chand who was the Lt. Governor of Delhi at that time. What I am saying is this. Most of the Members may have some experience or the other about the police force. We have come in contact with them; so we would not like to be a party to this type of legislation where the powers are going to be given to the Police Commissioner. They will definitely abuse those powers. We will come to a full circle after The-"discipline" of Emergency and the indiscipline of the Janata Party. Mr. Chairman, we would not like to be a party to this.

16.03 hrs

[SHRI N. K. SHEJWALKAR in the Chair]

भी रामानम्ब तिबारी (बक्सर): सभापति जी, मैंने इस बिल पर एक संसोधन दिया है कि इसे प्रवर-समिति को भेजा जाय ।

सभापति जी, हमारी पुलिस की छवि पर से दमन और आर्तक के धड़वे मभी तक मिटे नहीं हैं। हम विना लाग-लपेट के कह सकते हैं कि मारत की पुलिस की वह भूमिका सभी प्रतिष्ठित होने बाली है जो लोकतन्त्रीय जनकल्यां वी राज्यों में होती चाहिये। हम यह मानते हैं कि जब तक इस संसार में मानव जाति रहेगी, तब तक पुलिस भी रहेगी । पुलिस की सावायकता है। लेकिन उसे हम ससीमित समिकार न दें । सौपनिवेतिक राज्य में पुलिस द्वारा

दमन भीर शातक का साम्राध्य बनाना उचित था , शेकिन बाज के इस लोक-तांग्लिक देश में--- 30 वर्षी की प्राणांकी के बाद भी ग्राज की पुलिस लोक-धीर जनकर्याणी पुलिस नहीं 8 1 1947 में शाज के इस देश में सब से बड़े गांधीवादी दशौन के माध्यकार श्रीप्शरेलाल जी जिल्होंने "लास्ट फेंज आफ महात्मा गांधी" नाम की पुस्तक लिखी हैं भीर जो भ्रमना सम्पूर्ण जीवन गांधीयन दर्शन में बिता रहे हैं, उन्होंने उल्लेख किया है कि 1947 में जब बिहार सरकार के खिलाफ़ पुलिस की हड़ताल हुई भी भीर बहु हड़ताल हमारे नेतृत्व में हुई थी, तो उस समय गांधी जी ने हमें भारम समर्पण करने के लिए आवेश दिया था भी १ यह सोचा था कि इस से पुलिस में भागूल परिवर्तन होगा । प्यारेलाल जी नेलिखा है कि 1947 में धगर रामानन्द तिबारी मान ली गई होती भीर महात्मागांधी जी की सलाह मानी जाती. तो ग्राज स्वतंत्र भारत में पुलिस का रूप कुछ भीर होता लेकिन माज हम क्या देखते हैं ? मैं दो मिसाल देता हूं। भापातकालीन स्थिति में भाप ने देखा कि साराभारत जेल ही नहीं या बल्कि दमन भीर भातंक से भयभीत था. कंपित या । ब्राज दुर्भाग्य है कि डा॰ लोहिया नहीं १ है। काश, घाज डा॰ लोहिया रहते। प्राज बिहार में हुमारे मिन के राज्य में 110 बार गोलियां चलीं मीर केवल पंचायतों के चुनाव में 75 स्थानों पर गोलियां चलीं । साप क्या चाहते हो? हम चाहते हैं कि पुलिस कमिश्नर हो दिल्ली में, लेकिन धाअ 1818 के मदास बाईलाज का साप ने मनुकरण किया । सादरणीय बतुर्वेदी जी ने वस्वई की बात कही। बम्बई का पुलिस एक्ट 1888 के एक्ट पर बाबारित है, यों तो 1861 का

[थी रामानन्य तिवारी]

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पुलिस एक्ट चल रहा है। मैं बड़ी बड़ी नसता के साथ कहना चाहता हं कि द्यापपुलिस को द्यविकार दें। लेकिन धारपधिक प्रधिकार न दें। एक बात तो मुझे यह कहनी है।

वूसरी बात मैं यह निवेदन करना चाहता हूं कि ग्राप के इस बिल में 151 क्लाज हैं, 151 खंड हैं भीर प्रथम खंड से लेकर 14 खंड तक पुलिस की बहालो, , पुलिस की इय्टीज, पुलिस के कर्तांध्य दिये हैं ग्रीर ग्रापने पुलिस सिपाही से लेकर जो भी पुलिस कमिश्नर तक सब को प्रधिकारी माना है लेकिन जहां यह प्राप ने माना है, वहीं पर हम समझ नहीं पातें कि क्लाच 3 में भाग लिखते हैं कि "पुलिस बल के सभी ग्रंधिकारियों भीर ग्रंधिनस्य पंक्ति के कर्म-चारियों के बल की किसी भी माखा में, जिस के ग्रन्तर्गत समस्त्र पुलिस भी है . . . "। एक तरफ़ तो बाप सिपाहियों को भी बधि-कारी मानते हो धौर दूसरी तरफ बाप उन्हीं सिंगहियों ग्रोर हैड-कांस्टीबिलों को कर्म-चारी मानते हो। इस के मलावा दूसरी जगह आप हैड-कॉस्टीबिल को वे अधिकार देते हो जो अधिकार पुलिस कमिश्नर से ले कर सब-इंस्पेक्टर तक को हैं। इतना ही नहीं सभापति जी, भाप क्या चाहते हैं ? 19वीं शताब्दी, 18 वीं शताब्दी में माप पुलिस के प्रधीनस्य कर्मचारियों को ले जाना चाहते हैं, किस युग में भाप उन को ले जाना चाहते हैं ? मुगल पीरियड में, श्रेष्ठेजी साम्राज्य में या कांग्रेंसी राज्य में, कही ग्राप उन की ले जाना चाहते हैं, यह मैं बड़ी नम्प्रता के साथ भापसे पूछना चाहता हूं।

क्लाज 21 में यहां लिखते हैं कि ---

"संविधान के अनुच्छेद 311 और नियमों के उपधन्धों के प्रधीन रहते हुए, पुलिस भागूक्त, पुलिस अपर आयुक्त, पुलिस उपायुक्त, पुलिस

बंपर उपायुक्त, पुलिस प्रविक्षण कालिक कौर पुलिस प्रक्रिकण स्कूल का प्रश्नामार्था या समान पंत्रित का कीई अन्य अधिकारी मधीनस्य पंक्ति के किसी मंद्रिकारी की निम्मलिखित से कोई भी वंड दे तकेगा।"

इसमें बाप कीन-सा वंड देना बाहत हैं ? हम बाप से निवेदन के साथ पूछना बाहते हैं कि क्या भाग जो दंद भंगें की राज के जमाने में दिया जाता था वही वंड देना चाहते हैं, या जयपुर के राजा जो दंड देते थे, वह हंड देशा बाहते हैं ? हम बिन प्रता से पूछना चाहते हैं कि बाप किस बपराध में उसे वंड वेना चाहते हैं। झापने वंड जो देंगें उसकी ड्याख्या की लेकिन प्रापने यह नहीं बताया कि द्याप कब सेवा से हटाइयेगा। जैसे प्राई० पी०सी० भीर सी० पी० सी० में लिखा होता हैं कि यह यह अपराध करने पर यह दण्डें विया जाएगा । इसमें यह नहीं है कि भाप के ग्रधिकारी किस ग्रपराध में कितना दण्ड वेंगे।

महोस्य : मव समापति समाप्त कीजिए:

भी राजानंद तिवारी: हमने अमेंडमेंट दिया है, हम इस पर बोलना बाहते हैं। भ्राप भगर इसे ऐसे ही पास करना चाहते हैं तो बात दूसरी है, भाप पास कर दीजिए।

हमारा पुलिस का धनुभव हैं। हमें उसकी नियमित सेवा का भनुभव हैं। 1933 में दाढ़ी बढ़ाने के कारण हम की पुलिस से विसमिस कर दिया था। प्राई० जी० ने किया था। आप इसमें असीमित ग्रविकार प्रविकारियों को दे रहे है। हमारे पाटिल साहब सरकार चलाने बाले हैं, मंत्री हैं, उनको इस बात का चनुभव नहीं है कि गरीब का बेटा, हुखी का बेटा, दीन का बेटा किस तरह से पुलिस में काम करता है। वह सुबह से ले कर रात तक पानी में भी

कर काम करता है, बोक्किया में काम करता है। हम एसर कंडोशंड में बैठ कर काम करते हैं। सिपाही तपती धूप में बड़ा रहता है। क्या धापको इस का अनुभव है? वह भी मानव है। यह 12-12, 13-13 वण्टे इयटी बेता है। क्या कभी धापने सोचा है? क्या कभी आपने क्विशर किया है?

मैं ब्राप के निवेदन करना चाहता हूं कि माप निश्चित् रूप से इस में यह लिख दीजिए कि ग्रमक अपराध में उसे ग्रमक दण्ड मिलेगा। (अपवधान ) हम तो इस में नहीं पढ़े हैं , आप पढ़े हों तो पढ़े हों कि इस में यह है। क्या माप को मालूम है कि सीटिंग इयुटी के बारे में ? सीटिंग इयूटी के नाम पर उसे एस० पी० के बहां हल जलाना पहला है, घर साफ करना पड़ता है। झाप जानते हैं इन सभागे सिफाहियों की हालत । सधि-कारी उन से कहते हैं कि हल जलाइये। बे कृदाल चलायगें तो क्या बाप समझते हैं कि उन में हीन भावना पैदा नहीं होगी? इस वास्ते इस तरह की बीजों की तरफ आपको ध्यान देना चाहिए । कोई भी सरकार हो वह जो चाहे पास करवा सेती है। इस लोगों को तो दो चार बातें कहने के लिए बुला लिया जाता है बर्ना हमारी सुनी बात को अनसुना कर दिया जाता है। मुझे इस बात को कहने के लिए क्षमा किया जाना चाहिए।

यह कहा गया है कि कमिश्नर साहब जब वाहें यंगा फसाब, ला एक्ट झार्डर बेटेन करने के लिए किसी की नियुक्त कर सकते हैं। सब इस में झायु का कोई स्थान नहीं रखा गया है। कम से कम तो 18 वर्ष रखी गई है लेकिन प्रधिकतम नहीं रखी गई है। सब सत्तर बाने आदमी को तंग करने की वजह से सगर जसनी नियुक्ति करनी जाती है तो क्या स्थित होगी, इसका जनुमान साप नगा सकते हैं। इस आस्ते मैंने एक संबोधन विवा है। कि आदिक्त मायु 50 आई होनी वाहिए। ग्राप कहते हूँ कि यदि कसी को एसराभ करना हो तो कमिश्नर साहब के यहां कर सकता है। अब जिस कबिश्नर ने जिसुका किया है उसी के यहां अशीस की आएगी। कया साथ सम्बद्धते हैं कि उस दिश्यति में वह अपने साहेश को बदलेगा? इस पर भी मैंने एमेंडकेट दिया है और मैं चाहता हूं कि इस पर अस्प विचार करें। किसी जज को यह अधिकार दिया जाना चाहिये।

माज दफा 109 में किस को पकड़ा जाता है। इस धारा के खिलाफ लोहिया साहब हमेशा लड़ते रहे हैं। वह कहते रहे हैं कि इसको हटा देना चाहिये। किस को इस में आप गिरपतार करते हैं ? रामानन्द तिवारी के बेटे को, पाटिल साइब के बेटे को, सभापति जी, झापके बेटे को भगर वह पकड़ा भी जाय जब काटते हुए तो गिरप्रतार नहीं किया जाएगा लेकिन एक हरिजन, एक बरीब, एक साविवासी, एक पिछड़ी समाज के लड़के को यदि वह कल-कला, दिल्ली, बम्बई झादि किसी जगह जाता है रोजी कमाने के लिए और वहां पर स्टेशन पर रहने का स्थान न होने के कारण पड़ा हुआ। **पाया जाता है तो उसको पूलिस पकड़ कर** इस धारा में प्रासीक्यूट कर देगी। इसके बारे में भी मैंने एमेंडमेंट दिवा है।

जो संशोधन मने सुझाये हैं उनके साथ में इस बिस का समर्थन करते हुए कहना काहता हूं कि इसको प्रवर सजिति में लेखा जाना वाहिये। इस तरह का महत्वपूर्ण विधेयक रोज नहीं आता है। इस बास्ते अत्ववाजों में इसको पास नहीं किया जाना वाहिये। कोई झासमान नहीं टूट रहा है। पुलिस को घाप व्यापक झिलकार देने जा पहुँ हैं। हमें वाहिये कि हम पुलिस बालों के सुख हुख को भी देंखे, उनके नेतनों को भी देंखे। इसारे ग्रहां बिहार में एक पुलिस कुले पर 575 रुपये खर्च होते हैं, एक सजा याप्ता वो नैदी हमारे ग्रहां बिहार में एक पुलिस कुले पर 575 रुपये खर्च होते हैं, एक सजा याप्ता वो नैदी हमारे आहम दी है। यादिक एडेक नेवन सीन सी अहमें ही है। पित्तक होते हमें काहिक एडेक नेवन सीन सी अहमें ही है। पित्तक होते हमें महिक से निर्मा सी अहमें ही है।

वि रामानस्य तिवारी।

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बंटे से प्रविक कोई काम कराता है तो उसकी भोवर टाइम देना पड़ता है लेकिन इसी लोक सभा में जोकि जनता का वर्षण है एक सिपाही को 18-18 वंटे काम करना पड़ता है लेकिन उसको कोई सोवर टाइम नहीं मिलता है। ये सब चीजें हैं इनको तरफ झापका ध्यान जाना चाहिये ।

इन शक्दों के साथ मैं गृह राज्य मंत्री से प्रार्थना करता हूं कि इस विधेयक को वह प्रवर समिति में भेजें जहां इसकी भच्छी तरह से छानवीन हो सके भीर उसके बाद ही इसको भाप पास करें।

SHRT DINEN BHATTACHARYA (Serampore): Sir, at the very beginning. I want to ask when a Bill has been introduced here to give full-fledged statehood to Delhi why has this Bill been separately brought? After all, police function comes under law and order. If you have got anything else, you may state it. But if you are sincere in giving Statehood to Delhi, then this police administration should also come under the same Delhi State.

THE MINISTER OF RAILWAYS MADHU DANDAVATE): Statehood has not come as yet, only the Assembly,

DINEN BHATTACHARYA: SHRI There is another Bill for that. I have got experience of the system of the Police Commissioner. Some of our friends may be sorry, but one gentleman whose name was Siddhartha Shankar Ray, who was Cabinet Minister here, was asked to go to West Bengal and rule over there as the Subedar of Shrimati Indira Gandhi.

SHRI RAJ KRISHNA DAWN (Burdwan): As the Maharaja,

SHRI DINEN BHATTACHARYA: At that time, you will be astonished to know, though the Palice Commissioner was there, the Inspector General of Police was there, still there were mass killings in Calcutta itself, and nothing

was done by the Police Commissioner or by the Subedar who had been sent there to rule on behalf of that lady, Her Majesty.

You are saying that if the Delhi Administration has a Police Commissioner, the law and order situation will improve. I do not believe in it because whether it is Bombay or Calcutta or Delhi or Madras or Trivandrum, the system of the police, the character of the police, has not changed, whatever Tiwariji may say. I have got every respect for him. He fought for the demands of the police, and he fought against the British Government. I have got every respect for whatever he has said, but whatever system you may introduce, the Police Commissioner or anything else, so long as the socioeconomic situation is not changed, you cannot bring any change in the present set up of the society of the Police administration. Where did they get this system from? They got it from the Britishers who ruled over us for a hundred years. Nothing has changed materially in the police in any place even after Janata Rai

We may be compassionate, we may consider their demands, we are trying in Bengal, but we have no hesitation in saying that we have not been able to change the character of the police as such. There are policemen who are bad, there are policemen who are good, but as a whole if you take the system of police, it has not changed. In Bengal we have given them the right to organise themselves for their demands and said that our Government will sympathise with them, but their duty is to see that the law and order situation does not deteriorate.

SHRI VAYALAR RAVI: You have given trade union rights to the police? Very good.

SHRI DINEN BHATTACHARYA: We have given them the right to orga-v nise themselves for the redress of their grievances.

Some people may envy, some people may say it is impraticable, some people may say that it will create more indiscipline in the police, but we believe that it will not be so. We think that they should be treated as human beings, and they should serve the people as their saviours from the antisocials and the criminals, and other offenders. With this view we have done it, but in the Bill as has been introduced here I do not find anything of that kind.

Even after the Janata Party came to power, the law and order situation has further deteriorated. Certain figures have been given by Shri Kanwarlal Gupta who belongs to Delhi. It is mentioned in the front page of today's Indian Express that there is a rise in crime by 35 per cent, crimes of all types, robbery, murder etc. At the same time, you will be astonished to know that when our second United Front Government was in power in Bengal there was a furore here when some people maligned our State Government. At that time, Late Dhawan, who was the Governor there, made a public statement that it is only in West Bengal that ladies and girls can move freely even after dusk, while his daughter could not go to school or college alone in Delhi. The situation in West Bengal at that time was very vividly described by the then Governor of West Bengal, Shri Dhawan, by that statement.

SHRI VAYALAR RAVI: Many people were killed and ladies raped in West Bengal in those days.

SHRI DINEN BHATTACHARYA: That was done by the police, in collusion with the goondas who were hired by the Congress and other parties like yours. Then 1,100 of our partymen were killed and many other crimes were committed. That took place because the police and the goondas connived with the then Police Committed with the Bengal in 1972, as a result of

which the Congress came to power. If there is a big change and the people are mobilised, they got the courage to face the goondas. That is how you are now able to see the other side of the picture in West Bengal.

SHRI VAYALAR RAVI. Now the goondas are with you.

SHRI DINEN BHATTACHARYA: I know there are some people here who are out to slander a Government, which is being run ably with the cooperation of the people.

I would suggest that the police should function under a full-fledged State Gopernment. Let us not have any fetish about the Police Commissioner system. You are saying so many things about Bombay. We know what is the situation obtaining in Bombay. Bombay is not safe under the Police Commissioner system; so also Madras. In all those places gambling has increased, bootlegging has increased and so also other crimes. So in spite of all your good wishes this change cannot deliver you the goods.

Lastly, I come to the recommendations of the Police Commission known as Khosla Commission, about which Shri Tiwary made a reference. You must look into the real grievances of the police force. Now the low-paid constables have sometimes to do fluty for 24 hours, most of the time standing. and for that they are given a poor pay packet at the end of the month. Even the ASIs and SIs are not fully satisfied with the benefits that hey are now getting. So, you kindly look into the recommendations of the Khosla Commission regarding the emoluments the amenities and other henerts which they have given.

With these words, I have every reservation to support this Bill fully. I will give my full-throated support to the Bill when you bring it after Delhi becomes a full-fiedged State, after a full-fiedged legislature is established and the elected representatives of the people of Delhi run the State. Then,

## [Shri Dinen Bhattacharya]

the Police Commissioner will be under that Government. In that case alone, you can achieve the goal for which you are bringing the Bill. 1 conclude.

बी किसोर लाल (पूर्व-विरुत्ती): सजापति
महोवय, पुलिस के मानले पर बात करते हुए कोई
भी व्यक्ति बहुत बुनिक्षा में पड़ जाता है—पुलिस
को ज्यादा पावर्स दी जायें तो मुक्किल होती है
भीर कम पावर्स हों तो दूसरे किस्म की मुक्किल
पैदा होती है। हमारे देश में मुझ को ऐसा दिखाई
देता है कि सिर्फ दो ही तरह के सिस्टम्ज प्रचलित
हैं—एक—पुलिस कमिश्नर का और दूसरा
वह जो पुलिस कमिश्नर के पहले दिल्ली में
फंक्शन कर रहा था।

एक बात में सब से पहले कहना चाहता हं-दिल्ली में हम लोग जो चुने जाते हैं-उन में सब तरह के शादमियों को चने जाने का श्रविकार है । दिल्ली हिन्दुस्तान की राजधानी है, सब तरफ से लोग यहां धाते हैं, उन सब का ताल्ल्क पुलिस के साथ या बिल्ली एडमिनिस्टेशन के साथ हो जाता है-इसलिए उन का इस मामले में दिलबस्पी लेना स्वाभाविक है। लेकिन भ्रमी तक बदंकिस्मती यह रही है कि दिल्ली के ग्रन्दर दिल्ली की भ्रपनी सरकार न होने के कारण. जो भी ढांचा किसी झफसर को या किसी मंत्री को अच्छा लगा. वही यहां पर ले आये. उस जगह के एक्ट को यहां पर एक्सटेण्ड कर दिया । विल्ली के साथ हमेशा यही धर्मसंकट रहा---मिसाल के तौर पर इस पुलिस कमिश्नर के नामले को ले लीजिए, पिछले दस सालों से यह मामला यहां चल रहा है कि विल्ली में पुलिस कमिश्तर होना चाहिए या नहीं होना चाहिए। घब मंत्री महोदय ने फैसला दे दिया कि होना चाहिए, इस बनियादी फैसले के बाद मामले को फिर घर्षिकारियों के पास भेज दिया गया धीर चुकि जल्बी से जल्बी इस को लाना है, प्राहिनेंस के जरिये लाना है, लिहाजा वे "नाइट-बावल" वर्न करने लगे और जो बम्बई का पुलिस एक्ट था. जो उस का बैसिक ढांचा था. उस में जेहनत न कर के उसी को जक्ज-ब-लफ्ज यहां

ने बाये। मैं यह समझता है कि उन्होंने दिल्ली की जो प्रथमी इंग्डिविजएतिही है, उचका जो धयमा एक बास-करैक्टर है. उस की समझने की कोकिश नहीं की। इस तरह के एक नहीं भनेक उदाहरण है-मदास का "सिनेमाटोबाफ एक्ट" वहां लावा क्या, "स्यूनेसी" एक्ट लाया गया. बक्स एण्ड पीरियोडिकल्ज के बारे में जो एक्ट था. जस को ले बाये। विल्ली में माज टेफिक की सबसे बडी प्रबलम है--बडी केम्रोटिक-कण्डीशन Ř. लेकिन दिल्ली के मोटर-व्हीकल्प एक्ट का एन्फोर्समेंट पुलिस के हाथों में नहीं विया । श्रभी मेरे एक साथी ने कहा कि यहां एक सब से बडी प्रावलम यह है कि बहु-बेटियों के साथ ज्यादती होती है, ईबटीजिंग होती है-उसके मताल्लिक पुलिस को ज्यादा पावसं देने की बात इस में नहीं बाई है। इसी तरह के एक्साइज की प्रावलम यहां पर है। हर गली-कचे में भीर खास तौर से रीसैटिल-मेंट कालोनीज में ग्राप चले जाइये। राजस्थान की एक खास कौम के हर घर में गराब बनती है घौर चंकि उन के पास कोई दसरा प्रोफेशन नहीं है, इसलिए वे उस शराब को वहां बेचते भी हैं। इन के मताल्लिक पुलिस को पाचर देने की कोई बात इस में नहीं है, उन मामलों को एक्साइज कमिश्नर देखेगा । मैं नहीं समझता कि इस तरह से दिल्ली की ला-एण्ड ब्राडर प्रावलक हल हो सकती है। कहीं पर कोई एक्साइज का सगडा हो. किसी वह-बेटी की इञ्जत का मामला हो, हिन्दू -मुस्लिम फिसाद हो जाये---इन सब चीजों का हल इस से नहीं हो सकता है। इसिक्ए में यह कहना चाहता हं कि यह जो बिल लाया गया है--इस को सिर्फ "बीरो" कर के ले धाया गया है, दिल्ली के धन्दर जो प्रावलम्ज हैं, उन को नहीं देखा गया है। माफ करेंने साहब यहां बन्बई की टेकिक प्रावलम् धापं देखते हैं । यहां धाप देखिए कि टैफिल किस किस्म का है। विस्की के शम्बर बैनगरी भी है. नावों साइकिनें भी हैं और

क्षके बाद पुनिया भए की विस्ता भी हैं। एक प्रसन डी फिरमका बड़ा पर टेकिक है और हम को भावत भी वह पह वई है कि समेरे छ: क्यों से पहले:बीर नाम को 8 बजे के बाद जितने रैंड सियनल हींने, उन को सब लोग जम्प करेंने । पूजिस वाले चालान करते हैं तो उस के बाद उस चालान को मेजिस्टेट के पास मेजिये। मेरे क्याल से भौर मझे यह कहते के लिए द्वाप साफ करेंगे कि सभी लोग, इनटेलेक्च्चस लोग और हर बादमी को जल्दी रहती है और इसलिए वह रैंड सिगमल को जम्प करता है। मतीजा यह होता है कि एक्सीबेंट्स होते है । रेंड सियनलों पर ठकने के लिए न लोगों को बावत है बीर न जन की ऐसी हैबिट बनाई गई है और न ऐसा करने के लिए कोई ऐसा पनिक्रमेंट है, जिस की वजह से लोग ऐसा काम न करें। इसलिए में मंत्री महोदय से यह कहना चाहता हं कि आप ने बहुत मण्डा किया कि एक नई चीज लाए. कोई भी नई चीज लाई जाए, तो वह सच्छी होती है, घच्छे तरीके से उस से काम बलाया जा सकता है लेकिन मैं वह समझता है कि वहां की जो ब्लियादी नीजें हैं भौर दिल्ली की जो धपनी प्राब्लम्स हैं Because of its own character, because of the habit of the people, because of the floating population, because nearness to other cities. because of industrial unrest and industrialisation -like Faridabad, Ghaziabad and so many other things.

THE BURDEN IN SHORT COMPANY

तो मैं ऐसा समझता हूं कि दिस्सी की तमाम बातों को इस के अन्दर दिया नहीं।

में आप को एक वात धौर बतलाक, मालूम नहीं कि हमारे मेम्बर साहवान को मालूम है या नहीं, पुलिस के पास एक धौर काम है— प्रभी हम जूडीशियरी को पुलिस से सेपरेट कर रहे हैं— पौर बहु यह है कि पुलिस के कांसटेबिल को प्रोसेस सर्विम का काम दिवा हुआ है। एक धान में एक आवसी होता है धौर जब जुकदमे ज्यावा हींगे, तो 500 समनों को उस को लोगों पर तामिल करने हींगे। एक कांस्टेबिल कभी भी हतने समन टाइम के अन्वर तामील महीं कर संकता और नती जा यह

होता है कि क्षेट्स में केंद्रसः पर डेट्स बढ़ती जाती हैं। मैं बहुत धरव से कहना चाहता हूं कि अम्बेस सर्वस को यह काम दिया जाए। अगर कांस्टेबिस के अरिये किमनल केंसे में समन की तामील करानी हैं, तो उन की ताबाद को दढ़ाइए। उन की ताबाद ज्यादा न होने की मजह से 500 घादमियों के जो मुकदमे एक थाने में होते हैं, तो समन के तामील न होने के कारण वे ऐजाने हो जाते हैं भीर इस तरह से जस्टिस डिलेड हो जाती है। जब ऐसी बात होती तो ला एण्ड धार्डर में किस का विश्वास रहेगा।

इस के अलावा एक चीज और यह कहना बाहता है कि धगर बाज एक्सीबेंट हो जाता है. तो पुलिस के ऊपर कोई बाव्लीगेशन नहीं है, उनके ऊपर कोई पाबन्दी नहीं है कि इतने दिनों में लोगों को कम्पेंसेशन दे दिया जाए । दस, दस साल के ऐसे लोगों के कम्पेंसेशन के कैसेज पड़े हए हैं जिन को कम्पेसशन मिलना चाहिए था भीर वह मिला नहीं है। जो लोग मर गये भीर उन के घर में कोई दूसरा कमाने वाला नहीं हैं तो कम्पेंसेशन देने की बात सालों तक नहीं होती है। पुलिस ने साल लगा लिया, दो साल लगा लिये. तीन साल लगा लिये. कोई नहीं पुछता है क्योंकि जितने टेफिक के केसेज है उन के लिए कोई पाबन्दी नहीं है कि इतने दिनों में केस को कम्पलीट कर के देना है। मैं पूछना चाहता है कि कौन सी प्राब्लम को आप सोस्व करना चाहते हैं। लोगों का पूलिस में फेय नहीं है भीर फेय तब तक नहीं होगा जब तक कि उन को धाप इमीडिएटली जस्टिस नहीं देंगे। एक्सीडेंट केसेज में भाप दे नहीं सकते टेफिक में ला एण्ड आर्डर की प्राव्लम होती है, तो उस को भाप सोस्व नहीं करते, एक्साइज एक्ट में झाप उन को पावर दे देते हैं और देनिया भर के कायदे कानून बनाते हैं। उस के बाद मोटर व्हीकिरस एवट में बाहे बृह्बर बहां गाजियाबाद से 15 दिन की देनिंग के कर और

# [थी किशोर लाल]

हैवी बहांकिल्स का लाइतेंस ले कर था जाए भीर 10 धार्विमधों को मारकर चला जाए, तो उस को छः महीने की ही सजा मिलेगी नैगर्वाजेंट बृाइविंग के लिए।

प्राप पुलिस को ईन्टी जिंग से डील करने की पावर्त नहीं वैंगे और बुन्स और जरनल्स के अन्दर प्राप पुलिस को पावर्त दे कर, उस को नया बनाना चाहते हैं, बह मेरी समझ में नहीं घाता है? इसिलए मैं यह कहना चाहता हूं कि दिल्ली के हिसाब से इस के अन्दर बहुत ज्यादा रीविकिंग करने की जरूरत है। दूसरे यह है कि पुलिस को कडिबिलिटी नहीं हैं भीर केडिबिलिटी यों नहीं है कि पुलिस वालों को कोई प्रादमो अन्छो नजर से नहीं देखता हैं। वे वैसे ही यंग्रेजों के निशान बने हुए हैं कि लाल पगड़ी देखी तो लोग परेशान हो गये और लोग उन को ताकत की निशानी समझते हैं।

धब पुलिसवालीं की जो दिक्कत हैं, परेशानियां हैं, वे यह हैं कि पुलिस के आदमी को कोई भादमी किराये का मकान नहीं देता । किराये पर उन को मकान नहीं मिलता तो सरकारी जमीन पर धनग्रायराइण्ड तरीके से कब्बा कर के बैठे हैं। पुलिस वाले का प्रगर कोई भाई-बन्ध हुमा या उस का बाप हुमा या आई हुमा, तो वह उस के साथ रह लेता है लेकिन उस को किराये पर मकान नहीं मिलता है। धव उसे पुलिस डिपार्टमेंट कोई मकान नहीं देता । किराये पर उसको मकान मिलेगा महीं क्योंकि उसकी केडेब्लिटी नहीं है। एक दफ़ा किती ने मकान में एख लिया तो निकलेगा महीं। पुलिस प्रपने मकान नहीं देती। इस तरह से उसका माइण्ड घर की प्राब्लम में फंसा रहेगा। नतीजा यह होगा कि उसे वीस शाफ माइण्ड नहीं होगा धीर जब उसे कोई सहलियत नहीं मिलेगी, प्रीस जाफ माइण्ड नहीं होगा तो वह बाहर भी जस्टिस नहीं कर पायेगा।

दिल्ली की ओर भी प्राम्लम्स हैं। दिल्ली च्यक छोटी सी जगह हैं। ग्रापने इस विल में सजा तो मुकरर कर दी है लेकिन विहार जैसे अवेस में तो आप किसी को कहीं भी ट्रांसफर कर के जैस सकते हैं, बहुत दूर भेज सकते हैं। बहां तो उसका ट्रांसफर थी एक सजा किसी जाती है लेकिन दिल्ली में तो यह भी मुनकिन नहीं हैं। कायदे-कानून के मुताबिक किसी को सजा दिलवाना बहुत मश्किल हो जाता है। दिल्ली में तो आप बादनी बीक से कनाट प्लेस, कनाट 'लेस नहीं तो आर० के० पुरम जेज दीजिएगा। कहीं की कीमत पांच हजार है, कहीं की कीमत छः हजार है। इसलिए दिल्ली का आदमी तो ट्रांसफर हो नहीं सकता है। एस० पी० तो हो सकते हैं, एस० एच० ओ० जिनके पास पादर होती है, उसका ट्रसफर नहीं हो सकता है।

मैं कहना चाहता हूं कि जब माप इसे बना रहे हैं तो क्या माप यह नहीं सोच सकते कि इस बारे में क्या हो सकता हैं? एक दफा सोना भी गया था लेकिन लोग कोर्ट से स्टे आर्डर ले माये। जब माप दिल्ली की पुलिस में युभार करने की बात कर रहे हैं तो माप को इस किस्म के कदम भी सोचने चाहिएं जिससे यह प्राब्लम सुलझायी जा सके मीर जिससे पुलिस का इंबार्ज बाकई में इफेक्टिव हो, जसकी केडेब्लिटी हो। इस तरह से उसमें कांफिडेंस मायेगा?

मैं यह कहना चाहता हूं कि जब प्राप्य वह भी नहीं कर रहे हैं, मकाम भी उन को नहीं दे रहे हैं तो आपका मन दिविधा में है। आपने इस बारे में आर्थिन इस स्वारे में आर्थिन इस स्वारे में आर्थिन इस हिए का हो कर इसे मुझे सपोंट भी करना होया। लेकिन मैं धर्म संकट में हं। हम दिल्ली के लोग यह महसूस करते हैं कि हमारी मृश्किल यह है कि हमारी स्टेट न होते हुए हमारे लिए कोई आसान हल नहीं हैं। चीफ असफर ने जो लपज लिखा दिया, वह पत्थर की लकीर बन गया उसकी सब्दीन करने की कोई बात नहीं है। मैं आप से इस बात की यूजारिश करना कि इस

ग्राहिनेंस के चलते भी कोई ऐसा लीगल तरीका निकाला जाए, वह तरीका मुझे मालूम नहीं है कि क्या हो सकता है, जिससे इसमें कुछ तक्वीलयां मा सकें, आप काई इकेक्टिव इंस्ट्र्मेंट आफ सर्वित दिल्ली के लोगों को दे सर्वे । इस से बाहर के लोगों की भी भीर दिल्ली के लोगों की भी तमझाएं पूरी होंगी। इस का कोई न कोई तरीका निकाल कर प्राप को इस में तब्दीली लानी चाहिए भीर दिल्ली के करेक्टर के हिसाब से इस बिल की बनाना चाहिए।

जसा मैंने आप से कहा यह नयी चीज है भीर में उन लंगों में से हं जो नयी चोज की मच्छी ही मान कर उसका बेल्कम करता है। एनी चेंज इ व बेटर । इसलिए में इसको बेल्कम ही करूंगा । कुछ होगा तो बाद में देखा जाएगा। कम से कम जो प्राना तरीका अब तक चल रहा था उत्तरे तो बेटर तरीका ही यह साबित होगा। सबी जन्मीद और ग्राशा के साथ में इस बिल को सर्वार्ट करता है।

SHRI VAYALAR RAVI (Chiravınkil): This Bill has been debated from two angles. Madam Parvathi Krishnan, the hon, Member, took objection the proposal for Delhi that while statehood has been mooted and even the Bill has been introduced in this House, the absolute authority given to the police in the Delhi Police Bill is undemocratic.

Delhi is the capital of India and it has a cosmopolitan population. They come from all areas and States and regions of the country. They must have the protection from the government and from the administration, It it a fact which everyone knows and everybody complains even in this Parliament that the law and order situation in Delhi is deteriorating and the Police is not in a position to control. It will not be too much, I think Sir, if I may say that there is an inemcient Police system in Delhi. On the floor of this House on many occasions Members of Parliament have demanded a new Police set-up in Delhi.

That is why the Khosla Commission Report or whatever be the report, has been accepted by the Government. Some problems arise because of this Bill. What will happen firstly when Delhi becomes a State. I want to make it very clear that the proposal to make Delhi a State is not in the better interests of the country as a whole. This is my feeling. If Delhi becomes a State-of course I shall speak on the Bill when it comes before the House-I shall take the opportunity to warn the Minister that there would be troubles because Delhi is the capital and many people come here and live here and if you make it a State, you will only create many problems for the administration and the dual authority will function here. This is a matter to be considered very seriously. The state-hood is a political decision and it is not a wise administrative decision. It is subject to the political pressure from your own party. That is my obiection to it.

Now, what will happen? The Bombay Act is with me. The I.G.P. will become Commissioner of Police. You have copied many things from the Bombay Police Act 1951. The Commissioner of Police is accountable to the Administrator and then who will be accountable to Parliament? What is the position of the Metropolitan Council or the Assembly that you propose to set up. Will the Police Commissioner act independently of the Government? May be, the Chief Minister or the Chief Executive Counciller or whoever he may be will not have the control of the Police. Does it mean that the police would be answerable only to Administrator? And then you are answerable to Parliament? In that event in every session we must have a discussion over that. I do not know whether the Home Minister is going to control the entire police. My point is-good or not I am not going to say that—this. I want to understand from you whether according to this Bill, whether Police Commissioner is answerable to

[Shri Vayalar Ravi] Administrator? You have to clarify this. That is the objection raised by the lady Member in this Resolution. I won't call all the police personnel are corrupt. I do not want to brand them all as corrupt. They have to protect the citizens. They have to maintain the law and order and every other thing. There are many corrupt elements in the police. I do not want to generalise by calling them all as corrupt. To-day I read somewhere in the Indian Express that a police man came and asked for dahi from someone which he could not give. He arrested the person. He hit some one and someone was killed. This is the thing which is happening. We have to restrain the police. We are guided by the Police Act of 1861, a century year old Act enacted by the British, the then Rulers of India to rule the people of India when we were under the colonial rule. Even after thirty years of Independence could not change or modify that. We have amended the IPC or Cr. P.C. But, Sir, we could not effect any reform and make any amendments to the Police Act. I want to make one more point very clear. You may remember that two colleagues. met with their tragic death due to accidents.

We are scared to walk on the road. Vehicles can hit us. Who is the law breaker in Delhi? The Military vans. D.T.C buses, Police vans and the diplomat cars are breaking the entire traffic line. I wish the Minister incognito on the roads of Delhi and see for himself how the vehicles are plying even when there is red light. There is no rule at all, for the military vans, lorries and the D.T.C. buses. I should call them the deathknell. It is horrible in Delhi. We have lost two comrades. There is no modern technique introduced in Delhi. The police keep on standing on the roads for hours to-gether. You should introduce a device in Delhi. Please go and see Bombay and Madras, How efficiently they have introduced the traffic system. Nobody can drive at a speed more than 40 km. The police immediately checks up the speed. That is the police administration in Madras City.

Such an efficient police traffic control is there in Madras. Here, you think that one police man standing and showing his hands is enough to control the traffic; No, it is not I would request you to find out what the modern techniques for controlling the traffic are and these should be there as a permanent measure for twenty-four hours to have a watch on the traffic system. This is most important. The police man being on duty for half an hour, showing his hand and then going away will not solve the problem.

I would like to make one or two more points, because when my amendment comes. I will speak at that time. Now, if you go and see the condition of the police barracks, you will find that quite miserable and horrible. Are they cattle or human-beings? We want them to provide protection for our residences and for us but what are the conditions in which they live. Why should I blame them and say that the policemen are corrupt? In fact they are forced to be corrupt. How do they live? The census have shown that eighty percent of the policemen are TB patients. Have you provided them proper medical care? Have you provided them with proper shelter? No. They live in the most horrible conditions. What shelter have you provided to the policemen who come in connection with the security of the Parliament House? Why can't you provide a small nice shelter for the policemen?

I would request you to come and see the beautiful shelters being provided to the policemen in Kerala. The Kerala Housing Board is building these houses for the policemen. We have completed thousands of houses. There the scheme is to provide attached houses near the police station to

every police man. Why can't you do that here.

I demand, that the grievances of the policemen should be properly looked into. Proper arrangements should be made for education of their children; they should be provided with good shelter and medical care. You must give them minimum necessities of human life. This is most important. Only then, we can think of doing away with corruption.

There are certain other clauses of the Bill on which I will speak later when I move my amendment. Wide powers have been given to the police, to which I take strong objection.

MR. CHAIRMAN: You can have two minutes more and finish now.

SHRI VAYALAR RAVI: If you allow me to speak at that time also for one minute, I would like to make my point.

Sir, wide powers have been given to the police. The Commissioner of Police has been given the power to appoint special police officers. Any able-bodied person can be appointed as a special police officer. What does it mean? You want to make these appointments political appointments. You want to give the powers of the police to irresponsible people. It is a very dangerous clause. We oppose it very strongly. The licences which are supposed to be given by the Municipal Corporations would be given by the Police. If there is a script of a drama, which has come from Kerala. you have to make a Hindi translation of it and give it to the Police Commissioner for permission. What an absurd clause? Like this, there are many other clauses also which are quite objectionable. They are also being given powers with regard to the performance by artists. That is not correct.

Lastly, the police have been given powers to obstruct any genuine trade

union movement in the railways etc. I take very serious objection to it. If the workers unit and have a procession, the police can intervene and disperse them. They can do this in any kind of demonstration by the workers.

I would speak at the time of my amendment. I would only say here that as far as this Bill is concerned, very wide powers have been given to the police; these require to be a little more controlled. Unless these powers are suitably controlled, these are likely to be abused and will create more problems than curbing them.

With these words, I conclude.

श्री विकय कुमार मसहोत्रा (दक्षिण दिल्ली) : समापति महोदय, इस बिल पर बहस के दौरान पुलिस को प्रधिक पावर देने के खिलाफ बहुत सी बात कड़ी गयीं। यह बात ठीक है कि माज प्रलिस की इमेज प्बहत खराब है और पुलिस के बारा पिछले दिनों में खास तौर पर इमरजेंसी के दौरान भीर उससे पहले किये गर्वे जो अल्बाचार थे उसके कारण होगीं के मन में काफी शंका है पुलिस की श्रधिक पावर देने के बारे में । परन्तु मैं कहना चाहता हूं कि इमरजेंसी के दौरान या उससे पहले पुलिस ने जिस प्रकार से अत्याचार किये, ज्यादतियां कीं, उसके साथ साथ जो डिस्ट्रिक्ट मंजिस्टेट थे जिनके बधीन पूलिस बाती है उनमें से किसी जिलाधीश ने उन ज्यादितयों को रोकने का साहसं किया हो ऐसा भी कहीं विवार्ध नहीं वेता । सारे हिन्दस्तान में 350, 400 से ज्यादा जिले ं, पर सारे हिन्दुस्तान में एक भी डिस्ट्रिक्ट मजिस्टेट ऐसा नहीं निकला जिसने खाली कागज पर दस्तवात करने से इन्कार किया हो । इसलिये यह कहना कि डिस्ट्रिक्ट मजिस्टेट के अंडर पुलिस रहेगी तो ज्यादा प्रच्छा कंटोल रहेगा भीर पुलिस कमिश्नर 187

बना दिया, पुलिस को ज्यादा पावर दे वी तो उससे ज्यादा नुकसान होगा, यह मैं ठीक नहीं समझता हं।

यह ठीक है कि कलकत्ता, बम्बई भीर महास, इन तीनों जगहों पर अंग्रेज पहले आये जिस कारण यहां पर पलिस कमिश्नर बनाया गया भीर बाद में यह सिस्टम डिस्ट्रिक्ट मजिस्ट्रेट्स मीर पुलिस का बला। परन्तु आज के इन हालात में पुलिस कमिश्नर का एक्सपैरीमैंट सक्सेसफूल हो सकता है बगर्ते कि उसके साथ कुछ भीर सुधार किये जायें।

इसलिये मेरा पहला सवास यह है कि जब डिस्ट्रिक्ट मजिस्ट्रेट निकल जायेगा तो उसकी जगह कीन लेगा? क्या डिस्ट्रिक्ट मिजस्ट्रेट की जगह सैंट्रल गवनैमेंट लेगी ? क्या यह पासिबल है कि डिस्ट्रिक्ट मिकस्ट्रेट को बीच में से निकालकर पुलिस सीधे सैंट्रल गवनंमेंट के घन्डर या होम मिनिस्टर के ग्रन्डर था जाये ? मैं समज्ञता हूं कि यह दुर्भाग्यपूर्ण भीर गलत डिसीजन होगा । इसलिये इस बारे में विचार करने की अरूरत है।

दिल्ली एडमिनिस्ट्रेशन का बिल जो यहां पेश किया गया है, उसमें भी कहा गया है कि पुलिस पूरी तरह से विल्ली के मिनिस्टर्स के ग्रंडर नहीं होगी । यह एक तरह से लैफिटनैंट गवर्नर की पावर में रखी जायेगी घौर लैफ्टिनैंट गवर्नर सैंदूल के स्टेट होम मिनिस्टर के धन्डर होगा । डिस्ट्रिक्ट मजिस्ट्रेट को हटाकर उसकी जगह पर केवल सैंट्रल होम मिनिस्टर या लैपिटनेंट गवर्नर बीच में झा जाये तो यह ऐसी चीज है कि जो पुलिस पर थोड़ा बहुत कंट्रोल होना चाहिये, बहु भी इसमें से निकल जायेगा । इसलिये मेरा सुझान है कि जब विल्ली स्टेट के मिनिस्टर या जायें ती यह उनके मंडर हो ।

युनिया भर के जितने भी कड़ीब हैं, कुछ कम्युनिस्ट कंट्रीज को छोड़कर बाकी सब में पुलिस का म्युनिस्पलाइजेशन हो चुका है। सन्दम मैं पुलिस काउंटी काउंसिस के अन्डर है, बॉलन में कारपोरेशन के शन्दर है, टीकियो, एडिनवरा, शर्मेरिका भीरकनाडा के हर शहर में वहां की पुलिस लोकल बाढीज के अन्डर है, वहां के डिस्ट्रिक्ट मजिस्ट्रेट्स को रिप्लेस किया है। म्युनिसिपल कमेटीज ने या कारपोरेशन ने । तो यहां पूलिस कमिश्नर या तो दिल्ली म्युनिसिपल कारपोरेशन के भादर हो या उसके बाद को दिल्ली स्टेंट के मिनिस्टर्स होंगे. उनके अंडर हो तभी पुलिस ठीक तरह से काम कर सकेगी। केवल सैट्रल गवर्नमेंट के शंकर रखकर तो में समझता हूं कि उससे प्रावलम्ज बढ़ सकती है और उससे नुकसान हो सकता

दूसरी बात मुझे यह कहनी है कि यहां पुलिस कमिश्नर बना दें या बिस्ट्रिक्ट मजिस्ट्रेट के अंडर रखे, अगर दिल्ली की पापूलेशन के बारे में कुछ नहीं किया गया तो इस समस्या का हल नहीं हो सकेगा । दिल्ली की पाप्लेशन हर साल करीबन डेंब्र-दो लाख बढ़ रही है। लाखों बादमी हर साल बाहर से बाते हैं और दिल्ली में 2, ढाई लाख पापूलेशन बढ़ जाती है। जितने लोग बाहर से झाते हैं, उनमें बहुत से ऐसे हैं जो धन्धा भी नहीं करते भीर पुलिस को इस सब की कोई जानकारी भी नहीं होती।

माज दिल्ली की पापूलेशन 55 लाख के करीब है, अनर यह बोड़ी और बढ़ गई तो दिल्ली की प्राव्लम्स भीर बढ़ती जार्येयी । यहां चाटर, इलैन्टिसिटी, सैनी-टेशन, सिविक प्रावसम्ब बढ़ वार्येयी भीर ला एंड चार्डर की प्रावसम कीर भी ज्यादा सराम हो जायेगी । इसलिये दिल्ली की पापलेशन पर किसी की तरह

से कंद्रोल करना चाहिये। दिल्ली कैपिटल है, यहां सारे हिंग्युस्तान के लोग आ सकते हैं, लेकिन वहीं लोग यहां आयें जो यहां सर्विसं करें या जिनके यहां रहने का इंतजान हो तब तो ठीक है। कोई भी धावनी बाहर से धाता है, भौर यहां मुग्गी डालंकर बैठ बाता है। यहां उनमें में 50 प्रतिमत ऐसी जगह हैं, जहां पर कि काइम होता है। इसलिये दिल्ली की पापूलेगन के बारे में बिचार करना जाहिये।

17 hrs.

मृझे बड़ा दु:ख है कि हमारी गवर्नमेंट ने नेमनल कैपिटल रीजन की स्कीम भी जत्म कर दी, जिसके बत्म होने स भास पास के छोटे छोटे गहरों में जिनमें दिल्ती की पापूलेशन की बसाना था, वह भी स्कीम खत्म हो गई। ऐसी हालत में जब कि पापूलेशन का एक्सप्लोजन हो रहा है, यहां के ला एंड झाईर को संगलना काफी मुश्किल काम है।

पूलिस कमिश्नर बनाने की बात ठीक ्है, लेकिन दिल्ली पुलिस का माडनीइजेशन कब किया जायेगा ? होम मिनिस्टर साहब को इसके बारे में जकर विचार करना चाहिए । ग्राज दिल्ली की पुलिस के पास बिल्कुल प्रिमिटिय साधन हैं। द्निया भर में पूलिस की जो नये माडनीइण्ड साधन दिये जाते हैं, उन में से कोई साथन पुलिस के पास नहीं हैं। पुलिस के पास न काड़ी है, न मोटर साइकल है भीर ने ही उन का नम्बर ही पूरा है। यहां तक कि चगर पुलिस काइम की जगह पर था कर देखें कि भीर पुलिस की मदब की जरूरत है, ती किसी बादनी की बेजना पड़ता है, जिस में बंदी सन बाते हैं। यहां की पुलिस के पास बाकी टांकी भी नहीं है कि उस के माध्यम से प्रीर पुलिस को बुलाया जा 🕆 सके, या बात की का का सिक । इतमें प्रिमिटिय साधन होते हुए सिर्फ पुःलस कमिशनर बना देने से दिल्ली की प्रावसम हल हो जाये, यह संभव नहीं है।

पिछले बिनों में कामनवेल्य गेम्ब्र के सिलसिले में बाहर गया था । मुझे तीन बार शहरों में जाने का मौका मिला। हर जगह सादमी ट्रैफिक ला को तोड़ने से बरता है, क्योंकि उसको 50, 75 या 100 बालर जुर्माने की चिट मिल जाती है । लेकिन दिल्ली में पागलपन है । यहां पर ट्रैफिक लानाम की कोई चीज नहीं है । पुलिस भी इस बारे में कुछ ज्यादा नहीं कर पा रही है । सगर पुलिस कमिश्नर के माध्यम से इस समस्या को सी हल कर दिया जाये, तो यह एक बड़ी बात होगी।

इसके अलावा यह भी करूरी है कि
पुलिस के पे स्ट्रक्चर में सुधार किया जाये,
उसके लिए हार्जीसन और दूसरी सुविधाओं
की व्यवस्था की जाये और साढ़े बाठ
बंटे से ज्यादा कान करने पर उन्हें बोवरटाइम दिया जाये । ये बात पचास साठ
साल के पुलिस में बड़ी टेन्जन का कारण
बनी हुई है। मिनिस्टर साहब इस बात
की व्यवस्था करें कि पुलिस के लिए
सही तौर पर हार्जीसन का इन्सजाम हो,
उन्हें बोबर टाइम दिया जाये और उन के
पे स्ट्रक्चर को भी ठीक किया जाये।

पुलिस कमिश्नर के माध्यम से ऐसी व्यवस्था करनी चाहिए कि जो लोग गबाही देते हैं, उन्हें बी० बाई० पी० ट्रीटमेंट दिया जा सके, या कम से कम उन्हें कोट्सें में जा कर धक्के न खाने पढ़ें। साज हासत यह है कि पुलिस के पास गबाही के लिए कोई नहीं जाता है।

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## [विजय कुमार मसहोका]

दिल्ली में पुलिस कमिश्नर बनाना एक बहुत मुबारक कदम है, लेकिन प्रगर इसके साथ साथ ये कदम उठाये जायेंगे, तो नैपिटल की ला एंड धार्डर प्रावलम को साल्य करने में काफी सहलियत होगी।

\*SHRI MURUGAIYAN S. (Nagapattinam); Hon, Mr. Chairman, Sir, I welcome the Delhi Police Bill which seeks to model the Delhi Police set-up on the pattern of Police set-up in Madras, Bombay and Calcutta.

At the very outset, I would like to point out that the Police in our country does not give protection to the poor people. The Police feels that their primary duty is to guard the interests of vested interests. In fact, I should say that the Police has become the handmaid of haves in the country and the have-nots are left to fend for themselves. I am sure that none in this House will contradict me if I say that the increasing number of atrocities being perpetrated on the Harijans and Scheduled Castes is mainly due to lack of police protection to them. You will find in our country the strange phenomenon of the culprits going scot-free and the victims being punished by the Police. In the Socialist countries the Police set-up is geared to meet the social needs of the people; their primary concern is giving protection to the common people.

I can adduce the cause of ineptitude on the part of the Government in reorganising the Police force throughout the country. It is not enough to make quantitative change; it is essential to have qualitative change also in the Police force of the country. My suggestion may be treated as unscientific. Yet, I would like to suggest that 50 per cent of the total recruitment to the Police Force must be from the ranks of Scheduled Castes. and Scheduled Tribes and other backward classes. Then only there can be a semblance of police protection to these people in the country. I am. sure that the hon. Minister of State in the Ministry of Home Affairs, who is also in charge of the welfare of Scheduled Castes and who has piloted this Bill, will bear this in mind for future action.

I would also say that the Police is being administered on the age-old British pattern. The 1861 Police Act is the legal frame-work for the functioning of Police. You can imagine how outdated the Police functioning will be if it is to derive strength from such an outmoded law. The Police in the country should be reorganised to meet the needs of the people of a free nation. As the population grows, the needs of the people also multiply. The Police force must be reoriented in such a manner that the interests of the common people become the corner-stone of all their activities.

Coming now to Delhi Police set-up, I understand that 20 per cent of the Police force is allotted for transport control, 30 per cent to protect the ' V.V.I.Ps and V.I.Ps in the capital and the remaining 50 per cent is to look atter the law and order situation in the capital. Even this 50 per cent gets diluted on the days of political and labour agitations in the capital, on Republic Day and Independence Day and on the days of Public Reception to foreign dignitaries visiting India. Besides maintaining the law and order situation, this 50 per cent Police Force is also to look after the interests of sizable foreign communities serving in the Diplomatic Mission in Delhi.

While the population of Delki has gone up from 5 lakhs in 1955 to about 60 lakhs in 1978, the Police force has

<sup>\*</sup>The Original speech was delivered in Tamil.

not been augmented in the same proportion. While the population has grown by 12 times, the Police force has not been strengthened even by 3 times. You can well imagine the situation that the Delhi Police has only 5 wireless wagons to cater to the needs of a sprawling city. I suggest that the Delhi Police must be reorganised in three distinct categories-Traffic Wing, V.V.I.P. and V.I.P. Protection Wing and Law and Order Maintenance Wing. Each wing must be well-equipped with modern scientific gadgets. There must be more Police Stations in Delhi. The Police strength must be increased. The pay of a Constable is unfortunately even less than that of a peon in the Central Government. If a constable cannot maintain himself and his family in a decent way, how can you expect him to maintain the law and order I suggest situation in the Capital? that the pay-structure of Police must be revised immediately. I would also suggest that the Delhi Police must be given training in their public behaviour. They are known for their 'thums' and 'thumko'.

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As my friend, Shri Bhattacharya pointed out, Shri Dharma Vira, who was responsible for the removal of West Bengal's Progressive Left-front Government. has been made the Chairman of Police Commission. his public meetings, Shri Dharma Vira does not hesitate to blame the politicians for the worsening law and order situation in the country. Such a man should not have been given the change to preside over Commission.

With these words, I conclude my speech.

डा० राम जी सिंह (भागलपुर):
मभापति जो, दिल्ली पुलिस बिल दिल्ली के
जो सांसद-महोदय हैं, उनके लिए त्रिशेष
महत्व रखता है, लेकिन हम लोग भी भव
दिल्ली वाले ही हो गये हैं, इसलिए इस पर
हमारा भी उतना ही भिष्ठकार है। मृसे
2571 LS—7

ृद्ध सम्बन्ध में यही निवेदन करना है— बहुत पहले ही इस के बारे में रिकमेण्डेशन हो चुकी थी —

"The Commissioner of Police system should be introduced in Delhi. He should be of the rank of Inspector-General as he will have to deal with Central Government Ministers, heads of armed forces and other departments."

इसीं लिए हैं हमारे जो मिल वहते हैं कि यह बिल ग्रभी लाया जा रहा है, श्रभी तक जो देरी हुई है, उसी का प्रतिकार हम लोग कर पहे हैं और इस को जिल्दी ला पहे हैं। वस्तुतः दिल्ली की पुलिस व्यवस्था के वारे में जब भी बात होती हैं---बड़ी ही दर्भाग्यपूर्ण स्थिति सामने द्वार्ता है। द्वाज से कुछ ही दिन पहले कुछ आव है निवले थे---"ए-केम-ग्राफ़-दि-एफल् १९८-५ लिश-भेन " र्ग्रार उस में दियागया थाकि दिल्ली पुलिस की व्यवस्था कितनी हृदयद्वादक है। लाहोरी गेट में यदि किमी का पद-स्थापित किया जाय. तो उसे 30 हजार रुपये पुलिस श्रफसर को देने पड़ते थे। सदर-बाजार का रेट 20 हजार से 30 हजार रुपये था, मन्जी-मण्डी का रेट 15 हजार से 20हजार रुपये था। ये आंकड़े 1971 के है, अब तो यह काफ़ी बढ़ गया होगा। हर चीज के लिए यहां प्राइस तय थी--ईमर के लिए 5 हजार रुपये से 10 हजार रुपयेथे—इसत्तरहकी स्थिति यहां पर है। मेरे कहने का ताल्पर्य यह है कि सचमच में यहां की विधि भीर व्यवस्था की स्थिति बहुत दुर्भाग्यपूर्ण है।

बिटिश सल्तनत के जमाने में मद्रास, वम्बई और कलकत्ता में पुलिस कमिश्नर की पोस्ट खी गई थीं और इसलिए रखी गई थीं कि वे वहां पर साम्राज्यवादी शक्ति के विस्ता नित के विस्ता नित के विस्ता नित के विस्ता के लिए इस प्रकार से सोचने की बात नहीं है। अब तो पुलिस राज्य नहीं है, अब तो पुलिस राज्य नहीं है, अब तो पुलिस राज्य ही। इसलिए पुलिस

[ बा॰् रामजी सिंह ]

व्यवस्था का जो आदर्श है अगर उस को हम नहीं अननायने ता न हे पुलिस कांमश्नर बना दें या और भा हु अ कह दें, पुलिस भगवान बना दें, इस सब से हु अ नहीं होगा। एक बड़े लेखक का यह नहना है:

"Next to the blessings which a nation derives from an excellent Constitution and system of general laws are those advantages which result from a well-regulated and energetic band of police, conducted and enforced with purity, activity, vigilance and discretion."

हमारे गृह राज्य नंता जी तो अमा हैं नहीं लेकिन अमर ने इस पुलिस कमिशना का व्यवस्था में इस प्रकार की व्यवस्था कायम करेंगे, जैसी कि कपर बताई गई है, तब तो ठीक है, नहीं तो आप इस पुलिस कमिशनर विशेषक में इतने अधिक अधिकार जो दे रहे हैं तो इस से जनता की आगादा की छीनेगे। इसीलिए यह आवश्यक है कि जब पुलिस की इतने अधिकार विये जा रहे हैं तो हम की इस वारे में अच्छी तरह से तीचना चाहिए। अभी जो पुलिस कमिशनर बनाए गये हैं श्री जे० एन० चतुर्वेदो साहब, उन का कहना है कि:

Delhi police is 40 years behind the Scotland Yard.

ठीक है, उन के पास माइन इक्यूपमेंट्स नहीं हैं, उन के पास पूरे साधन नहीं हैं जिन से अपराधियों को पकड़ ा सके। उन के पास पूरी सुविदाएं नहीं हैं। ठीक है, उन को सारी सुविदाएं दी गाएं और हमारे सामनीय तिदारों जी के मन में उन के लिए दर्द है और बात सब है कि उन नागों के रहने के लिए कुठ नहीं है। ये पात्र जो लिए किया गए लेकिन इतने अदिन पितकार देने से पहले अगर उन की योग्य गहीं बनाया गुगा, तो वे अधिकारों न दुष्ययोग करेंगे और दिल्ली में पुलिस तानागाहों के दिन हम नागों को देखने पड़ेंगे। इन सम्बन्ध में मैं कह सीख कहना चाहना हूं, हमारे पाटिल हम तो व्यक्ती यहां हैं नहीं, कि प्रधान संसीयी ने पुलिस एक्कन के बारे में यह कहा हैं:

No third-degree methods with anyone at any time.

तो ये सब बीजें आप देखें लेकिन में यह कहना बाहूंगा कि पुलिस के लिए कोड आफ कण्डवट, आचार-संहिता होनी चाहिए कि क्या क्या पाम पुलिस करे और क्या क्या नाम न करे। अगर केवल अधिकार रहेंगें, ड्यूटीच कहीं रहेंगी और उन के कर्तव्य उक्त को नहीं बताएंगे, तो यह गलत होगा।

एक बात भीर मैं यह कहना चाईया कि यह ठीक बात है कि प्राप इप्रल गारुन की खरम कर रहे हैं लेकिन पार्वती कृष्यन बहनजी ने बायाधाकि उद्घ दिल्लीको राज्यका दर्जा दिये जाने की बात प्रभी हा रही है, तां प्रच्छः होता कि भाए इस बिल को प्रवर समिति में भेज देते । जब इधर दिल्ली को पाण्य कादजिने की बात हो एही है, तो उस राज्य को कितने प्रधिकार देने की ध्यातस्या वहांके चुने हुए जो विधायनः हैं, उनका देंगे। किस हद तक उन का अधिकार देने को व्यवस्था ग्राप करना चाहते हैं? इसका काई तालमेल होना चाहिए, नहीं तो एक तरफ ता आप दिल्ली को भाष्म बना कर कुछ प्रधिकार देने की बात करते हैं भीर दूसरी तरफ पहले से ५ किस व्यवस्था द्याप लागों पर लाव न्हें हैं। में इस विधेयक का समर्थन तो करूंगा लेकिन मैं यह कहना चाहुंगा कि आडोनेन्स बनाने की जो परम्परा कांग्रेसं राज्य में थी, उस कुर्यस्वार का हम को रहीं लेना चाहिए। इसलिए मैं यह चार्रुगा कि जो बात मैंने कही हैं. उन की मानने अ गह राज्य मंत्री ध्यान में रखें भीर पुलिस की मधिकार देने से पहले उन की इस यं गः बनावें कि वे अधिकारों का दूरप्यांग न वारें।

चौबरी बलबीर सिंह (होतिबारपुर) : समापति महोदय, यह एक पुरानी कीमारी

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है जो अंग्रेजों के राज में चली थी और कांग्रेस सरकार को भी वह बीमारी हो गई थी। वह छत की बीमारी हटी नहीं है भीर भव हमारी जनता सरकार को भी यह हो गई है। धार्डिनेंस से कानून बनाने की बीमारी मनी हटी नहीं है। क्या मंबेर हो जाता मगर हम इसे इस तरह से नहीं लाते? जब हम दिल्लो को राज्य का दर्जा देने के लिए कान्न बनारहे हैं तो इसको इस तरह से लाने ने क्या फार्क पड़ा है? बस वही हुन्ना है कि बाई० जी० का नाम बदल कर श्रब पुलिस कमिश्तर हो गया है। उसको कुछ भीर श्रश्चिकार देदियं हैं।

माज तक यह शिकायत रही है कि पुलिस के पाम कोई ग्रधिकार नहीं भी हो नो नो वह ग्रधिकार इस्तेमाल करसकती है। तोई प्रधिकार उनके पास न होने से, उनके पास में होई कानन न होने से भी उनका कान्न चलता है। प्रव हम उनको बहत से अधिकार देरहे हैं।

महात्मा गांधी ने कहा था भीर हम तो अपने को गांधी-चादी कहते हैं, हम गांधी जो को मानते हैं भीर गांधी जी की समाधि पर हमते कस्म खायो है। क्या हमने गांत्रों जो को यह बात सीखी है कि कौन-मो मरकार खराब होती है, कौन-सी सरकार अपच्छी होती है? गोधी जीने कहा था कि अच्छी सरकार वह होती है जो कम से कम दखल दे।

मगर माग पिछली तवारीख को देखें या दिल्लाकी तथारीख को देखें तो भाषको मालूम होगा कि जिन दिनों में लड़ाई हुई यो मौर पुलिय का काम किसी मौर को नौंग दिया गया था, दिल्ली शहर का काम पुलित के सिवाय किसी भीर समा, सोसाय-टियों के सुपूर्व कर दिया गया थातो उन दिनों में चोरियां भीर बड़े बड़े जूर्म बिल्कुल नहीं हुर्थे, अवर हुए थे तो बहुत कम हुए थे। आवं उन विशेषा रिकार्ड मंत्रा कर वेख लोजिए। जिस वस स्टेण्ड पर पुलिस

का सिपाड़ी न हो वहां जेबकती नहीं होती है। अगर वहां पर पुलिस का सिपाही मौजद है तो बहां पर जेबकतरी होगी। इर र आप मिसाल चा तो में दे सकता हं। दिली में पुलिस सुपरिण्डेण्डेण्ट के किसी रिश्तेकार की जेब कट गई। इस पर गुलिस सुपन्निट-ण्डेन्ट ने थाने के इचार्ज को महा कि शाम तक उसका पैसा नहीं मिलातो वह सस्पेंड कर दिया जाएगा। शाम से पहले ही उसका बटग्रा ग्रीर पैसा वापस हो गया। इसलिए पुलिस के पास तो पहले ही बहुत से ग्रस्ति-यारात हैं आप भीरभी उने देने या रहे हैं। चाहिए तो यह था कि जो उनकी मृश्विलात हैं उनको दूर किया जाता ग्रीर उनके जे हक हैं वे उनको दिये जाते। वह रःत को जब घर पहुंचता है, विस्तर में लेटता है तो टेलीफोन ग्राजाता है कि किसी जगह उसको जाना है। वह सारी रात और दिन का म्लाजिम है। उसे रहने को मकान चाहिए, बच्चों के लिए साी सुविधाएं चाहिए। उसकी थोड़ा बहुत सेटिस्फाई करने की जरूरत है। ग्रगर वह सेटिस्फाई नीं होगाती वह कैसे काम करेगा। भाप उसे एक लाइसेस देते हैं कि वह अपने घर का इंतजाम करने के लिए लोगीं से पैसा ले।

ग्रभी श्री ग्रानन्द नारायण मुस्स ने कहा था, एक जजमेट उन्होते दिया था कि हिन्दस्तान में सब से बड़ श्रारगेनाइल्ड गिरोह जर्म करने बाक्त का पुलिस है। इस स्ट्रिक्चर को र करवाने के लिए यु पी० की सरकार सुप्रीम कीर्टतक गई लेकिन वेरहनहीं हुए।

इस लिए मैं कहना चाह हूं कि पुलिस को ज्यादा ग्रह्तियार त दे देने से पुलिस का इंतजाम ठीक हो जाएगा या कं।ई बहुत बड़ी इंकलाी बात हो जायशी, वह नहीं होगा। पुलिस में भ्रम्छे भ्रफसर भी हैं भीर दूसरे अफसर भी हैं। इनके ऊपर बैठवें वासी सरकार देखे कि कौन ग्रादमी गलत है, कौन भावभी कि है। यहन हो कि टेलीफोन

[बीधरी बलबीर सिंह] र विवेत विवेत गया और ग्रफसर की गड़बड़ी ठीक हो गई, वह ग्रादमी ग्रन्छा हो गया। तो इन मब बातों को, चाहै दिल्ली की सरकार हो या सेण्टर की सरकार ो, उन दोनों को देखना चाहिए। पुलिस वालों के काम में बहुत इण्टरकपरेंस होती है। एक पुलिस बालों ने पकडा किमी का डेलीफोन चला गया, वह बदमाश खांड दिया गया। पुलिस उस से बात तक नडीं कर पानो भीर उसे छडवा लिया जाता है। ग्रव लोफोन करने बाला चाहे संवर लाज गुप्त हो या मैं हूं। जितनी देर तह हम इस बात को नहीं रोकेंगे नब नक यह मसला हल होने बाला नहीं है। यहां पर यह कहा गया है कि थंडं डिग्री मैथड वे इस्तेमाल न करें। मैं पूछना चाहता हूं कि लेटेस्ट साज-मामान क्या भ्रापने उनको मुहैया किया है ? अगर नहीं किया है और कोई बात हो जाती है तो फिर ग्राप कहेंगे कि ये पुलिस वाले काम नहीं करते हैं। मैं इन थंडट्रडि ी मैथड्ब की हिमायत नहीं करता है।

पुलिस को पता होता है कि कौन ग्रादमी जुमं करने वाला है । भापने उसको यह मखत्यार दिया है कि बदमाशों को वह दिल्ली के बाहर कर सकती है। मैं पूछना चाहता हं कि प्रगर बदमाश दिल्ली से बाहर कर दियं जाएंगे तो क्या वे गरीफ आदमी बहां जाकरबन जायेंगे? वेवहांपरजा कर ज्यादा उत्पात करेंगे। इस वास्ते यह समस्या का कोई हल नहीं है। इन की एक्टिविटीज को धापको कर्न करना है तो यहीं करें। किसी भीर जगह आप इनको मज देंगे तो वहां जा कर वे ठीक हो जाएंगे, शरीफ बन जाएंगे, ऐसी बात नहीं है। ग्रापने पुलिस को बहुत ग्रखत्यारात दिए एवसोल्य्ट पावर कुरप्टस एवसो ल्यूटली इसका भी ग्रापको ध्यान रखना चाहिए। कहीं वैसी बान न हो जाए। जितनी ज्यादा पावर्ज ग्राप देरहे हैं उती ही ज्यादा खराबी न हो जाए इसका भी भ्राप ध्यान करें।

कुछ मंकुण को भी जरूरत है भीर मैं भाशा करता हूं कि वह भाप लगाएं। भगर भापने ऐसा नहीं किया तो सस्यानाश हो जाएगा।

भी रीतलाल प्रसाद वर्मा (कोडरमा ): दिल्ली पुलिस भध्यादेश को विनियमित करने के बारे में जो प्रस्ताव आपने पेण किया है उसका मैं समर्थन करता हूं। दिल्ली का मन्तर्राष्ट्रीय जगत में एक बहुत भहत्य-पूर्ण स्थान बन गया है। यहां की श्राबादी 56 लाख हो गई है । पांच लाख की संख्या में सालाना यहां लोग मारे देश से भीर विदेश से बातेजान हैं। श्रास-पास के इलाकों से. रेल से नाना प्रकार के अपराध कमियों के इस कारण संग्राने की गुंजाइण भी हो गई है। वे लोग तरह तरह से भ्रापराध करते हैं। इस नये परिपेक्ष्य में यहां पर पुलिस को संगठित करने की ग्रावश्यकता थी । जबसंसद का सल नहीं चल रहा थां तब यह प्रध्यादेश लाया गया था ताकि अपनाध कर्मियों परकाबुपाया जा सके । शायद तीन चार महीने इसकी लागृ हुए हो गए हैं। जब जब संसद् में इन घपराध कर्मियो के बारे में प्रश्न भ्राए हैं गृह मंत्री जी ने जो भ्रव गृह मंत्री नहीं हैं, भांकड़े दिये थे भीर कहा था कि पुलिस को सुसंगठित किया जारहा है । लेकिन इसके बावजूद भी पुलिस का जिस तरह का संगठन होनाचाहिय थाजिस की व्यवस्था होनी चाहिय थी, अपराधियों की गति विधियों को नियंतित किया जाना चाहिये । वह नहीं हो पा रहा था। ग्राजभी दिल्ली में ग्रनैतिक व्यापार स्त्रियों का काफ़ी बढ़ा हुआ है, गुंडागर्दी काफी बढ़ी हुई है , शसमाजिक तत्व सिक्य हैं। इन पर नियंत्रण नहीं ही या रहा है । चोरियां डकैतियां बहुत ज्यादा बढ़ गई हैं। अभी हमारे डा० सिंह बसा रहे में कि पैसा दे कर, हजारों हजार देकर पुलिस वालों की पोर्सिंग की जाती है। किस तरह से इन बीजों पर नियंत्रण स्थापित किया जए इसको

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देखा जाना चाहिये। पावर्ष तो वी जा रही है, भाप मधिकार तो पुलिस को ग्रीर ज्यादा देने जा रहे हैं ग्रीर यह जहरी भी था लेकिन तीन चार महीने में जो ब्यावहारिक रूप देखने को मिजा है उस से लगता है कि नतीजे उत्साहबर्दक नहीं ग्राए हैं। मैं भी ग्राप को एक उदाहरण देना बाहता हुं। दिल्ली में भात्म हत्या करने वालों को संख्या दिन प्रति दिन बढ़ रही है। इस के कई कारण हैं। कोई गिर कर मर जाता है तो उस को ब्रान्म हत्या ही मंजादेदी जाती है। किस तरह से ग्रयर किसी को मकान से गिराकर हत्या कर दी जाती है और उसको भारम हत्या कह कर मामलें को रका दका कर दिया जाता है इसका एक उदाहरण में आपको देना चाहता हूं। रोहित हाउस में इसी महीने एक बीरेन्द्र मनोजा नामक युवक ने, बताया गया है कि कूदकर, छलांग मार करके आत्म हत्या कर ली। लेकिन वास्तव में उस को धक्का देकर उसकी इत्या की गई थी जब कि बनाया यह गया कि उस ने चात्म हत्या की, तेरहवीं मंजिल न तर कर । एक महेन्द्र बर्मा और कुछ दूसरे ग्रवराध कमियों ने उस को धकेल दिया था। बताया जाता है कि मिन्नता के रूप में ले जा कर के और जिला भिला कर के उसकी हत्या की गई। जो चपडासी रहते हैं उन के जरिये कछ खाने निकी व्यवस्था की गई, मुर्गे वर्गरह मंगाए गए। उस के बाद यह कहा गया कि कद कर उस ने झात्म हत्या कर तो । इसवीच एफ० माई० मार में यह विवरण है कि कुछ ग्रसमाजिक तत्व सुरा सुन्दरो का जो व्यवहार करते हैं, अपराध का वह महा है, वहां <sup>वह कृद कर मरा भीर उसने भात्महत्या</sup> की वास्तव म उसकी हत्या की गई हैं। पुलिस ने प्रात्म हत्या का मामला बना कर के केस को बत्म कर दिया है। उस के फादर जो पहले निर्यात ग्रायात विभाग के डिप्टी डायरेक्टर रहेहैं। उन्होंने बताया ह कि उन्होंने खुद लिख

कर दिया है -- पुलिस को कि इस के पीछे एक गिरोह का हाथ है। जो बराबर गडबडी करते रहते हैं भीर पुलिस को पूरा विवरण देने के बाद भी कोई एवशन नहीं लेते थे। इस प्रकार की जो सारी दिल्ली में गंदा व्यापार हो रहा है ग्रीर पुलिस भ्रष्टाचार मेंड्बी है इस पर पूरा नियंत्रण होना चाहिये।

सभापति अहोदय : डा० बलदेव प्रकाश लास्ट स्पीकर होंगे।

डा० बलदेव प्रकाश (ग्रम्तसर) : सभापित महोदय, यह जो बिल सदन के सामने प्रस्तुत हमा है इसकाक्षेत्र बड़ा है और सिर्फ इतना ही है कि अपराध की जांच करने के लिये या कानून व्यवस्था को बनाये रखने के लिये जो पहले दोहरी व्यवस्था थी, पुलिस ग्रीर मजिस्टेट की, उसकी जगहपरएक जगह पुलिस को नये प्रशिकार दिये गये है। हमारे सामने यही प्रश्न श्राता है कि क्या पृलिस को ग्रधिक उपयोगी , दक्ष, कुशल ग्रीर प्रभावी बनाने के लिये यहविधेयक ठीक रहेगा या नहीं ? पुलिस को सिद्धान्त रूप से ज्यादा अधिकार देने चाहिये या नहीं ? यही मूल भूत प्रश्न हमारे सामने आज है। भीर में समझता हूं कि दोहरी व्यवस्था से यह व्यवस्था ठीक है । क्योंकि दोहरी व्यवस्थासे दो जोएजेन्सीज हैं वह बीच में ब्राती हैं। ब्रीर उस से पुलिस के ऊपर जिम्मेदारी तो हर किस्म की श्राती है, कहीं कोई गड़बड़ हो जाय पुलिस जिम्मेदार है, लेकिन जहां तक पुक्तिस के अधिकार का सवाल हैं उस के ऊपर मजिस्ट्रेट भीर डी एम हैं। पुलिस दफ़ा 144 भी नहीं लगा सकती श्रोर कोई कायवाही नहीं कर सकती, कोई भी प्रौहिबिटरी मेजर्स इस्तेमाल नहीं कर सकती। ती इस से पुलिस प्रधिक प्रभावी होगी मीर उस की जिम्मेदारी बढ़ेगी। लेकिन दूसरा सवाल यह है कि अगर पूलिस को

[डा० बलवेव प्रकाश]

ज्यादा अधिकार दिये जायं तो कितने दिये जायं कहां तक दिये जाएं उन की सीमा क्या हो ? क्या ज्यादा प्रधिकार देने से हम इनको निरं-कृश तो नहीं बना देते जिस से लाभ के वजाय नक्सान हो जाय? इस बिल की ग्राप ने पढ़ा होगा सभापति महोदय, इस में मझ संदेह नहीं है ग्रीर ग्राप भी इसी मत के होंगे कि इस बिल को इस तरह से पास नहीं किया जा सकता । जितने उस में अधिकार दिये गये हैं, ऐसे छोटे छोटे अधिकार हैं जमें होटल खोलना है तो लाइसेंस पुलिस का, या ड्रामा . ऐम्यज-काई सिनेमा या सरकस या मेला, जो दृडीशनल हैं उस के लिये भी पुलिस का लाइसेंस होना चाहिये। भीर तो भीर टिकट बेचने के लिए पास देने के लिये पुलिस का अधिकार हो। तो पुलिस क्या क्या करेगी ? क्यालोकल बाड़ीज, म्यनिमियल कमेटी या कारपोरेशन है जो पुलिस को ग्रधिकार दिया गया ? उस से दूरुपयोग पुलिस कमिश्नर ही नहीं अधिकार दियागया है कि वह में से टेमोरेरी वडने पर जनता लगा सकते हैं। ग्रफसर इस पर गम्भीरता ममझता हं कि विचार होना चाहिये। ग्रीर ग्रागे ग्रगर था तो उसका दुरुपयोग होने की सम्भा-वना है। यह भी इस के अन्दर किसी इमारत की, गली की किसी भी समय किसी कारण से पुलिस अपने में ले सकती है। इससे भी हो सकता है। भगर कोई व्यक्ति यह दरख्वास्त देता है उसके जीवन को खतरा है भीर पुलिस उसके लिये कोई प्रबन्ध करे, तो कब प्रबन्ध करेगी ? जब कि वह व्यक्ति उस प्रवन्ध की कीमत ग्रदा करे। हम पास करने जा इराज जो विश्वेयन ग्रगर ऐसा कोई प्राव-रहे हैं उस के अन्दर धान है कि ग्रगर कोई व्यक्ति भ्रपनी रक्षा के लिये पुलिस के पास जाता है भी एपूलिस उस के लिये ऐडीशनल फ़ीस इस्तेमाल करती है तो उस की कोस्ट उस व्यक्ति की देंगी । वयोंकि उसमें शब्द हैं कि: shall have to be paid by that man. तो फिर संरक्षण लेने के लिये कीन आधगा? उस से कम कीमत पर तो वह धादमी रख सकता है. जो उस की एका कर सके। इस तरह से प्रगर कोई डिस्टर्बंड एरिया है. ग्रगर उस को लोग दरखलवास्त देते हैं कि यहां पुलिस की चौकी बना दीजिये, हमारे यहां रोज इस तप्ह की गड़बड़ डिस्टबेन्सेज होते हैं. रायटम होते हैं ना पुलिस की चौकी प्राकर बैठ जाती है . तो इस में प्रावीजन है कि ग्रगर इस तरह के डिस्टर्वेन्सेज हों तो वहां के इन्हैंबीटैंटर का उस की कीमत । मैं जानना चाहता हं कि बेनी पड़ेगी? क्या ला एंड क्यों की मत की हिफ़ाजत का काम पुलिस का नहीं है ? क्या कोई माभल ला लाग् हुआ है ? उस व्यवस्था के लिये लोग कीमत क्यों दें ? लाग टक्स देते हैं. पुलिस जनताकी सेवाके लिये है। ग्रगर के लिये. अपराध की रोक्याम. के लिये कोई दरक्यास्त दे धीर उस की कीमत चुकानी पड़े तो मैं समझता कि उस विधेयक में यह व्रटियां हैं।

SHRI VAYALAR RAVI: you have to take the Half-an-Hour discussion. You can postpone this and Dr. Prakash may continue next time.

MR. CHAIRMAN: Now he will have to wind up.

डा० बलबेब प्रकाश : सभापति महोदय, धभी तो मुझे कई बातें भीर कहनी हैं, जीवहरा असरी

MR. CHAIRMAN: The time is not fixed. That will be fixed.

SHRI VAYALAR RAVI: As per the rule it has to be taken up at 5.30 P.M.

MR. CHAIRMAN; Just a minute. The time is not given. It will be taken up. Normally the time is given. I shall check up. You please verify that by seeing the rules. Dr. Baldev Prakash, you may continue.

डा॰ बलवेष प्रकाश : इसी तरह से सोर भो बहुत से स्रिधनार हैं। इसमें यहां तक है कि अनेशालाओं का कन्द्रील पुलिस करणी। और विचार की लियें कि अमेशालाओं में कव कियी ने साना है, कोन वहां हैगा को ननहीं रहेगा, इसका नियंत्रण पुलिस करेगी? जमाना बाट पर भी पुलिस नियंत्रण करेगी कि कब मुर्वे को जलाना है और कब नहीं जलाना है ी

ग्राप विचान की जिये कि प्रमार यह सब उन्तजाम पुलिस करेगी तो कैसे काम चलेगा? प्रव उसी पन कोई एम्यूचमैंट की चीज हो, किस ग्राटिस्ट को बाम देना है, कौन ग्राटिस्ट एम्पलाय होगा, क्या इसका नियंत्रण भी पुलिस करेगी? ग्रापण ग्राटिस्ट भी पुलिस के नियंत्रण में ही वहां पर रखा जा सकता है ता इस प्रविकार का कितना दुक्योग होगा, इसको भी भ्राप ग्रन्दाजा लगाइये?

मैं एक बात और कहना चाहता है कि
जब भो कहीं पर झगड़ा होता है तो यह बात
आतो है कि यहां से जलूम निकालने की इजाजत
किस ने दो। डिस्ट्रिक्ट मजिस्ट्रेट ने दी तो
गहले पिनेटिव मेजसे क्यों नहीं लिये गये?
इस कानून की दिवसत यह है कि पुलिस
कमिश्तर या जो कोई भी धिधकार हो
वह असे स्वलीज की या पब्लिक प्रोसेशन
को इनाजत और ली भी दे स्वता है,
आप स्मित्तिए कि यह इतनी असी है कि इसकी
निस्मेवारी किस पर है।

SHRI VAYALAR RAVI: I rise on a point of order. This is about the sitting of the House. According to the bulletin the sitting is upto six. If it is at 6 then Half-an-Hour comes up at 5-30. That is the procedure, Of

course it is not mentioned in the order paper. Can you show me the rule? The position is that at 5-30 the half-an hour is taken up if the House sits upto 6. There is no prescribed time. You take the sense of the House if you want to postpone the half-an-hour discussion. After six we are not prepared to sit. You please look up to the rules—page 9 rule 14. It says:

"Unless the Speaker otherwise directs, sitting of the Houses on any day shall ordinarily conclude at 17.00 hours."

I am relying upon Rule 14. After 6 there is no question of Half-an-Hour being taken up. Mr. Chairman, according to the. Bulletin, the House is supposed to sit upto 6. (Interruptions).

MR. CHAIRMAN: Let me take the sense of the House...

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Sir, this Bill seeks to replace the Ordinance and the last date of the Ordinance is 27th of this month. After 24th, there are three holidays. The Bill has, therefore, to be passed in this House today and thereafter in the other House also, otherwise there would be difficulties,

SHRI VAYALAR RAVI: How can it be possible? We would like to ask for division also.

MR. CHAIRMAN: I would request the hon. Members to accommodate. I could have finished the debate earlier; normally, it ought to have ended at 5.15 p.m., but in my anxiety to see that more Members participate in the debate on this Bill, we continued. If we have half an hour for this and half an hour thereafter, we will be able to finish the business by 7.00 p.m.

PROF. SAMAR GUHA (Contai): What about my motion? It has been shifted again and again. It is not possible to accommodate every item of the Government.

थम तथा संसदीय कार्य मंत्रालय मे राज्य मंत्री ( भी लारंग साथ ): समापति महोदय, यहां पर जो बिल रखे जाते हैं, बे समी महत्वपूर्ण होते हैं। यह नहीं कहा जा सकता है कि कोई बिल महत्वपूर्ण नहीं है। यह बिल भी बहत महत्वपूर्ण भीर इसे भी पास करना बहत धावश्यक है। इसलिए मैं माननीय सदस्यों ने प्रार्थना करता हं कि इसके पास होने तक के लिए समय बढ़ा कर इसे पास कर दिया जाये।

PROF. SAMAR GUHA: What about my motion? I will not allow this Bill to be passed. There is a commitment by the Speaker. This was to come in the first week.

MR. CHAIRMAN: We should not get excited. Your motion has to come.

PROF. SAMAR GUHA: It has been postponed a dozen times .

MR. CHAIRMAN: Your has a priority over the half an hour discussion, but your motion has to be taken subsequent to the Bill, not carlier. That stage has not come.

SHRIMATI PARVATHI KRISH-NAN: (Coimbatore): The Government should have brought this Bill earlier. They only wake up on the eve...

PROF. SAMAR GUHA: My motion has been going on and on.

MR. CHAIRMAN: If the House agrees, I do not mind.... (linterruptions)

SHRI VAYALAR RAVI: Some of the amendments, we consider, are very important. We are very cooperative; we never take more time, but many hon. Members want to speak. What can we do?

डा० बलदेव प्रकाश: मगापति महोदय, में समाप्त कर रहा हं। यह जो बार बार यहां पर तर्क दिया गया है कि भ्रष्टाचार बढगा पुलिस को प्रधिक प्रधिकार देने से, में समझता हं कि यह तक संगत नहीं है।

SHRI S. D. PATIL: I am greatly indebted to the hon. Members who have supported the Bill. Out of I5 Members, as many as 12 members have supported the Bill. One who opposed was Mrs. Parvathi Krishnan and another has got some reservations...

SHRIMATI PARVATHI KRISH-NAN: I have also been hearing their speeches. Those who supported have only parfially supported it; they have agreed on the civilian powers, even the last speaker.

SHRI S. D. PATIL: Others have made valuable comments and constructive suggestions for the consideration of the government. An hon. Member raised the point; why was an Ordinance passed; Promulgation of Ordinances is not desirable. The decision of the government to introduce a system of commissioner of police in the Union territory of Delhi was announced in both Houses of Parliament in August 1977. The intention was to bring in the necessary legislation before Parliament in the last budget session. Necessary legislation was drafted and was placed before the Metropolitan Council of Delhi in December, 1977 for obtaining its recommendation. Its recommendation was available in the second week of May 1978. Since considerable delay has already occurred it was decided that the change over should be given effect to without further delay accordingly the Delhi Police Ordinance, 1978 was promulgated on 1st July, 1978.

This was a long felt need of Delhi. The Khosla commission has already recommended that this should be a unified system and it would lead to better efficiency of the police. Because of increasing population and the complex problems that the capital is facing, this is necessary. It is not as if new principles are being introduced. The Bill is modelled on

the 1851 Act as well as the 1951 Bombay Police Act, It was already in operation. It is not as if we are giving certain more powers or that the police will misuse. This is the general misconception about this Bill...

SHR<sub>1</sub> M. RAM GOPAL REDDY (Nizamabad): Old things do not apply to the present.

SHRI S. D. PATIL: The police are only the reflection of society; the policemen are not strangers; they are part and parcel of society. Unless and until there is a sense of responsibility among our citizens, how can society improve. The citizen, the social organisations and the political - organisations should improve; unless they improve the image of the police will not improve on its own. That is why I request that there should be cooperation all round.

### 17.44 hrs.

### SHRI RAM MURTI in the Chairl

I have seen the system of police working in Tokyo in Japan some 17 years ago; I was so surprised. I was surprised to see that in the biggest city in the world, where we travelled for 15 miles in a bus, there were not even a handful of people on the road. Here inspite of our traffic regulations and other things, we have got such happenings in this country. It is difficult to control people. That is why certain powers are to be given to police to control traffic. Even the Bombay City Police Act had to be amended as many as 28 times. Between 1951 and 1974, the Bombay Act was Amended 28 times. This is an experiment we are having. Hardly two months have passed. People expected that the law and order situation would immediately improve! Shri Kanwarlal Gupta is not finding any change. How can we . find a change immediately within a period of only two months. Let us wait and see; we have started the experiment. I can only say that crime is not on the increase. It has been made crystal clear many times on the floor of the House. It has been alleged that crime has been increasing after the introduction of the system. It is not so.

The various suggestions about duties, payscales, housing accommodation, are all matters which are for the consideration of the government. They are looking into the problem. The point was made that the police is now given excessive powers. That was the thrust of the speech of Mrs. Parvathi Krishnan. I would like to say that the Commissioner of Police has not been given any more powers. The only thing is, certain powers which were vested in the District Magistrates are now to be transferred to the police. The Police Commissioner is also a very responsible per-He is much above the District Magistrate. Several arguments are given in the Khosla Commission report as to why it is essential to have the system of Police Commis-I need not go over them. I would only say that it is the intention of the Government to make the police machinery more efficient and more duty-oriented. Up to this time, the police used to exercise certain powers. Now, in certain cases the police can help the people. That is exactly what we want, namely the police should be a friend, philosopher and guide for the people. He must be the poor man's friend. That is the anxiety of the Government and I think this Bill will go a long way towards that and make the police conscious of their duties.

The training of the police is also taken care of. We are going to have a training college as well as a training school. Of course, the college will come a little later, but the school will be there. There will be adequate training for the police force.

As far as the arduous duties of the police are concerned, it is a matter for social philosophers and scientists to consider whether our police should be given so much duty or not.

## [Shri M. Ram Gopal Reddy]

The question of our purse also will have to be taken into consideration, whether we can afford to have a police with a lesser hours of duty and better pay. That is the demand and that is very welcome, but how far a peor country like ours can afford it is a matter for investigation.

Other suggestions have been made by some hon, members, some of whom have been experienced Police officers also. I am very glad that Shri Shambhu Nath Chaturvedi who was at that time selected as a direct recruit for the post of Dy. S. P. and also Shri Ramanand Tiwary who himself was in the police service have made their contributions to the debate based on their experience. All the suggestions made by hon, members will be taken care of and Government will examine them.

Some members asked, if Delhi is given statchood, what will be the powers of the Council of Ministers, etc. I would like to make it clear that the proposed Bill which has been introduced is not going to give at this stage the status of statehood. It is only a Union Territory and it will fall in line with whatever powers are given to Goa. Daman and Diu and other Union Territories. The Administrator who is the Agent of the President, works under the supervision and control of the Home Ministry. Whatever powers are given to the Police Commissioner and whatever regulations are laid down, they will be placed before both Houses of Parliament. So, there will also be a sort of direct control. If the regulations in any way seek to give more power than essential, then both Houses of Parliament can exercise a check.

SHRI VAYALAR RAVI: What about special police officers?

SHRI S. D. PATIL: Special Police officers will be there only in emergent circumstances. They will be taken under two considerations. They must be fit and able-bodied. (Interruptions). There will not be any political

considerations. You can object to their applointment and if the objection is up-held...

SHRIMATI PARVATHI KRISHNAN: Objection by whom?

SHRI S. D. PATIL: Objection by the public also. If somebody is. actuated by certain prejudices or motives or political considerations. then you have always the right to object, and those objections are decided within 15 days. So, this is only in the case of an emergency and emergent circumstances. Otherwise. Special Police does not come in. Sup. pose suddenly communal riot develops or there is an unlawful assembly. The fear that it will be only filled up by persons belonging to the political party which is in power is unfounded, and I think there is no scope for such criticism.

I have dealt with many of the points. I request the House to give its support to it because it has to be passed to-day.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I had hoped that the hon. Minister would enlighten us on certain points, but he has failed to do so. In fact, in his reply he has only convinced me still further that there is something seriously wrong with this Bill. I do not deny, and I said so when I was speaking, that the law and order situation and the crime situation in Delhi is extremely serious and you do need to streamline the police administration and have a getup to bring that under control. But now he is talking about an "experiment." You do not start experimenting when a fire is there, you try to put the fire out. Therefore, leave the experiment out.

I can understand very well your giving the police powers, more powers, to see that they keep the law and order situation under control, but I would like to know why you have to make inroads into powers that belong

to local bodies. And he has now let the cat out of the bag. They are going to be answerable to whom? To the Home Ministry, and through the Home Ministry to the Central Government. Therefore, the Central Government is not only denying Statehood to Delhi, but also trying to arrogate to itself certain powers that already exist with the Municipal Corporation.

The Police Commissioner will decide one fine day that some place is likely to be an epidemic-stricken area. and, therefore he will consult the Municipal Corporation but Municipal Corporation does not have the final say in it. Is it the health authorities who are responsible for it and the police come into the picture to aid the health authorities, or are you going to have the Police Commissioner deciding it?

Similarly, I would like to know under what imagination, whether it is the 1861 Act or who has inspired Shri Patil, who is now getting inspired by Mr. Malhotra or being briefed by him, who has inspired him that the police can keep order in temples. mosques, Gurudwaras and Churches. They are even allowed to say suo motu in which church, which Gurudwara there is going to be disturbance. and then say; "Come on where are our rifles?" What is this kind of blanket power, I cannot understand.

It was made clear when I was speaking that I approve of the general over-all idea of this Police Commissioner set-up, but I am absolutely confirmed by his very sketchy and playful reply that he certainly has not gone through every Clause of this Bill. If he has, he would have certainly replied to certain points, but he failed to do so. I would like to know why. He is absolutely in an ivory tower. "We, Janata, have come to power. Have faith in us. We have restored democracy. Therefore, whatever Bill we bring will be democratic"—this is your argument, because

this was the spirit in which he said: "Don't worry. It will not be misused. It is an experiment." We must have it one way or the other. First he said it is based on the 1861 Act, such a very patriotic Act! Why can't they nationalise the police? You have nationalised certain textile units you have nationalised so many other things, including posts and telegraphs and so on. Why not nationalise the police also? Why not have a patriotic police system, which does not harass the people ....

THE MINISTER OF PARLIA-MENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Mr. Chairman, it will soon be 6 O' Clock.

SHRIMATI PARVATHI KRISHNAN: I will take only a minute.

SHRI RAVINDRA VARMA: The hands of the clock will not remain stationery. The Government is very keen that the Bill should be passed today.

SHRIMATI PARVATHI KRISH-NAN: Because the Government was sleeping over it until now.

SHRI RAVINDRA VAMA: Sir. you know very well how other matters went on and took up the time of the House

Therefore, I formally move:

"That the House sit for a few more hours, as long as it is necessary, to get through this Bill and then take up the rest of the business of the House.'

MR. CHAIRMAN: How long will it sit?

SHRI RAVINDRA VARMA: Till the Bill is passed and then Shri Samar Guha's motion and then the Half-an-Hour Discussion are over.

MR. CHAIRMAN: The question is...

SHRI VAYALAR RAVI: There are amendments which are given notice of

### (Shri Vayalar Ravi)

by members of my party and other parties. They should be given prior notice that this is going to be taken up so that they can be present here. You cannot deny those Members the opportunity to move those amendments and speak on them.

MR. CHAIRMAN: There is only one amendment.

SHRI VAYALAR RAVI: There are many amendments which Members have given notice of. They must be present here. Otherwise, how can they move those amendments?

MR. CHAIRMAN: This motion for extending the time of the sitting. till the Bill is passed.

SHRI VAYALAR RAVI: It is not a question of passing a Bill alone. A Bill can be passed in two minutes also, That is not the point.

MR. CHAIRMAN: I will put it to the House. The question is:

"That the House sit for a few more hours, as long as it is necessary, to get through this Bill and then take up the rest of the business of the House."

Those in favour of it may say "Aye"

SOME HON. MEMBERS: Aye".

MR. CHAIRMAN: Those against it may say 'No".

SOME HON. MEMBERS: "No".

MR. CHAIRMAN: I think the "Ayes" have it.

SOME HON, MEMBERS: No. the "Noes" have it.

MR. CHAIRMAN: All right. the lobbies be cleared. The Lobbies have been cleared. Let me put the motion before the House.

#### 18 hrs.

SHRIMATI PARVATHI KRISHNAN: Sir, before you put the motion to the House, I want to say one thing. I

do not think it would be a very good precedent to have a division on the question of extension of time. But I want to say one thing, when I make this submission. and that is that I am very very sorry at the manner in which this is being done and we have had to ask for this division. I am not pressing for it in view of the fact that the Government insists that the Bill has to go through today.

As I said while speaking on the disapproval motion last time, the most unhappy part of it is that on a very important Bill like this, it is proved that the Government comes with an Ordinance without coming forward with a Bill for discussing in the Select Committee. That is why we are in this plight. Anyway since I do not think it would be a good precedent, we do not press this particular question of extension of time to a division. But other things I do not say we will not press to a division.

SHRI VAYALAR RAVI: I fully endorse what Mrs. Parvathi Krishnan has said. We are not pressing for a division.

SHRI RAVINDRA VARMA: I express my gratitude to the hon. Members for that.

MR. CHAIRMAN: Is it the consensus of the House that the time of the sitting of the House today be extended till the Delhi Police Bill be disposed of and, thereafter, the discussion on Shri Samar Guha's Motion and Half-An-Hour discussion be taken up?

HON MEMBERS: Yes.

MR. CHAIRMAN: So, the time is extended. Shrimati Parvathi Krishnan to continue her speech.

SHRIMATI PARVATHI KRISHNAN: Sir, I do not propose to say anything more in view of the whole atmosphere and this attitude taken. I finish

before I have my full say. (Interruptions) They can have it passed.

MR. CHAIRMAN: I shall now put the Statutory Resolution, moved by Shrimati Parvathi Krishnan, to the vote of the House.

### The question is:

"This House disapproves of the Delhi Police Ordinance, 1978 (Ordinance No. 2 of 1978) promulgated by the President on the 1st July, 1978."

The Lok Sabha divided:

Division No. 22]

[18. 11 hrs.

# Aves

\*Balak Ram, Shri \*Balbir Singh, Shri Banatwalla, Shri G. M: Barman, Shri Palas Basu, Shri Chitta Baus, Shri Dhirendranath Bhagat Ram, Shri Bhakta, Shri Manoranjan Chandrappan, Shri C. K. Deo. Shri V. Kishore Chandra S. Faleiro Shri Eduardo \*Kamath, Shri Hari Vishnu Kodiyan, Shri P. K. Kolur, Shri Rajshekhar Krishnan, Shrimati Parvathi Lakshminarayanan, Shri M. R. Mayathevar, Shri K. Murugaiyan, Shri S. G. Pajanor, Shri A. Bala Patnaik, Shri Sivaji Poojary Shri Janardhana Ravi, Shri Vayalar Saeed Murtaza, Shri Unnikrishnan Shri K. P.

Venkataraman, Shri R. Visvanathan, Shri C. N.

#### NOES

Agrawal, Shri Satish Ahuja, Shri Subhash Arif Beg. Shri Berwa, Shri Ram Kanwar Borole, Shri Yashwant Chand Ram, Shri Chaturvedi, Shri Shambhu Nath Chavda, Shri K. S. Chowhan, Shri Bharat Singh Chunder, Dr. Pratap Chandra Dandavate, Prof. Madhu Desai, Shri Morarii Deshmukh, Shri Ram Prasad Dhandayuthapani Shri V. Dhurve Shri Shyamlal Digvijoy Narain Singh, Shri Durga Chand, Shri Dutt. Shri Ashok Krishna Ganga Singh, Shri @Gotkhinde, Shri Annasaheb Guha, Prof. Samar Hukam Ram, Shri Jain, Shri Kalyan Jain, Shri Nirmal Chandra Joshi Dr. Murli Manohar Kakade, Shri Sambhajirao Kaushik, Shri Purushottam Khalsa, Shri Basant Singh Khan, Shri Kunwar Mahmud Ali Khrime, Shri Rinching Khandu Kishore Lal, Shri Krishan Kant, Shri Kureel, Shri R. L. Mahala, Shri K. L. Mahale, Shri Hari Shankar Mahata, Shri C. R. Mahi Lal, Shri Maiti, Shrimati Abha

<sup>\*</sup>Wrongly voted for AYES @Wrongly voted for NOES

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Statutory Res. and Malhotra, Shri Vijay Kumar Malik. Shri Mukhtiar Singh Meerza, Shri Syed Kazim Ali Mehta, Shri Prasannbhai Mhalgi, Shri R. K. Mondal Dr. Bijoy Munda, Shri Karia Pandey, Shri Ambika Prasad Pandeya, Dr. Laxminarayan Parmar, Shri Natwarlal B. Paswan, Shri Ram Vilas Patel, Shri H. M. Patel, Km. Maniben Vallabhbhai Patil. Shri S. D. Pradhan, Shri Pabitra Mohan Rahi Shri Ram Lal Rai, Shri Narmada Prasad Raida, Shri Ratansinh Ram Charan, Shri Ram Kinkar, Shri Ram Kishan, Shri Ram: Sagar, Shri Ramachandran, Shri P. Ramapati Singh, Shri Ramji Singh, Dr. Ramiiwan Singh Shri Ranjit Singh, Shri Rothuama, Dr. R. Sai, Shri Larang Saran, Shri Daulat Ram Sarangi, Shri R. P. Shastri, Shri Ram Dhari Shejwalkar, Shri N. K. Sheo Narain, Shri Sikander Bakht, Shri Singh, Dr. B. N. Sinha, Shri Purnanarayan Sinha, Shri Satyendra Narayan

Somani, Shri Roop Lal Sukhendra Singh, Shri Swamy, Dr. Subramaniam Tan Singh, Shri Tiwari, Shri Brij Bhushan Ugrasen, Shri Vajpayee, Shri Atal Bihari Varma Shri Ravindra Verma, Shri R. L. P. Verma, Shri Sukhdev Prasad Yaday, Shri Hukmdeo Narain Yadava Shri Roop Nath Singh Yadvendra Dutt. Shri Yuvrai. Shri Zulfiquarullah, Shri

MR. CHAIRMAN: Subject to correction, the result\* of the Division is: Ayes: 26;

Noes: 91.

The Resolution is negatived.

The motion was negatived.

SHRIMATI PARVATHI KRISH-NAN: Are you not ashamed of yourselves-without knowing what you are clapping for?

MR. CHAIRMAN: Now, there is an amendment by Shri Ramanand Tiwary. Are you pressing it?

सिवारी जी. ग्रापका मंश्रीधन है कि ज्वाधण्ट राजैवट व मेटी की भेजा जाये।

थी रामानन्द तिदारी: समापति जी. मैं चाह रहा था कि इस बिल को मलेक्ट कमेटी को भेगा ाये क्योंकि इसमें अनेक बटियां हैं, ब्रॉ.१ उन्हें सूत्र भाजाना हाहिए। इसलिए हमने यह अमेग्डमेंट दिया था। मैं गह-राज्य मंत्री जी ने शिवेदन कंहरंगा कि वह इसे सलेंबट व मेटी में जाने हैं।

AYES: Sarvashri Bakin Pertin and Annasaheb Gotkhinde:

NOES: Sarvashri Ramanand Tiwary, Ram Naresh Kushwaha, Raghavji, Jawala Prasad Kureel, Chowdhury Balbir Singh, Balak Ram, and Hari Vishnu Kamath.

<sup>\*</sup>The following Members also recorded their votes:

प्रो० मणु दंडचंते : इससे यह लैप्स हो जायेगा ।

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भी रामानन तिवारी: लक्स हो जायेगा, तो इसे पहले लेखाना चाहिए था।

प्रधान मंदी (श्री मोरार की देसाई):
यह नहीं देखते हैं कि आडिनेस्स में इस लिए
करना पड़ा था कि यह नुस्त अमल में
लाना था, नहीं ना इसके सिवाय जितना
बन्दान्स करना चाहिए था, कर नहीं सकते
थे। प्रपंजित्स अज का नहीं है, कब की हैं,
इसेलिए याडिनेस्स करना पड़ा। प्रमप् यह बिन दा से नन में दानों हाउसे के में पास नहीं होता है ना किए यह आडिनेस्स बन्म हा जाता है सोण जा सारे एरेस्जमेंट किये गये हैं, वह सब उलट-पुलट हा जाते है। इस-लिए मेरा इसेस प्रार्थना है कि वह अपने इस संगोबन का वापस ले ले।

भो रामानन्य तिवारी: मैं अपना संगोबन वर्तपस लेता है।

Amendment No. 1 was, by leave, withdrawn,

MR. CHAIRMAN: Now, the questions is:

"That the Bill to amend and consolidate the law relating to the regulation of the police in the Union Territory of Delhi, be taken into consideration."

The motion was adopted.

Clause 2- (Definitions)

MR. CHAIRMAN: There are no amendments.

The question is:

"That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill

Clause 8-(One Police force for the whole of Delhi)

SHRI SHAMBHU NATH CHATUR-VEDI): I beg to move:

Page 3, line 26,-

for "including Delhi Armed Police"

substitute-

"or any post under the Delhi Administration or the Central Government" (59)

MR. CHAIRMAN: Are you pressing your amendment?

SHRI SHAMBHU NATH CHATUR-VEDI: I am not pressing.

Amendment No. 59 was, by leave, withdrawn.

MR. CHAIRMAN: Now, the questions is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—(Superintendence of Police force to vest in the Administration)

MR. CHAIRMAN: There is an amendment by Shrimati Pervathi Krishnan. Are you moving?

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 3, line 28,-

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (74)

MR. CHAIRMAN: I shall now put the amendment to the vote of the House.

Amendment No. 74 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 4 stand part of the Bill."

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The motion was adopted.

Clause 4 was added to the Bill.

Clause 5-(Constitution of Police force)

MR. CHAIRMAN: There is one amendment by Shrimati Parvathi Krishnan. Are you moving?

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

"Page 3, line 34,---

for "Administrator" substitute -

"Executive Council or Council of Ministers". (75)

MR. CHAIRMAN: I shall now put the amendment to the vote of the House

The amendment No. 75 was put and negatived

MR. CHAIRMAN: The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6-(Commissioner of Police)

MR. CHAIRMAN: There is an amendment to this clause. Are you moving?

PARVATHI KRISH-SHRIMATI NAN: I beg to move:

"Page 4, line 2,-

for "Administrator" substitute-

"Executive Council 10 the Council of Ministers". (76)

MR. CHAIRMAN: I shall now put the amendment to the vote.

Amendment No. 76 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 6 stand part of the Rill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7- (Additional Commissioner of Police)

MR. CHAIRMAN: There amendments by Shrimati Parvathi Krishnan. Are you moving?

SHRIMATI PARVATH! KRISH-NAN: I beg to move:

"Page 4, line 5,-

for "Administrator" substitute-

"Executive Council the Council of Ministers". (77)

"Page 4, line 13,---

for "Administrator" substitute-

"Executive Council or Council of Ministers". (78)

MR. CHAIRMAN: I shall put the amendments to the vote.

Amendments Nos. 77 and 78 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8- (Deputy, Additional Deputy and Assistant Commissioners of Police)

MR. CHAIRMAN: There is an amendment to this clause by Shrimati Parvathi Krishnan, Are you moving?

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

"Page 4, line 18,---

for "Administrator" substitute-

"Executive Council or the Council of Ministers', (79)

MR. CHAIRMAN: I shall put the amendment to the vote of the House.

Amendment No. 79 was put and neactived.

MR. CHAIRMAN: The question is: "That Clause 8 stand part of the mill\*

The motion was adopted. Clause 8 was added to the Bill.

Clause 9-(Appointment of Principals of Police Training Institutions.)

MR. CHAIRMAN: There are two amendments in the name of Shrimati Parvati Krishnan. Are you moving?

SHRIMATI PARVATHI KRISH-NAN: I move:

"Page 4. line 25 .-

for "Administrator" substitute-

"Executive Council or the Council of Ministers", (80)

Page 4, line 31,-

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (81)

MR. CHAIRMAN: I shall put the amendments to the vote of the House. Amendments Nos. 80 and 81 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 19... (Constitution of Police districts, sub-divisions and police stations)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 4, line 37,-

for "Administrator" substitute-

"Executive Council or Council of Ministers". (82)

MR. CHAIRMAN: I put amendment No. 82 to the vote of the House. 2571 L8 8

Amendment No. 82 was put and negatived.

MR. CHAIRMAN: The question is: "That Clause 10 stand part of the Bill".

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11 was added to the Bill.

Clause 12-(Appointment of subordinate ranks)

SHRIMATT PARVATHI KRISH-NAN: I beg to move.

Page 5, lines 7 and 8,----

for "Administrator" substitute-

"Executive Council Council of Ministers". (83)

MR. CHAIRMAN-I put amendment No. 83 to the vote of the House.

Amendment No. 83 was put and negatived.

MR. CHAIRMAN: The question is: "That Clause 12 stand part of the Bill".

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13- (Certificate of appointment)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 5, line 19 .---

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (84)

MR CHAIRMAN: I put amendment No. 84 to the vote of the House.

Amendment No. 84 was put and negatived.

MR. CHAIRMAN: The question is: "That Clause 13 stand part of the Bill".

The motion was adopted.

Clause 18 was added to the Bill.

Clause 14 was added to the Bill.

Clause 15 was added to the Bill.

Clause 16 was added to the Bill.

Clause 17- (Special police officers)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

## Page 6,-

for lines 9 to 14, substitute-

"(3) Person so appointed shall have the right to refuse such appointment within a period of seven days after submitting his reasons for doing so.

(3A) any person or organisation or political party objecting to the appointment of any person as such special police officer may send the reasons therefor to the Commissioner of Police within fifteen days of such appointment and the Commissioner shall accept the objection and cancel the appointment of such officer or, after giving the objector an opportunity to be heard, submit the report to the Executive Council or the Council of Ministers for final decision which shall be given within seven days of receipt of the report from the Commissioner." (85)

Page 6, line 18,-

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (86)

I would like to remind the Members on the other side including very venerated and venerable Ministers who are sitting there that the essence of my amendments is to ensure certain democratice processes.

I think, Mr. Vajpayee has not read my amendments. That is why I

wanted to draw their attention to my amendments. I think, after six O' clock, their democratic conscience becomes dormant, I have no illusion about it.

MR. CHAIRMAN: I put amendments No. 85 and 86 to the vote of the House.

Amendments Nos. 85 and 86 were put and negatived.

SHRI VAYALAR RAVI: I beg to move:

Page 6,-

after line 8, insert-

"Provided that the Commissioner of Police shall obtain the consent of such appointed special police officers before publishing the names." (135)

I need my amendment No. 135: "Provided that the Commissioner of Police shall obtain the consent of such appointed special police officers before publishing the names."

If somebody is nominated as a special police officer, that person must have the right to refuse; we cannot compel a person. It is very wrong and it is arbitrary.

SHRI S. D. PATIL: I oppose the amendment on the question of appointment of special police officer in emergent situations.... (Interruptions)

SHRI VAYALAR RAVI: Let him have the right to refuse it.

SHRI S. D. PATIL: If this right is given we will not be able to appoint special police officers.

SHRI VAYALAR RAVI: He does not have much confidence in himself.

SHRI S. D. PATIL: We cannot take a risk.

SHRI VAYALAR RAVI: How can you compel a person to become.

police officer? Why not give the option to a person to refuse it? How is it compulsory?

MR. CHAIRMAN: I am sorry; Mr. Ravi, he is not accepting it.

SHRI VAYALAR RAVI: It is like the question of compulsory sterilisation.

MR. CHAIRMAN: Shall I put amendments 133 to 136 to vote?

SHRI VAYALAR RAVI: You put 135 separately.

MR. CHAIRMAN: You are pressing only 135?

SHRI VAYALAR RAVI: Yes.

MR. CHAIRMAN: I now put amendment No. 135 to the vote of the House.

Amendment No. 135 was put and negatived.

SHRI VAYALAR RAVI: 136 should be put to vote.

बी राजानच्य तिबारी: मैं यह कहना जाहता हूं कि माननीय गृह राज्य मंती इस बात को सोच लेंगे कि मधिक मायु कितनी होनी क्योंकि कम से कम मायु 18 साल है तो मधिक से मधिक कितनी मायु हो, यह भी वेना चाहिए।

MR. CHAIRMAN: Are you pressing 135 or not?

SHRI VAYALAR RAVI: There are four amendments; I press 135.

MR. CHAIRMAN: I have taken a vote on it. The question is:

"That clause 17 stand part of the Bill".

The motion was adopted.

Clause 17 was added to the Bill.

चौबरी बलबीर सिंह : सभापति महो-वय, मेरा एक व्यवस्था का प्रका है । मेरा कहना है कि बापने प्रोसीजर की गलती की है। किसी मेम्बर ने अगर अपना अमेज्डमेज्ट वापस सिवा है तो वापस सेने परणी प्लेजरआफ दि हाउस सेनी चाहिए।

सकायति बहीस्य : मैंने उनसे पूछ लिया या, उन्होंने केवल धमेण्डमेंट नंश 135 को प्रेस किया या।

चौधरी समसीर सिंह : उनके कई अमेण्डमेण्ट थे। जिस अमेण्टमेण्ट को प्रेस नहीं किया उस पर भी प्लेखर आफ दि हाउस लेनी चाहिए।

सभार्गात महोत्य: भी नहीं। भी भ्रमण्डमेण्ट मूब ही नहीं हुआ उसके लिए इसकी क्या बरूरत है। आप विटए।

Clause 18- (Additional Police Officers)

MR. CHAIRMAN: We take up clause 18.

SHRIMATI PARVATHI KRISH-NAN: I move my amendment No. 87.

Page 6, line 27,---

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (87)

MR. CHAIRMAN: I shall now put amendment No. 87 to the vote of the House.

Amendment No. 87 was put and negatived.

MR. CHAIRMAN: The question is:
"That clause 18 stand part of the
Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 19— (Framing of regulations for administration of the police)

MR. CHAIRMAN; We take up clause 19.

SHRIMATI PARVATHI KRISH-NAN: I may just point out that there [Shrimati Parvathi Krishnan] sire a number of amendments, absolutely similar, though they come in different clauses. I think you can take all of them together, 89 to 94, except for 91, which is different.

MR. CHAIRMÁN: To chuse 19, there is amendment No. 88.

SHRIMATI PARVATHI KRISH-NAN: I beg to move my amendment No. 88.

Page 6, line 35,--

for "Administrator" substitute-

"Executive Council or the Council of Ministers". (88)

MR. CHARMAN: I shall how put amendment No. 88 moved by Shrimati Parvathi Krishnan.

Amendment No. 88 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 19 stand part of the
Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20 was added to the Bill.

Chase 21—(Powers of punishment)

MR. CHAIRMAN: We take up clause 21.

SHRI RAMANAND TIWARY: I beg to move:

Page 7, line 17,--

after "Principal" insert-

", not below the rank of Additional Commissioner of Police,"
(7)

Page 7,-

for lines 21 to 27, substitute-

Offence

Punishment

(a) abduction, raping and having unnatural sexual relations with women and girls or abetment thereof;

dismissal

(b) direct or indirect abetment in cases of thefts, dacoity, loot and murder;

dismissal

(c) escaping from duty while deployed on a responsible assignment (e.g. treasury or maintenance of law and order). (8)

dismissal

Page 7,---

for lines 35 and 36, substitute-

"award any punitive duty to constables other than physical punishment such as drill, fatigue duty, confinement in quarter guard," (9)

Page 8, line 2,---

add at the end-

"and the period of suspension shall be the minimum and the suspended officer shall be paid the allowance regularly from the date of his suspension". (10)

Page 8. line 8,-

add at the end-

"and the period of suspension shall be the minimum and the suspended officer shall be paid the allowance regularly from the date of his suspension." (11)

समापति जी, मैंने इन संशोधनों की इस रिश्य येश किया है कि इस विश्व में हम उच्चतम प्रविकारियों की अवींमित अधिकार वे पेहें हैं, जो छोटे-छोटे प्रपराधीं में उन की डिस्मिय कर देवें। में बहु बाहता हूं कि बहु डिफाइन कर दिया जाये कि इन-इन प्रपराधों में उन की डिसमित डिसी जावेगा, इन-इन अपराधों में उनकी अधून सबसे वी जावेगी।

ing the amendments. This is making it unhecessarily restrictive.

सवादित नहीवत । तिवारी जी, नवा साप इन को त्रेस करना चाहते हैं ?

वी हुझल केन नाराजन साहवः (मधुननी) नेकिन मंत्री की ने सपने जवाब में नश कहा है है

सनावति नहीवय: मंती वी ने कह दिया है कि वे इन को एक्सेट नहीं कर पहे हैं।

भी रामानन्य तिवारी । मंत्री जी ने भवा कहा है, हम ने सुना नहीं है।

मैं बाह्या हु कि संबी वी कुछ सारवासन दे दें।

बी एस॰ डी॰ पाडिल : मैं तिजारी जी से 4ही प्रनृरीय करूंगा कि वे प्रपनी प्रमेण्डमेण्डस को वापस से सें।

औ प्राथमान्य किमानी : नवीं ?

और स्थान की न्यास्त्रका : जात्र की प्रभेग्यमेग्द्रस फलेक्सियिल महीं हैं, रिविड हैं। वे बन्धन में बानती हैं।

की प्रभागमा क्रिकारी । रिज़िय सैंसे हुं?

भी पृत्र हो। प्रक्रिय : हे ज्यादा रेस्टिक्ट कारती हैं ...

कियो करवीर सिंह । क्य सव जगह सवा मुक्टिर है तो फ़िर कांग्र पुलिस में सवा मुक्टिर क्यें नहीं करते हैं ? इसका गतीजा नह होगा कि एक से चुई में कोई उन्नाद्य सजा लेगा सीर कोई क्रम सवा नेदा । याप नहीं करना नाहते तो न करें, नेकिन यह आम्ब्रासन डीजिए कि बाप हिदाबत करेंगे कि इर जगड़ एक ही इंग से सवा जिलेकी । एक जुने के लिए एक करत डिसमिसस हो, बुबरी करब चुननेना हो और तीजरी करह की हो, इस को करन करने के निए आम कुछ करेंगे । संवार्यतः वृहोस्य : तिवारी जी, बाप बपना एमेंडमेंट प्रेस कर रहेहैं ?

श्री चानासम्ब जिलारी: , अगर मंत्री जी यह आश्वासन दे दें कि जब करस बनायेंगे, तो इस का अ्यात खेंगे, तो मैं प्रेस नहीं करूंगा?

श्री युस० डी० पाटिलः इस ना हम क्यास रखेंने ।

भी राजानाम क्रियारी : मैं प्रेस नहीं करता हूं।

MR. CHAIRMAN: Has he the leave of the House to withdraw his amendment?

HON. MEMBERS: Yes.

Amendments Nos. 7 to 11 were, by leave, withdrawn.

MR. CHAIRMAN: The question is:

"That Clause 21 stand part of the
Bill."

The motion was adopted.

Clause 21 was added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 23 stand part of the Bill."

The motion was adopted.

Clause 28 was added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 24 stand part of the Bill."

The motion was adopted.

Clause 24 was added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

Clause 26- (Certificate, arms, etc., to be delivered by person ceasing to be a police officer.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 9, lines 43 to 45,-

omit "Additional Commissioner of Police, Principal of the Police Training College or of the Police. Training School or a Deputy Commissioner Additional Deputy Commissioner or an Assistant Commissioner of Police." (91)

MR. CHAIRMAN: I put amendment No. 91 to the House.

Amendment No. 91 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 26 stand part of the Bill."

The motion was adopted.

Clause 28 was added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 27 stand part of the Bill."

The motion was adopted.

Clause 27 was added to the Bill.

Clause 28- (Power to make regulations for regulating of and traffic for preservation of order in public places, etc.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 10, omit lines 30 to 34. (95)

Page 11, omit lines 20 to 43, (96)

Page 12, omit lines 37 to 48. (97)

Delhi Police Bill

Page 13, omit lines to 38. (98)

The amendments have been proposed in order to take out from the purview of the police those powers which are today vested in the Municipal Corporation. There is a well known saying that pearls should not be cast before swine, but still I thought I should move these amendments.

CHAIRMAN: I put amend-MR. ment Nos. 95 to 98 to the House.

Amendments Nos. 95 to 98 were put and negatived.

SHRI VAYALAR RAVI: I beg to move:

Page 13 .--

line 28, add at the end-

"and any such performances and of the scripts in respect thereof granted suitability certificate by any State shall be exempted from this Section." (139)

Delhi being the capital of India, cultural troupes from Bengal, Maharashtra, Kerala and Tamil Nadu will to Delhi. These troupes cannot submit to the Police Commissioner here a script in English or Hindi. The section talks of "prior scrutiny of such performances and of the scripts in respect thereof". Suppose that script has been accepted by the State from which that troupe comes. Then, why do you want a further approval here? It is difficult. In that case, we cannot have any functions of a cultural nature in Delhi from other States. It is impossible. So, I would appeal to the Minister to accept Amendment No. 139. It will help the people from other States.

SHRIMATI PARVATHI KRISHNAN: understand that Shri Ravindra Varma is for accepting it.

SHRI S. D. PATIL: May I invite the attention of the hon Member Shri Vayalar Ravi, to the fact that clause 142 seeks to provide that public notice may be given by advertising in such local newspapers in Hindi, Urdu or English, as the competent authority may deem fit? This is one of the methods of giving publicity by supplying copies etc. The policy of the Delhi Administration is to issue the notifications in Hindi and English.

SHRI VAYALAR RAVI: I am speaking on amendment No. 139 to clause 28, which provides that prior sanction and approval of the script by the Police Commissioner is necessary, for any performance in Delhi. Suppose a troupe from Tamil Nadu. Kerala or Bengal comes to Delhi and wants to stage a performance, they will have to translate the script into either Hindi or English and submit it to the illiterate policeman. Why should it be done, when the concerned State Government have approved of it? Please allow our troupes to come here.

SHRI S. D. PATIL: I accept the amendment.

MR. CHAIRMAN: The question is:

line 28, add at the end-

"and any such performances and of the scripts in respect thereof granted suitability certificate by any State shall be exempted from this Section." (139)

The motion was adopted.

SHRIMATI PARVATHI KRISHNAN: I beg to move:

"Page 13, line 2,---

Page 13.--

omit "or assembly" (167)

"Page 13, line 28,-

add at the end-

"and any such performances and the scripts in respect thereof granted suitability certificate by any State shall be exempted from this section" (168)

SHRI S. D. PATIL: I am not accept ing it.

SHRIMATI PARVATHI KRISHNAN: They have just accepted a similar amendment moved by Shri Vayalar Ravi. They should know what they are talking about. It is the same amendment.

MR. CHAIRMAN: I will now put amendments Nos. 167 and 168 by Shrimati Parvathi Krishnan to the vote of the House.

Amendments Nos. 167 and 168 were put and negatived.

MR. CHAIRMAN: The question is: "That Clause 28, as amended. stand part of the Bill."

The motion was adopted.

Clause 28, as amended, was added to the Bill.

Clause 29- (Power to give directions to the Public)

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 14, lines 45 to 47,-

omit "and at, and within, public bathing and washing places, fairs, temples, mosques, gurd-waras, churches and all other places of public resort or public worship;" (103)

I do not think that the police should suo motu enter public bathing and washing places, fairs, temples mosques gurdwaras, churches and other places of worship. This is very wrong, mor-ally wrong. If they want to do something which is morally wrong, I don't mind.

SHRI S. D. PATIL: I oppose it.

MR. CHAIRMAN: I put Amendment No. 103 moved by Shrimati Parvathi Krishnan to the vote of the House.

Amendment No. 103 was put and negatived.

MR. CHAIRMAN: The question is: "That Clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill,

Clause 30- (Power to prohibit certain acts for prevention of disorder)

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 15, lines 12 and 13,-

omit "or addresesd to individuals" (104)

Page 15,-

omit "or addressed to individuals"

MR. CHAIRMAN; I put Amendment Nos. 104 and 108 of Shrimati Parvathi Krishnan to the vote of the House.

Amendments Nos. 104 and 108 were put and negatived.

MR. CHAIRMAN: There are two more Amendments No. 144 and 152 in the name of Shri Vayalar Ravi to Clause 30.

SHRI VAYALAR RAVI: I want to move Amendment No. 152 only.

I beg to move:

Page 15, line 15,--

after "(a)" insert "The training or" (152)

You have made a provision of carrying of arms, etc. I am adding the word "training" also. Because "training" also can be a problem and it will psychologically provoke them to use it.

SHRI S. D. PATIL: I oppose it-

MR. CHAIRMAN: Now, I put Amendment No. 152 to the vote of the House.

Amendment No. 152 was put and negatived.

MR. CHAIRMAN: There is another amendment in the name of Shri Ram Dhari Shastri. He is not present.

The question is:

"That Clause 30 stand part of the Bill."

The motion was adopted.

Clause 30 was added to the Bill.

Clause 31—(Police to provide against disorder etc. at places of public amusement or public assembly or meeting.)

SHRIMATI PARVATHI KRISHNAN: I move my amendment No. 110.

I beg to move:

Page 16 .--

for lines 1 to 13, substitute-

"(1) For the purpose of preventing serious disorder or breach of the law or manifest and imminent danger to the persons assembled at any place public amusement or at any assembly or meeting to which the public are invited, any police officer of the rank of Superintendent of Police and above, present at such place may subject to such rules, regulations, and orders as may have been lawfully made, give reasonable advice to the organisers of such functions which may be considered necessary for securing the peaceful and lawful conduct of the proceedings." (110)

I would request the Minister to accept this amendment. It is a very simple one. Giving advice to the organisers in respect of conduct of the meetings. the manner in which they are to be conducted, etc., should not be left to an Assistant Sub-Inspector; he should be of the rank of Superintendent of Police or at least an Inspector. Leaving it to an Assistant Sub-Inspector will not do. That will lead to a lot of trouble. The Minister, in his reply, has stated that this is an experiment. Please do not have such costly experiments. We will not be responsible for the consequences.

SHRI S. D. PATIL: I oppose this amendment because Assistant Sub-Inspector is a sufficiently responsible officer.

MR. CHAIRMAN: I shall now put Amendment No. 110, moved by Shrimati Parvathi Krishnan, to the vote of the House.

Amendment No. 110 was put and negatived.

SHRI VAYALAR RAVI: Sir, I move my amendments Nos. 145 and 146. I beg to move:

Page 16 line 5,-

for "Assistant Sub-Inspector" substitute "Assistant Police Commissioner" (145).

Page 16-

omit lines 14 to 17, (146).

Leaving this to the Assistant Sub-Inspector will not do. This must be done at least by a sub-divisional officer; it should be at least Assistant Police Commissioner.

SHRI S. D. PATIL: It is impracticable. We cannot entrust it to such a big officer. Assistant Police Commissioner is a high officer and he is of the grade of Assistant Superintendent of Police. I am not, therefore, accepting his amendments.

MR. CHAIRMAN: I shell now put Amendments Nos. 145 and 146 to the vote of the House.

Amendments Nos. 145 and 146 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 31 stand part of the
Bill."

The motion was adopted.

Clause 31 was added to the BIII.

Clause 32 was added to the Bill.

Clauses 38 and 34 were added to the

Clause 35 —(Commissioner of Pelice may take special measures to prevent outbreak of epidemic disease at fairs,

SHRIMATI PARVATHI KRISH-NAN: I beg to move: Page 17, line 44,---

for "may in consultation with" substitute-

"shall on request from" (111)

Here I am only saying that the municipality should be consulted.

SHRI S. D. PATIL: There are concurrent powers; they are both supplementary and complementary. I am not accepting this amendment.

MR. CHAIRMAN: I shall now put Amendment No. 111, moved by Shrimati Parvathi Krishnan, to the vote of the House.

Amendment No. 111 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 35 stand part of the Bill."

The motion was adopted.

Clause 35 was added to the Bill.

Clause 86 was added to the Bill.

Clause 81— (Power to make regulations prohibiting disposal of the dead except at places set apart.

SHRIMATI PARVATHI KRISH-NAM: I beg to move:

Page 18, line 19,---

after "time to time" insert-

"On request from the Corporation or municipality within the local limits of the jurisdiction whereof such place is situated" (112).

SHRI S. D. PATIL: Sir, I oppose it! I am not accepting it.

MR. CHAIRMAN: I will now put amendment No. 112 of Shrimati Parvathi Krishnan to vote.

Amendment No. 112 was put end negatived.

MR. CHAIRMAN: Now the question is:

"That clause 37 stand part of the Bill."

The motion was adopted.

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Clause 37 was added to the Bill.

Clause 38 was added to the Bill.

Clause 39—(Employment of additional police in cases of special danger to public peace).

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 19, line 17,---

for "Administrator" substitute-

"Executive Council or the Council of Ministers" (113).

SHRI VAYALAR RAVI: I beg to move:

Page 19,---

omit lines 30 to 39, (147)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 19,-

omit lines 30 to 46. (169)

SHRI VAYALAR RAVI: The Minister must explain whether it is not the duty of the Police to give protection to the people. After giving protection on what authority will you be collecting money from them? It is immoral to recover the expenditure from the people. The Minister should not go to the extent of recovering the money from the people. I request the Minister to kindly withdraw this clause.

SHRI S. D. PATI: This is a salutary clause and I am not accepting the amendment. It is only applicable in the disturbed areas. Even then the District Magistrate will consider all these cases and in fit cases he may exempt it.

MR. CHAIRMAN: It is only a sort of punitive fine?

SHRI S. D. PATIL: It is only for paying compensation the amounts are recovered.

SHRI C. K. CHANDRAPPAN (Cannanore): Gandhiji was against puntive fines.

MR. CHAIRMAN: I will now put the amendments to vote. I will take up first the amendments of Shrimati Parvathi Krishnan.

Amendments Nos. 113 and 169 were put and negatived.

MR. CHAIRMAN: I will now put amendment No. 147 of Shri Vayalar Ravi to vote.

Amendment No. 147 was put and negatived.

SHRI VAYALAR RAVI: This power will be misused. You will see. Let it go on record.

MR. CHAIRMAN: I will now put the clause to vote.

The question is:

"That clause 39 stand part of the Bill."

The motion was adopted.

Clause 39 was added to the Bill.

Clause 49—(Employment of additional police at large work and when apprehension regarding behaviour of employees exists.)

SHRI VAYALAR RAVI: I beg to move:

Page 20,---

omit lines 6 to 10. (148).

This clause, I request, the Railway Minister also should look into because he is a trade union leader. Do you agree with clause 40(1) (b)?

This clause says:

"the behaviour or a reasonable apprehension of the behaviour of the persons employed on any railway, canal or other public work, or in or upon any manufactory or other commercial concern, under construction or in operation at any place necessitates the employment of additional police at such place,

It means that you are giving the power to employ police even when a labour strike is there. This clause will be miused against the working class.

SHRI S. D. PATIL: I oppose it because It is essential to maintain the speed of the work.

SHRIMATI PARVATHI KRISH-NAN: The Laobur Minister is sitting there. His conscience is not aroused— I think.

MR. CHAIRMAN: I will now put amendment No. 148 of Shri Vayalar Ravi to vote.

Amendment No. 148 was put and negatived.

MR. CHAIRMAN: Now, the question is:

"That clause 40 stand part of the Bill."

The motion was adopted.

Clause 40 was added to the Bill.

Clause 41— (Compensation for injury caused by unlawful assembly how recoverable.)

MR. CHAIRMAN: Are you moving your amendment which is in your name?

19 hrs.

SHRIMATI PARVATI KRISHNAN: I beg to move:

Page 20,-

for lines 32 to 34, substitute-

"(3) The amount of the compensation shall be paid by those found guilty in a court of law for the damage caused and in accordance with the directions of such court of law". (119)

Sir, Clause 41(3) says:

"The amount of the compensation shall be deemed to be a fine imposed under this section, and shall be payable by the inhabitants of the disturbed area."

What I am saying is this. This is another punitive fine. What I have said by amendment is this.

"The amount of the compensation shall be paid by those found guilty in a court of law for the damage caused and in accordance with the directions of such court of law".

It should not be by anybody and everybody.

SHRI VAYALAR RAVI: I have also got two amendments— 141 and 142 on this clause.

MR. CHAIRMAN: Are you moving?

SHRI VAYALAR RAVI: I beg to move:

Page 20,-

Omit lines 32 to 34. (141).

Page 20,-

Omit lines 35 to 37. (142)

Sir I want to make my submission.

PROF. MADHU DANDAVATE: After the 25th Amendment the compensation has disappeared. I do not know why my Leftist friend has moved her amendment? (Interruptions).

SHRIMATI PARVATHI KRISH-NAN: Surely, let me not disturb the compensation. When something is done, the compensation should be paid by the other people.

SHRI VAYALAR RAVI: This is an imposed fine upon the people. It must not be misused to any extent.

Moreover, I take the opportunity of warning the Minister that this will lead to a lot of litigation even by private individuals, or by anyone in the disturbed area. I may tell you that the people feel that if their property is damaged by anyone, that person will make us to go to the court of law. You may only invite litigations in Deshi itself. Take for instance Kerala. There was a communal riot in Trivandrum. You know what the Kerala Government did. They have themselves paid money as compensa-tion to the poor people. We never fine other poor people at all. Here you want to fine the poor peaple. It is a

[Shri Vayalar Ravi]

very wrong thing. It is against the Gandhian principle as also against all ethics and morality of the society. I therefore oppose this Clause. I, of course, appeal to the the Gandhian leader, Prof. Madhu Dandavate and the Minister incharge to withdraw this clause.

MR. CHAIRMAN: Now, the Minister. We are on Clause 41.

SHRI S. D. PATIL: The amendment seeks to substitute the existing sub-clause (3) of Clause 41 which provides for the compensation for the injury caused by unlawful assembly which shall be deemed to be fine imposed under Clause 41 and shall be payable by the inhabitants of the disturbed area. My clause seeks to provide that the amount of compensation shall be paid by those found guilty in a court of law for the damage caused and in accordance with the directions of the court.

Looking to the provisions of subsectin 4 of the same clause which empowers the District Collector to exempt any person from hisblity to pay any portion of the compensation umount, for sufficient reasons perhaps, the proposed improvement may not be necessary.

Further, the judicial proceedings will be long drawn out entailing delay in the payment of compensation. Under sub-clause (2) of this Clause, the District Cellector will have to hold an enquiry for determining the amount of compensation under the Acquisition Act, 1894. He has got the sufficient experience for determining the compensation. The collector has got the experience as the Land Acquisition Officer.

So, I oppose the amendments.

ets. CHAIRMAN: I shall now put amendments Nos. 119, 141 and 142 to the wote of the Hause. Amendments Nos. 119, 141 and 142 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 41 stand part of the Bill."

The motion was adopted.

Clause 41 was added to the Bill.
Clauses 42 to 45 were added to the Bill.

## Ciause 46

MR. CHAIRMAN: Now I come to Clause 46. There are amendments by Shri Tyagi. He is not here.

MR. CHAIRMAN: The question is:

"That Clause 46 stand part of the Bill".

The motion was adopted.

Clause 46 was added to the Bill.

Clause 47- (Removal of persons about to committ offences)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 22, line 39,-

(i) after "found" insert "guiky in a court of law"

(ii) omit "to have comitted" (120).

MR. CHARMAN: I put amendment No. 120 to the you of the House.

Amendment No. 130 mas put and negations.

MR. CHAIRMAN: The question is:

"That clause 47 stands part of the Bill".

The motion was adopted.

Clause 47 was aded to the Bill.

Clauses 48 to 58 were added to the Bitl.

Clause 59- (Duty of police officer to enforce provisions of the Act.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 27, line 3,-

after "police officer" insert-

"not below the rank of Assistent Commissioner of Police" (121)

MR. CHAIRMAN: I now put amendment No. 121 to the vote of the House.

Amendment No. 121 was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 59 stands part of the Bill."

The motion was adopted. Clause 59 was added to the Bill. Clauses 60 to 62 were added to the Bill

Clause 63- (Emergency duties of police.)

PARVATHI KRISH-SHRIMATI NAN: I beg to move:

Page 29, line 29,---

for "Administrator" substitute "Executive Council or the Council of Ministers" (123)

This clause relates to the declaration of essential services. It is not normal for the police to declare something as essential service; it is only the elected authority that should declare it. That is why, I have suggested that it should be either the Executive Council or the Council of Ministers which declares any service to be essential. I am totally against this authority being given to the police even on an experimental basis. thought, the Labour Minister would come to my rescue, but it seems, he has lost the track.

SHRI S. D. PATIL: Delhi is a Union Territory and the Administrator is the agent of the President. He must have this power new. There is no council of Ministers as yet; it is

to come. It is a premature suggestion.

SHRIMATI PARVATHI KRISH-NAN: Any trade can be declared as essential service. What happens to trade union rights?

CHAIRMAN: I shaft amendment No. 128 to the vote of the House.

Amendment No. 123 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 63 stand part of the Bill."

The motion was adopted.

Clause 63 was added to the Bill.

Clauses 64 to 69 were added to the Bill.

Clause 70 ... (Power of Central Government to authorise Commissioner of Police and certain other officers to exercise powers of District Magistrates and Executive Magistrates under the Code of Criminal Procedure, 1973.)

MR. CHAIRMAN: We take up clause 70.

SHRIMATI PARVATHI KRISH-NAN: I move my amendment No. 125. You are giving the powers of the magistracy to the police?

I beg to move:

Page 31,

omit lines 30 to 35 (125).

MR. CHAIRMAN: I put amendment No. 125 to the vote of the House.

Amendment No. 125 was but and negatived.

MR. CHAIRMAN: I put clause 70 to the vote of the House.

The question is:

"That clause 70 stand part of the

The motion was adopted. Clause 70 was added to the Bill. Clauses 71 to 82 were added to the Bill.

Clause 88—(Causing any obstruction in a street)

MR. CHAIRMAN: We take up clause 83,

SHRIMATI PARVATHI KRISH-NAN: I move my amendment No. 171 Page 34,—

omit lines 42 to 44 (171)

MR. CHAIRMAN: I put amendment No. 171 to the vote of the House.

Amendment No. 171 was put and negatived.

MR. CHAIRMAN: The question is:
"That clause 83 stand part of the
Bill."

The motion was adopted.

Clause 83 was added to the Bill.

Clause 84 was added to the Bill.

Clause 85- (Causing obstruction and anmoyance by performances, etc.)

MR. CHAIRMAN: We take up clause 85.

SHRIMATI PARVATHI KRISH-NAN: I move my amendment No .172 I beg to move:

Page 35,-

omit lines 8 and 9. (172)

You want to deprive us of civil rights?

MR, CHAIRMAN: I put amendment No. 172 to the vote of the House.

Amendment No. 172 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 85 stand part of the
Bill."

The motion was adopted.

Clause 85 was added to the Bill.

Clauses 86 to 90 were added to the Bill.

Clause 91— (Behaving indecently in public.)

MR. CHAIRMAN: We take up clause 91.

SHRIMATI PARVATHI KRISH-NAN: I move my amendment No. 126. I beg to move:

Page 35, lines 40 to 43,---

omit "or not, or use indecent language or behave indecently or riotously or in a disorderly manner in a street or public place or place of public resort or in any office, police station og station house". (126)

MR. CHAIRMAN: I shall now put amendment No. 126 to the vote of the House.

Amendment No. 126 was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 91 stand part of the Bill."

The motion was adopted.

Clause 91 was added to the Bill.

Clauses 92 to 97 were added to the Bill.

Clause 38. Penalty for failure to keep in confinement cattle, etc.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:—

Page 36 .--

for lines 30 to 35, substitute...

"(a) for the first offence with fine which may extend to fifty rupees; and

(b) for the second or subsequent offence with fine which may extend to one hundred rupees." (173)

Page 37,-

for lines 15 and 16, substitute-

"if they are the property of the person convicted of the offence". (174)

MR. CHAIRMAN: I shall now put amendments Nos. 173 and 174 to the vote of the House

Amendments Nos. 173 and 174 were put and negatived.

MR, CHAIRMAN: The question is:

"That clause 98 stand part of the Bill."

The motion was adopted.

Clause 98 was added to the Bill.

Clauses 99 to 108 were added to the Bill.

Clause 169—(Penalty for disobedience to order under section 27.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 39, lines 26 and 27,-

for "three months" substitute "one month". (175)

Page 39, lines 27 and 28,-

for "five hundred rupees or with both" substitute "five rupees". (176)

MR. CHAIRMAN: I shall now put amendments Nos. 175 and 178 to the vote of the House

Amendments Nos. 175 and 176 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 109 stand part of the Bill."

The motion was adopted.

Clause 109 was added to the Bill.

Clause 119— (Penalty for contravening regulations, etc., under section 28.)

SHRIMATI PARVATHI KRISH-NAN: I beg to move:

Page 39, line 32,-

add at the end-

"by a fine which may extend to twenty-five rupees". (177)

Pages 39 and 40,-

omit lines 33 to 47 and 1 to 7, respectively. (178)

MR. CHAIRMAN: I shall now put smendments Nos. 177 and 178 to the vote of the House.

Amendments Nos. 177 and 178 were out and negatived

MR. CHAIRMAN: The question is:

"That clause 110 stand part of the Bill."

The motion was adopted.

Clause 110 was added to the Bill.

Clauses 111 to 117 were added to the

Clause 118—(Penalty for opposing or not complying with direction given under clause (b) of sub-section (1) of section 59)

SHRI VAYALAR RAVI: I beg to move:

Page 42, line 4,-

for "opposes" substitute "refuses". (153)

Page 42, line 6,-

for "the opposition" substitute "the refusal". (154)

Please think for a minute. Clause 118 says: "Whoever opposes or fails forthwith to comply with any reasonable requisition made by a police officer .....". But I have a right to go to a court of law and that is also opposition. If I file a suit that is also opposition. So, I have suggested that instead of 'opposes' the word 'refuses' may be inserted so that I have a right to oppose it through legal means. Refusal means not accepting or refusing in a different form. The word 'opposes' may deny my right to resort to legal action or legal method not to comply with that order. So, in order to preserve the right of the citizens to go to a court of law. I request him to accept my amendment.

SHRI S. D. PATIL: I am opposing the amendment because 'refuses' connotes more meaning than 'opposes'. Clause 118 says, "Whoever opposes or fails forthwith to comply with any reasonable requisition made by a police officer". Even opposition is made punishable.

SHRI VAYALAR RAVI: Am I not entitled to go to a court of law and oppose it legally?

SHRI S. D. PATIL: Opposition in a court of law is different. But you want to put the word 'refuses'.

SHRI VAYALAR RAVI: I want to help you as well as the citizens. You will agree that the citizens must have the right to oppose it legally.

Please understand the point.

SHRI S. D. PATIL: The expression "failure" includes refusal. Therefore, it is all right.

MR. CHAIRMAN: I put amendment Nos. 153 and 154 to the House.

Amendments Nos. 153 and 154 were put and negatived.

MR, CHAIRMAN: The question is:

"That Clause 118 stand part of the Bill."

The motion was adopted.

Clause 118 was added to the Bill.

Clause 118—(Penalty for contravening directions under section 65.)

SHRI VAYALAR RAVI: I beg to move:

Page 42, line 13,-

for "opposes" substitute "refuses". (155)

Page 42, line 14,-

for "the opposition" substitute "the refusal". (156)

MR. CHAIRMAN: I put amendment Nos. 155 and 156 to the House.

Amendments Nos. 155 and 156 were put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 119 stand part of the Bill."

The motion was adopted.

Clause 119 was added to the Bill.

Clause 120 was added to the Bill.

Clause 131— (Neglect or refusal to serve as special police officer)

SHRI VAYALAR RAVI: I beg to move:

Page 42,-

after line 36, insert-

"(2) Such punishment shall automatically cancel the certificate of appointment of such a Special Police Officer" (159)

The clause only stipulates the punishment. That does not mean he will lose his certificate of appointment. I want hat automatically he must cease to be a Special Police Officer. Once he is convicted, on what moral authority can he continue? There is no such provision in the Clause. So, I have moved it. Please accept it.

SHRI S. D. PATIL: I accept the amendment.

MR. CHAIRMAN: The question is:

Page 42,---

after line 36, insert-

"(2) Such punishment shall automatically cancel the certificate of appointment of such a Special Police Officer." (159)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That clause 121, as amended, stand part of the Bill."

The motion was adopted.

Clause 121, as amended, was added to the Bill.

Clause 122—(Penalty for making false statement, etc., and for misconduct of Police Officers)

SHRI VAYALAR RAVI: I beg to move:

Page 43, lines 7 and 8,---

for "one hundred" substitute-

"five hundred". (160)

MR. CHAIRMAN: I put amendment No. 160 to the House.

Amendment No 160 was out and negatived.

MR. CHAIRMAN: The question is:

"That clause 122 stand part of the Bill."

The motion was adopted.

Clause 122 was added to the Bill.

Clauses 123 to 125 were added to the AUL.

Clause 126-(Penalty for unauthorised use of police uniforms.)

SHRI VAYALAR RAVI: My amendment No. 161 is to deal with those people who imitate the police officers and commit dacoity and other crimes. If you do not want it, I will not move

SHRI S. D PATIL: I do not want it.

MR. CHAIRMAN: The question is:

"That clause 126 stand part of the Bill"

The motion was adopted.

Clause 126 was added to the Bill.

Clause 127-(Power to make regulations regarding carrying weapons without authority.)

SHRI VAYALAR RAVI; My amendment No. 162 seeks to add sticks or lathis. You are referring to sword, spear, bludgeon, gun etc. Lathis and sticks are also lethal weapons.

SHRI S. D. PATIL: If I accept it, it will penalize the agriculturists. I do not accept it.

MR CHAIRMAN: The question is:

"That clause 127 stand mart of the Bill."

The motion was adopted.

Clause 127 was added to the Bill.

Clumber 128: to 141 more added to the BUL

Clause 148- Public Notices how to be given.)

SHRI VAYALAR RAVI: I beg to move:

Page 46: line 20 .--

for "Urdu or English" substitute--"Urdu and English". (163)

This clause relates to the procedure for public notices. What I want to emphasize is that Delhi being the capital of India, many people coming from other States are living here, and they speak different languages. So, I appeal to the Minister to accept the amendment to make it "and English".

SHRI S. D. PATIL: I accept it.

MR. CHAIRMAN: The question is: Page 48, line 20,-

for "Urdu or English" substitute --"Urdu and English". (163)

The motion was adopted.

MR. CHAIRMAN: The question is: "That clause 142, as amended, stand part of the Bill".

The motion was adopted.

Clause 142, as amended, was added to the Bill.

Clauses 143, 144 and 145 were added to the Bill

Clauses 146 and 147 were added to the BIII.

Clause 148-(Notification of Rules and Regulations in the Official Gazette and laying of Rules and Regulations.)

SHRI VAYALAR RAVI: My amendment No. 164 seeks to add the "Legislative Assembly" after "Metropolitan Council". It sup to you to accept it se not.

SHRI S. D. PATIL: It is too early. I do not accept it.

MB: CHAIRMAN: The question is:

"That clause 148 stand part of the BILL".

The motion was adopted.

Clause 148 was added to the Bill. 1 . Clauses 149 to 152 were added to the Bill

## First Schedule

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 52, line 5,-

omit "1. The Press and Registration of Books Act. 1867." (129)

Page 52, line 7,---

omit "3. The Indian Lunacy Act. 1912." (130)

Page 52, line 10,-

omit "6. The Cinematograph Act, 1952." (131)

Page 52, line 19,-

omit "3. The Madras Dramatic Performances Act, 1954, as in force in Delhi," (132)

MR. CHAIRMAN: Now, I put Amendment Nos. 129, 130, 131 and 132 moved by Shrimati Parvathi Krishnan to the vote of the House.

Amendments Nos. 129 to 132 were put and negatived.

MR. CHAIRMAN: The question is:

"That the First Schedule stand part of the Bill."

The motion was adopted.

The First Schedule was added to the Bill.

The Second Schedule, the Third Schedule, Clause 1, the Enacting Formula and The Title were added to the Bill.

SHRI S. D. PATIL: I move:

That the Bill, as amended, be passed."

But while doing so, there is one clarification:

Page 13, after line 28, insert-

"Provided that no such scrutiny or certificate shall be required in the case of any performance with respect to which a similar certificate has been granted under any law for the time being in force in any State."

This should be added.

SHRIMATI PARVATHI KRISHNAN: Is this an amendment to an amend, ment?

SHRI S. D. PATIL: It is only recasting Amendment No. 159 to Clause

SHRIMATI PARVATHI KRISHNAN: It should have been done at that time. The way they are rushing it through, I take serious objection to it. At that very time, why could it not be properly examined? It could have been said. "We will re-word it."

PROF. MADHU DANDAVATE: On a point of order, Sir. It has been an accepted convention that when an amendment is accepted, in order that the substance should tally with the rest of the portion, there have been a number of cases in which certain consequential changes had to be made . . .

SHRIMATI PARVATHI KRISHNAN: We do not want these homilies and lectures.

PROF. MADHU DANDAVATE: I am not addressing the lady member; I am addressing the Chair. I have the full right.

There have been precedents in which when an amendment is accepted, in order that it should suit the context of the entire text of the Bill, constructional changes are to be made. The mover has also accepted it and it is for the acceptance of the House that it has been done.

SHRI VAYALAR RAVI: Before the third reading. I want to make a submission....

SHRIMATI PARVATHI KRISHNAN: How can it be before the third reading?

SHRI VAYALAR RAVI: This is a very important Bill. Even though we had some reservations to getting the Bill through by sitting late, because to pass the Bill as early as possible, we agreed to that. We pressed for a division only to express our dissatisfaction or disapproval of the Ordinance.

Nothing more.

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We are very glad that the hon. Minister has been good enough to accept some of the amendments. The Minister has been busy with the Constitution Amendment Bill for three days and, probably, he had less time to go through the Bill thoroughly. But the office, the Deprtment, should have been careful to study every amend-ment that was given. They have to put all the notes to the Minister. i note with regret that the Minister has not been properly briefed. I say, the Minister must reprimand the officers who have not done the home-work and not briefed the Minister properly. The Minister was busy for three days with the Constitution Amendment Bill. But it is the duty of the office to do the home-work. We find that the officers were so hopeless, callous and indifferent to the House-it is an insult to the House—that they can carry the Members of Parliament for a ride. We want that the Ministers should always get proper briefling I record strong protest. I am glad that the Minister took a lot of pains and, I hope, we will pass the Bill.

SHRIMATI PARVATHI KRISHNAN: I am sorry I do not agree with what Mr. Vayalar Ravi has said. It is some days since we had a discussion on this. At that time, the specific points were raised and the amendment's were given. All the amendments would have been brought to the notice of the Minister. Just because one or two amendments have been accepted, it does not mean that bouquets have to be thrown. No. Whatever the officers do, they do. On the floor of the House, the Minister is responsible to us. It is he who has to answer; the officers cannot answer. Therefore, I hold the Minister responsible. So many days have gone by since we took this up, and he should have gone into it, he should have sat with his officers. he should have been in a position to clarify each amendment. There is a saying, and I would remind the hon. Members of the House of this, namely, that pearls can never be cast before swine: I repeat that saving. I would once again, like to assert that it is not just cooperation and all that. The Coast Guard Bill and other pieces of legislation were rushed through for prestige. I am amazed and shocked. and I take serious objection to the manner in which we have been asked. today to sit and cooperate. Because of the Ordinance, it should have been brought much earlier.

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SHRI S. D. FATIL: I am very thankful to all the hon. Members who have given utmost cooperation; I also thank Mrs. Parvathi Krishnan even though I had reason to anger her for, some time—because I have not accepted some of her amendments.

SHRIMATI PARVATHI KRISHNAN: That is most unfair... (Interruptions).

SHRI S. D. PATIL: I once again thank the hon. Memebrs of this House for lending their support within a very short time.

MR. CHAIRMAN: Mr. Minister, wow you have to rescind all this; you have to move a Resolution to rescind this—the amendment that has been adopted...

SHRI S. D. PATIL: This particular amendment is a consequential one. It is not something which touches the substance of it. When the amendment has been accepted, it will have to be framed like this. It is not that we are making a departure. It is only consequential.

MR. CHAIRMAN: Hon. Minister, you will have to put it again under the rules. (Interruptions) Rules are rules,

SHRI C. K. CHANDRAPPAN; What is the business before the House now?

1. . . .

MR. CHAIRMAN: The business is before you. Nothing should be done int authorry.

. SHRI C. K. CHANDRAPPAN: In the bistory of this Parliament, never before: . .

SHRIMATI PARVATHI KRISHNAN: In the last 31 years.

SHRI C. K. CHANDRAPPAN:... clauses have been hustled like this.

SHRI S. D. PATIL: Sir, I do not press for it. Leave it as it is.

AN HON, MEMBER: Do not press for what?

SHRI S. D. PATIL: For the new think-to which you are objecting.

MR. CHAIRMAN: Now, the question ia:

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

Those in favour will please say 'Ave'.

SEVERAL HON. MEMBERS: 'Aye'.

MR. CHAIRMAN: Those against will please say 'No'.

SOME HON. MEMBERS: 'No'.

MR. CHAIRMAN: I think the 'Ayes' hire it. The motion is adopted.

SOME HON, MEMBERS: The Noes have it.

MR. CHAIRMAN: Let the Lobbies ba cleared ...

SHRI A. BALA PAJANOR (Pondicherry): I want to know one particular point. Can a Bill be passed without there being a quorum in the House?

SHRI C. K. CHANDRAPPAN: What is happening?

MR. CHAIRMAN: The bell is ringing. We are waiting for the division.

SHRI C. K. CHANDRAPPAN: 3 minutes have passed.

SHRI A. BALA PAJANOR: I want to go on record on one particular point. The Government has asked us to cooperate on many matters. Cannot they at least issue a whip to their Members on this Bill for which we are waiting here? This is a very important matter. We want to know. From your side what are you going to do? 152 clauses we have passed in just 1 1/2 hours.

THE MINISTER OF PARLIAMENT. ARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): There can be no division if there is no quorum.

SHRI A. BALA PAJANOR: You will have to find out whether there is quorum in the House.

MR. CHAIRMAN: That the division result itself will show.... Now, I find, there is no quorum in the House.

As there is no quorum, we cannot go on with this Bill. The House now stands adjourned till 11 a.m. tomorrow.

19.45 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday August 24, 1978/Bhadre 2, 1990 (Saka).