

(ii) Annual Report of Bongaigaon Refinery and Petrochemicals Limited, Bongaigaon, for the year 1977-78 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(3) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

[Placed in Library. See No. LT—44468/79].

NOTIFICATION UNDER CUSTOMS ACT, 1962.

SHRI NARSINGH YADAV: On behalf of Shri Zulfikarullah,

I beg to lay on the Table a copy of Notification No. G.S.R. 237 (E) (Hindi and English versions) published in Gazette of India dated the 8th May, 1979 regarding the revised rate of exchange for conversion of Japanese yen into Indian currency or vice-versa, under section 159 of the Customs Act, 1962 together with an explanatory memorandum.

[Placed in Library. See No. LT—44669/79]

(Interruptions)

MR. SPEAKER: No, no, it is not allowed. Don't record.

(Interruptions)**

MR. SPEAKER: All of you will kindly sit down. Don't record.

(Interruptions)**

Let us go by order, Mr. Yadav.

13.36 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

**Not recorded.

(i) Taking over of Public armouries by the Army following Police Agitation in Punjab.

श्री बिनायक प्रसाद यादव (सहरसा) : अध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर गृह मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :—

“पंजाब में पुलिस ब्रान्चोलेन के परिणामस्वरूप राज्य के दो जिलों में सेना का पुलिस से शस्त्रागारों को अपने अधिकार में लेने का समाचार तथा ब्रान्चोलेन के अन्य राज्यों में फैलने का खतरा।”

अध्यक्ष महोदय, मंत्री जी का जो बयान दिया गया है यह सिकंदर ब्रिगेज में बाँटा गया है हिन्दी में भी इस की कॉपी मुझे मिलनी चाहिये।

AN HON. MEMBER: Sir, Government has failed in its duty as it has not supplied the Hindi Copy.

MR. SPEAKER: Mr. Patel, why was the Hindi copy not supplied?

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): I thought it should have been circulated.

श्री श्री राम बगड़ी (मथुरा) : अध्यक्ष महोदय, यह रोज का झंझट हो जाता है और मानस ऐसा होता है कि रोजाना ये लोग इस बात की उड़ करवाना चाहते हैं। उन को मानस है कि जब हिन्दी का नहीं होता है तो झगड़ा होता है, ब्रिगेज का नहीं होता है तो झगड़ा होता है (व्यवधान) . . .

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): I am sorry for the lapse. (Interruptions).

MR. SPEAKER: Mr. Yadav, as there is no time you bear for today. In future this should not happen.

SHRI H. M. PATEL: Sir, according to information received from the Government of Punjab, small groups of policemen in Punjab have been indulging from about the 7th May in demonstrations and rallies in some parts of the State. What appears to have brought matters to a head was an incident at Mandi Gobindgarh on 6th May wherein a policeman on duty was medically

examined by an A.S.I. of the concerned Police Station on account of an M.L.A. alleging that the constable was in a drunker condition. The medical examination revealed that the constable was not drunk, but this incident was resented by policemen at Patiala as an uncalled for interference. Some persons have been making efforts to organize a police association in Punjab for quite some time past. They have been highlighting the grievances of the policemen in regard to inadequacies of residential accommodation, use of orderlies, additional pay for duty on off days and several other aspects of service conditions. The indiscipline has mainly taken the form of protests, rallies, dharnas and demonstrations by small groups of policemen in some centres in Punjab. The agitation has, however, been wholly peaceful. But indulgence in such activities is itself illegal and improper in accordance with the provisions of the law made by Parliament in this behalf. The State Government have reported that the Punjab Pay Commission have already made recommendations on several matters relating to the conditions of service of the policemen. The Government are engaged in processing the recommendations of the Pay Commission. The Govt. of Punjab are also considering other matters such as housing. They are rightly of the view that while grievances of the policemen should be expeditiously and sympathetically looked into, there should not be any compromise in matters of discipline. It is primarily to prevent any spread of this indiscipline that they have sought the assistance of the Government of India by locating adequate resources of B.S.F. at different places as a precautionary measure. This assistance has been made available.

At the request of the State Government, the Army took over the guarding of the Punjab Armed Police armouries at (a) Patiala

(Bahadurgarh Fort) and (b) Jullundur. Cantonment on the 13th May, 1979. The armouries continue to be guarded at present by adequate number of troops on behalf of the State Government. No force was necessary in the process of taking over the guard.

We have remained in touch with the Government of Punjab over these matters. We are anxious that while indiscipline cannot be condoned all efforts should be made to persuade the policemen to return to disciplined ways. I am also anxious that their various grievances which are existent in almost all the States should receive sympathetic and expeditious consideration. Some of these matters have already been studied by the National Police Commission, whose Interim Report has been received, and where final Report is expected in the next few months. The Commission's recommendations in their Interim Report are being processed and will be suitably discussed with the different States to evolve a national consensus on the issues dealt with in the Report. I am also anxious that States should agree to a reasonable time-schedule for the implementation of the agreed measures designed to improve the working conditions and consequently the efficiency and morale of the police. While we will spare no efforts in these directions, and ensure that decisions are taken and implemented expeditiously, it should be realised that the issues involved cannot be resolved overnight. I would therefore make an earnest appeal to the Policemen to accept the assurances I am giving and to give up recourse to agitational methods and to continue functioning as disciplined forces.

श्री विनायक ब्रह्मचारी : उपाध्यक्ष महोदय, मंत्री जी ने जो बयान दिया है उस का सारा ज़िस्ट है डिस्टिन्क्शन का मामला। मैं आप के द्वारा पंजाब के होम कमिश्नर श्री आर० सी० कपिल का जो बयान मन्त्रालयों में जाया है, वह पढ़ कर सुनाना चाहता हूँ :

He claimed that the overall situation had improved, there had been no 'abandonment of duty' by policemen anywhere so far.

Even if they had gone out to attend the demonstrations they had left behind a constable and a head constable to guard the police station.

Moreover, they have held peaceful demonstrations and have not disobeyed their seniors in respect of their patrolling duties. He described the agitation as 'disciplined agitation'.

होम मिनिस्टर ने यह बात कही है और मंत्री जी ने जो बयान पढ़ा है उस में उन्होंने ने डिसिप्लिन की दुहाई दी है, कहा है कि इन्डिसिपटिन बरदाश्त नहीं की जायेगी, उस को रोकने के लिये सख्ती से कार्यवाही की जायेगी। पंजाब का होम कमिश्नर कहता है कि इतना मोस्ट डिसिप्लिंड एजिटेशन आज तक पुलिस ने देश में नहीं किया है। मूझे पता नहीं कि मंत्री जी ने जो बयान दिया है वह किस के कहने पर दिया है क्योंकि वहां का होम कमिश्नर एक बात कहता है और मंत्री जी दूसरी बात कहते हैं।

मैं आप के जरिये निवेदन करना चाहता हूँ कि पंजाब में जो पुलिस रेवोल्ट हुआ है वह किस स्थिति में हुआ है। इस सदन और देश के सभी लोग समझते हैं कि पुलिस संगठन देश के लिये सब से ज्यादा जरूरी संगठन है, बगैर उस के न समाज चल सकता है, न देश चल सकता है और न डिसिप्लिन रह सकती है। लेकिन मैं कहना चाहता हूँ कि अभी जो पुलिस संगठन है वह कब का बना हुआ है? जब अंग्रेज इस देश में आए तब उन्होंने पुलिस संगठन बनाया था। पुलिस संगठन बनाने के पीछे अंग्रेजों का इस देश में अपराध रोकना नहीं था, अपराधियों को पकड़ना नहीं था, कमजोर लोगों की रक्षा करना नहीं था—पुलिस संगठन बनाने के पीछे उनका असली उद्देश्य अंग्रेजी राज को कायम रखना था। लार्ड मलनबरा जो कि इस देश के गवर्नर जनरल रह चुके हैं उन्होंने ईस्ट इंडिया कम्पनी के कमिश्नर को 31 मार्च 1858 को लिखा था कि ऐसी हालात पैदा करो कि पुलिस का सिपाई अपने दुश्मन से भी ज्यादा अपने अफसरों से डरे। लार्ड एलनबरा ने जो लिखा था वह अंग्रेजी में है।

"He must be made to fear his officer more than the enemy."

यह अंग्रेजों के पुलिस संगठन के ढांचे का मकसद था, लेकिन आज भी वही मकसद चल रहा है। आज पुलिस संगठन ऐसा बन गया है—जिस में मंत्री और अफसर तो बन गये हैं—भगवान,

कांस्टेबिल जंगली जानवर, भेड़िया और शेर बन गया है और साधारण जनता बन गई है—हिन्दुस्तान की बकरी।

इसी का यह नतीजा है कि जो "फूड-फार-वर्क" का प्रोग्राम गांवों में चल रहा है—उस में एक मजदूर को कितना मिलता है—2 किलो गेहूँ लेकिन सिपाही को कितना राशन मिलता है—10 किलो, हथियारबन्द सिपाही को मिलता है 14 किलो और हमारे होम मिनिस्टर, पुलिस मंत्री और आई०जी० जितना गेहूँ लेना चाहें—उतना मिलता है, उन पर कोई प्रतिबन्ध नहीं है—यह आज हिन्दुस्तान के पुलिस संगठन की स्थिति है। भगवान और बकरी का सम्बन्ध।

आज एक साधारण कांस्टेबिल और पुलिस मंत्री या आई०जी० की तनख्वाहों में 40 से 50 गुना का अन्तर है और यदि होम मिनिस्टर साहब की तनख्वाह को अलावा, जो सुविधा मिलती है—उस को शामिल कर लें तो 50-55 गुना का अन्तर है। हम इंग्लैण्ड और अमरीका की दुहाई देते हैं, जिनके लिये कहा जाता है कि वे कैपिटलिस्ट देश हैं—वहां भी एक पुलिस कांस्टेबिल और होम मिनिस्टर की तनख्वाह में मुश्किल से 3 या 4 गुना का अन्तर है।

अब आवास की स्थिति को देखिये—आप किसी मंत्री जी के यहां चले जाइये तो उनकी कोठी में एक दर्जन सर्वेंट क्वार्टरजे होते हैं। लेकिन कांस्टेबिल की क्या हालत है—दिल्ली में हम लोग देखते हैं—वह बेचारा हमारे घर के आगे जो ताड़ का वृक्ष है, उसके नीचे अपना तौलिया बिछा कर रात को सोता है। इस समय हमारे यहां जितनी पुलिस है, उनमें 100 में से 90 के लिये कोई आवास व्यवस्था नहीं है, मुश्किल से 10 फीसदी के लिये आवास का इन्तजाम है। इन 10 फीसदी के लिये जो आवास व्यवस्था है, वह भी ऐसी है जिसमें न उस की बीबी रह सकती है और न उस का बच्चा रह सकता है और यही कारण है कि उस बेचारे को अपनी बीबी के दर्शन ही नहीं हो पाते हैं। यदि यही स्थिति पुलिस के वेतन, भत्ते, आवास तथा अन्य सेवा सुविधाओं की रही तो पंजाब में ही नहीं, समूचे देश में पुलिस बगावत हो सकती है।

अब मैं आप से कुछ सवाल पूछना चाहता हूँ—

1. किस स्थिति में और किस नियम के तहत पुलिस को आर्मी के द्वारा अन-आर्म्ड करवाया जाता है और क्या वह स्थिति आर्मी और वी० एस० एफ० को बलाने के पहले पंजाब में थी?

2. एक पुलिस कांस्टेबिल, आई०जी० और पुलिस मिनिस्टर या गृह मंत्री पर एक महीने में वेतन, भत्ते तथा अन्य सुविधाओं पर कितना रुपया खर्च किया जाता है?

3. एक कास्टोबल और एक पुलिस बोर्ड पर कितना खर्च किया जाता है ?

4. पंजाब पुलिस ग्रान्दोलन के खिलाफिने में जेल भेजे गये पुलिस कास्टोबल को किस क्लास में—मेरा मतलब है ए, बी या सी किस क्लास में रखा गया है ?

5. सर्वेण्डेड कास्टोबल को सस्पेन्शन-एलास देने के सम्बन्ध में सरकार का क्या विचार है ?

6. क्या सरकार इंग्लैंड और अमरीका की तरह है "ब्रिटिश टाइप आफ पुलिस कॉन्सिल" या "सिनेट ऑफ फोर्सेज कमेटी" जैसी कोई पार्लिया-मेन्ट्री पुलिस कमेटी बनाना चाहती है ?

Mr. Speaker: You cannot go on talking. Rules provide only for one.

श्री बिनायक प्रसाद यादव : मेरा लास्ट सवाल यह है कि यह पुलिस रिबोल्ड अन्य प्रान्तों में भी न फैले, इस के लिये पंजाब सरकार ने जो सुविधाएं देने के बारे में एलान किया है, क्या सरकार का अन्य सूबों में भी इन को लागू करने का विचार है ?

SHRI H. M. PATEL: The hon. Member has asked a number of questions, to several of which I cannot give answers, because he wants to know the difference in salaries of the Ministers, IGS and the constables. He considers that the difference to-day is 50 times. I can only say that it is not 50 times. But the difference is fairly large, though it is not as much as 50 times.

श्री मनोराज बागड़ी : 100 गुने का फर्क है, 1 और 100 का फर्क है।

श्री एच० एस० पटेल : 100 गुने का फर्क नहीं हो सकता।

श्री मनोराज बागड़ी : कोठी, कार सब सुविधाएं मिलाकर 100 गुने का फर्क है।

SHRI H. M. PATEL: I have already said in my statement that the service conditions and the working conditions are not satisfactory; and that, therefore, they are being looked into. The National Police Commission's interim report has already made recommendations in respect of these things and they are being considered. Punjab has a separate Pay Commission which they had

appointed to go into their pay as well as service conditions--and other matters like housing. Government has already accepted..... (Interruptions) From to-day's papers it appears that they have accepted its recommendations in regard to salaries, which have been raised quite substantially. ((Interruptions))

The uestion of discipline is important. (Interruptions)

SHRI JYOTIRMOY BOSU (Diamond Harbour): What about politicians' discipline?

MR. SPEAKER: I hope you are including yourself.

SHRI H. M. PATEL: The Home Commissioner of Punjab has said that the police agitation has been most disciplined; and, therefore... (Interruptions) he sees a contradiction when I say that indiscipline should not be tolerated. I think there is no difference between the two. Undoubtedly, the police have carried on their agitations so far in a disciplined manner, but the very fact of carrying on an agitation is an act of indiscipline, as I have pointed out, under the rules... (Interruptions)

श्री मनो राम बागड़ी : मैजिस्ट्रेट जलूस निकाले तो ?

SHRI H. M. PATEL: The magistrates do not constitute the disciplining force in the country. These are the main points.

SHRI RAJ NARAIN (Rai Bareli): I seek a point of information.

मैं एक इन्कार्मेशन चाहता हूं।.. (अवधान). आप समझते नहीं।

MR. SPEAKER: You cannot do that. Mr. Raj Narain, You are a man of experience. Your name is not in the list. You cannot do this, because other Member will also ask for that facility. It is not allowed.

श्री राज नारायण : पुलिस कांस्टेबल और पुलिस कमिश्नर की तन्हाही में कितना फर्क है ?

(व्यवधान)

12.00 hrs.

श्री श्याम सुन्दर लाल (बयाना) : वे सवाल क्या कर रहे हैं और वे जवाब क्या दे रहे हैं ? (व्यवधान)

MR. SPEAKER: No; he is not answering that. I am not allowing that. (Interruptions).

SHRI SHYAMNANDAN MISHRA (Bugusarai): On a point of order, Sir. After all, a calling attention motion is not a dialogue between the Minister and the Member who has tabled that calling attention motion. The entire House is a party to the calling attention motion. If any question had been put to the hon. Minister to which an answer has not come, the entire House is entitled to know.

MR. SPEAKER: Mr. Yadav is asking that. Nobody else can ask.

SHRI SHYAMNANDAN MISHRA: This is not a dialogue, I must say, between the Minister and the Member.

MR. SPEAKER: Only the Member can ask.

SHRI SHYAMNANDAN MISHRA: Would it be your pleasure to ask every Member to quit the House and let the Minister and the Member carry on the dialogue? (Interruptions). We are all a party to this. This is a matter of public importance and that is why a calling attention motion is permitted. (Interruptions).

MR. SPEAKER: There is no point of order.

श्री मनोराम बामणी : इन्होंने कुछ पूछा है, मंत्री जी ने जवाब कुछ दिया है।

श्री विनायक प्रसाद यादव : अध्यक्ष महोदय, मैंने 6 सवाल किये थे। मंत्री महोदय ने जो जवाब टेबल पर रखा उसमें भी उनका उत्तर नहीं आया अब की जवाब दिया उसमें भी कुछ का जवाब छोड़ दिया है।

मैंने एक सवाल यह पूछा था कि पंजाब पुलिस को जो अनुशासन, धार्मी के द्वारा किया जाता है वह किस नियम के मुताबिक किया जाता है ? एक सवाल मैंने यह किया था कि एक मंत्री पर और, कांस्टेबल को घायल छोड़ दीजिए, पुलिस के एक घोड़े पर सरकार कितना खर्च करती है ? एक सवाल मैंने यह किया था कि जिन सिपाहियों को जेल में डाला गया है, उनको किस क्लास में रखा गया है ? क्या उनको ए. क्लास या बी क्लास में रखा गया है ? यदि नहीं, तो क्या उनको सी क्लास में रखा गया है ? हम समझते हैं कि गृह मंत्री जी को इसकी जानकारी प्राप्त करके घानी चाहिए थी। उन्हें काल घंटेशन का मैंने सवालियों के जवाब पूरी जानकारी के साथ देने चाहिए।

SHRI H. M. PATEL: I says already said that I have not got this information. He says I should have the information in which class the persons arrested have been put. Most probably they have been put in Class C, but I have no information on this. (Interruptions)

श्री चन्द्र शेखर सिंह (बाराणसी) : अध्यक्ष महोदय, यह बहुत ही शर्म की बात है....

MR. SPEAKER: The question about the class in which they have been put does not arise out of this

श्री चन्द्र शेखर सिंह : यह सदन के लिए बड़ी इंसल्ट की बात है कि मारे मवालों के जवाब मंत्री महोदय नहीं दे रहे हैं। यह सदन के लिए भी शोभा की बात नहीं है और मंत्री जी के लिए भी शोभा की बात नहीं है। ?

MR. SPEAKER: He cannot find out the class, whether it is A or B or something else.

श्री विनायक प्रसाद यादव : अध्यक्ष महोदय, आज पंजाब सरकार ने तंक्वाहों के बारे में और कुछ सुविधाओं के बारे में एलान किया है। मैं आपके जरिये जानना चाहता हूँ कि क्या सरकार ने समूचे देश में ऐसी कोई व्यवस्था की है जिससे कि यह पुलिस आन्दोलन दूसरे राज्यों में न फैले (व्यवधान)

SHRI H. M. PATEL: Now he has asked another question about what steps are being taken so that they do not spread to other States. It is for that reason that the Punjab Government took strict disciplinary action;

strict in the sense that those who are ring leaders are being arrested....
(Interruptions)

SHRI JYOTIRMOY BOSU: "ring leader" is a derogatory term.

SHRI H. M. PATEL: All right, I will say "leader", if you like; I have no objection. On the question of difference in salary, all I can say is that the difference would be fairly considerable, but it will not be as much as 50 times; it may be at the most 20 times.

SHRI JYOTIRMOY BOSU: The statement that the hon. Minister read, I take it that it is Shri Patel's draft. He is good draftsman, because I have intimate knowledge of his ability. But I see that he has used words like "indulgence in such activities", "indiscipline" 'use of orderlies'. This statement would have been good enough for this House 50 years earlier. But I cannot blame Shri Patel. Because of his age and background, I cannot blame Shri Patel for he cannot come out with many progressive ideas or go with the times. He is 50 years behind the times. One fails to understand why certain... (Interruptions) I am saying something substantial.

One fails to understand why certain categories of Government employees, namely, the policemen and the defence personnel, should be deprived of the Fundamental Rights like the right of association and collective bargaining in a peaceful manner. I would like that to be explained first of all.

The policemen in recent times have been made into a tool of repression and oppression for political gains and for committing political mischiefs. You cannot blame them wholly for that. It is the hand that rocks the cradle that rules the world, the people who are behind it who are responsible for what the police have been made to do. Even the most honest police officer today finds it difficult to function because of political interference. Because of the fight

for political gains by individuals, groups and parties, it has become impossible for honest officers to function. It is a reality and let the Parliament understand that.

While we are discussing the police unrest in Punjab, I am reminded of what happened in Delhi some years ago. I am looking at Shri Chavan, because he was then the Home Minister. I am sure he remembers the police unrest in Delhi. What were the root causes? It is the worst economic and working conditions.

In 1908 I was arrested in the Delhi roads for some reason. Since there was no place in the police lock-up in the Parliament Street court, they took 56 of us to a police barrack. Then I could see for myself how the policemen are living. I found that one single bed was being used by two constables because they were off duty at the same time. It went to that extent.

On 8th May, 1979 the Police Constables' Union, Punjab, in their memorandum stated:

"We have been working as slaves of bureaucrats for centuries: India achieved independence in 1947. . . . but we have not got the freedom. We have to work for 24 hours a day and have to perform the same old duties as are Governed by the former British rulers"

The demands in the memorandum state: revision of pay scales, higher increments, residential accommodation for 75 per cent of the force (this is a very modest demand, because the Khosla Commission, whose report I have got with me, recommended 100 per cent accommodation for police constables), shorter duty hours, grant of leave when asked for, pay for working on Sundays, supply of proper uniforms and recall of policemen doing domestic work in officers' residences.

In Europe, even in capitalist countries like West Germany, they have enacted laws which guarantee the same rights to officers and men in

the armed forces that are guaranteed to the civilians. There is no restriction on the members of the armed forces forming associations, becoming members of political organisations and parties, and their right of free speech includes the right to voice political views. A man with a grievance can ventilate the same. These laws have been enacted even in capitalist countries. Here we say we have introduced socialism with a dholak and a tabla, but we cannot do even what the capitalist countries are doing.

In Sweden, the Ombudsman is elected by Parliament to represent the views of the armed forces. There is also an Armed Forces Association to ensure protection of the rights of the service personnel. This is being done.

What a pity that the ruling class only finds scape goats! Whenever they see an educated policeman or an educated boy in the army or the defence forces, they immediately keep a special eye on him, and they consider that he is the root of all trouble. This is the attitude. And Mr. Patel heads a Ministry which is notorious for this. They do not believe in human virtues, they believe that everybody is a criminal. The Home Ministry's attitude has always been so, and it still remains the same.

The Governments that were in power for 30 years from 1947 never lifted a little finger to care for the policemen, but now, to harness political gains, they are shedding crocodile tears. We see Darbara Singh running about and trying to tell people that the policemen's demands are very right and legitimate, and they should be met. What were you doing for 30 years?

Not too long ago, in Delhi itself there were massive agitations mounted by the policemen, and even that did not act as an eye-opener. The Congress Government took recourse to severe repressive measures, and

most of them were imprisoned, harassed for years and thrown out on the streets to starve, and many of them came from scheduled caste families. Today they are shedding crocodile tears for them.

The irony of this is that the votaries of Jayaprakashji who gave a clarion call to the armymen and the police not to carry out unlawful commands, are taking action against the agitating policemen, but the Cong. (I) people who opposed that call are supporting the policemen now. This is most interesting.

The Union Home Minister is fully aware of the situation in Punjab, but except for writing some routine letters, they never did anything, excepting sending the Director of the Intelligence Bureau. But when did you send him? Why did you have to wait for so long? Was it because of the calling attention motion?

The Police Commission's Report, 1966-68, headed by Justice Khosla is voluminous, contains two volumes. They had included Mr. Mullick, the Chief of the Intelligence Bureau at that time as a Member of that Commission. And what did the Commission say? They said that immediate steps should be taken to provide family accommodation to 100 per cent of the members of the police force. They have also said that medical facilities, education for the children of the policemen, welfare and amenities should be given. There are long chapters. I do not want to burden the House by quoting from them. The Home Minister should take a little pains and time, away from the party factional fights,—he is a sobre man I know—and read this report. My question is very specific. I want to know how far the Khosla Commission's recommendations have been implemented in the Union Territory. If you have not implemented, you will have to give reasons and produce a white paper before the House for not implementing the recommendations of the Khosla Commission and

[Shri Jyotirmoy Bosu]

whether you have advised the States to follow the same path and adopt the same procedure as the union territory has done at least as an eye-wash.

About the National Police Commission that has been constituted—I do not want to use the word “old fogies”—these are old die-hard bureaucrats, they cannot see beyond their nose; they can understand the bungalow, the garden and the memsahib, nothing beyond that. Can you imagine that a Police Commission headed by Mr. Dharam Vira will be doing good to the police constable? Can you imagine that? What happened to Mr. Ramanand Tiwary? What could not they find a man like Mr. Ramanand Tiwary to go to the Police Commission who has risen from the ranks, who understands their problems—he was a constable himself—and who understands what life is for a common policeman. Nothing has happened.

My appeal to the Central Government and the State Government is to find out the real causes of unrest. No use blaming the politicians and the policemen. I demand that all persons arrested should be immediately released; the cases should be withdrawn and dismissed persons should be reinstated without any kind of penal action. There should be no victimisation at all.

I would like to put on record that the Punjab Government, though late, has increased the pay and allowances and given further amenities the value of which comes to about Rs. 100/- a month and it is quite a good step that they have taken,

The right of association has been granted to the policemen in the States of West Bengal, Kerala, Tripura and Bihar. Why is it that the policemen in other States should be discriminated in this matter? Similarly, it should also be extended to the defence personnel. Why should they be treated as a second class category citizens.

I would like the hon. Minister, Mr. Patel to tell us whether they are going to have a fresh look into the genuine causes of grievance and, if so, how soon and what are the actions they have taken on the Khosla Commission's Report, why they have not acted fully as per the recommendations noted therein. They should publish a white paper within three months and let it be laid on the Table of the House.

SHRI H. M. PATEL: I do not know why the hon. Member is anxious about the Khosla Commission's report when the National Police Commission has now been constituted ..

SHRI JYOTIRMOY BOSU Because it consumed a lot of public exchequer's money

SHRI H. M. PATEL: That I understand. But you will recollect that this was sometime in the past and I cannot tell you exactly how much work was done .

SHRI JYOTIRMOY BOSU: Where is the Report?

SHRI H. M. PATEL: It has not yet submitted its final report

It has submitted an interim report. . .

SHRI JYOTIRMOY BOSU: What is the interim report? Where is that interim report? Has he laid it on the Table of the House?

SHRI H. M. PATEL: It has not yet been laid on the Table of the House.

SHRI JYOTIRMOY BOSU: I gather that you are asking them to change certain paragraphs and certain recommendations.

SHRI H. M. PATEL: You may suspect that. But we are doing nothing of that kind.

I have already said that the working conditions of the policemen are not satisfactory; their salary scales, etc. are not satisfactory. I referred in the statement to the various grievances which have been particularly

pressed by the policemen, that is, inadequacy of residential accommodation, use of orderlies as servants, additional pay for off-days...

MR. SPEAKER: The urgency of the matter is: Are you implementing all that?

SHRI H. M. PATEL: I have already said that we are taking up these matters now in the Government of India and we shall see that orders are passed very early

Then, he referred to the question of association. There has undoubtedly got to be, in spite of what Mr. Jyotirmoy Bosu may say some difference in this question of the price and the armed forces, and such other forces

SHRI JYOTIRMOY BOSU Why?

SHRI H. M. PATEL. It may be difficult for him to see. But it is generally seen that that is so. The right of association is an issue of great importance. The legal position is that by virtue of the provisions of the Police Force Restrictions of Rights Act—the actual words are, restrictions of rights—1966, the policemen can become members of only recognised associations.

Now, in regard to recognised associations, there are certain guidelines that have been laid down. For instance, the membership is to be restricted to serving policemen only. No outsider shall be entitled to membership or function as an office-bearer of the Police Association. These are some of the rules which are being examined, and we hope to see...

SHRI JYOTIRMOY BOSU: How soon?

SHRI H. M. PATEL: Very soon.

SHRI JYOTIRMOY BOSU: How very soon?

MR. SPEAKER: Very very soon.

Mr. Chitta Basu.

SHRI CHITTA BASU (Barasat): Mr. Speaker, Sir, the statement of the hon. Minister, if I am permitted to say, only betrays callous, criminal and cynical indifference to the condition of life and work of thousands of ordinary constables.

PROF. SAMAR GUHA (Conts.): The word 'criminal' in this context is not Parliamentary. He can use the other words....

MR. SPEAKER: Criminal negligence is not unparliamentary.

PROF. SAMAR GUHA: In this context.

SHRI CHITTA BASU: I have said, 'criminal indifference'. He knows the meaning of 'criminal indifference'. I do not call him a criminal, but his action may be something of that nature.

The thrust of his statement, according to me, is to deny the fundamental right of a citizen to form an association and ventilate peacefully his or her grievance as enshrined in the Constitution of our country. The statement is a veiled threat not only to the policemen of Punjab but to the policemen all over the country. It is a veiled threat to democracy, to the people who want to organize themselves on democratic lines and preserve and expand democracy in our life today. This is my general observation regarding the statement. I am not at all satisfied with that. I hope, the hon. House will agree with me that the thrust of the statement is anti-democratic, the thrust of the statement is not in keeping with the trends of the time, the thrust of the statement is not in keeping with the pledges given to the people by the Janata Party for the restoration of democracy and further expansion of democracy. Instead of expanding democracy, the statement is only a veiled threat to curtail democratic rights in a more and more dangerous manner.

[Shri Chitta Basu]

With regard to the Punjab police revolt, if I am permitted to say, there are certain general grievances which are of this nature, namely, their not having normal working hours, irksome political interferences and pressures, comparatively lower wages in relation to the workers engaged in public sector industries and other government departments, lack of accommodation for the men and their families, lack of trade union rights to organize themselves and seek redressal of their just and legitimate grievances. The hon. Minister makes an earnest appeal that they should not take to the path of agitation. But in his statement he has said that the agitation has "however, been wholly peaceful". He admits that the agitation has been wholly peaceful. But what has the Punjab Government done? They have disarmed a large number of policemen, they have arrested a large number of policemen, they have dismissed a large number of policemen and that too without giving any notice, without giving any opportunity of being heard which is a fundamental right. They have undemocratically discharged and dismissed a large number of policemen, they have put them behind the bars, they have disarmed them, they have dealt with them in a shabby manner.

The question is not a momentary one. If I may say, even in the Punjab a Police Commission was set up in the year 1949-50 under the Chairmanship of Justice Mahajan but its recommendations have not yet been implemented.

Then on the recommendation of the National Police Commission as he mentioned, a Study Group has been set up in Punjab and nobody knows when the findings of the Study Group will see the light of the day.

Then there was another Committee—Aswini Kumar Police Welfare Seminar Committee which recommended several welfare measures in December 1977 which included amongst others (1) formation of a Grievances Council

and (2) Central Welfare Officers in each State on a whole-time basis. None of the recommendation has so far been accepted by the Punjab Government.

Here the question is an important one. As he says, there are certain categories of workers or certain categories of employees of government who are denied all democratic rights of formation of a trade union and seek redressal of their grievances in a peaceful manner. A suitable mechanism can be to have a Grievances Council. That is the minimum thing which can be expected of a democratic government. So far, the governments of West Bengal, Kerala, Tripura and Bihar have given them the right to form an association. Sir, policemen are also human beings. Policemen are also citizens of our country. Therefore they have equal rights as I enjoy. As I have got the freedom of speech, as I have got the freedom of forming an association, as I have got the right to lead and demonstrate, equally the Policemen of our country must have that right. In this context, may I know from the hon. Minister whether he would revise the entire policy of having a closed attitude towards Policemen and in this particular case whether the government would propose to repeal the particular obnoxious and undemocratic rule by which the Policemen are denied the fundamental right of forming an association.

My second and last question is: whether the government would advise the Punjab government to take a lenient view of the situation and take a liberal view of the thing and not resort to victimisation of the agitating Policemen and would release all those who have been arrested and would reinstate those who have been dismissed or discharged without showing any reason whatsoever.

Would the government advise the Punjab Government to have some kind of negotiations between the Unions already formed and the Home Minister of Punjab?

I think my questions are quite specific and relevant and I think you would help me get categorical answers from the Minister.

SHRI H. M. PATEL: The hon. Member, for some reason, thinks that the statement I read out shows a callous criminal and cynical attitude. I do not know where he sees the cynicism in my statement.....

SHRI CHITTA BASU: Every word of it is cynical.

SHRI H. M. PATEL: In fact it is the most realistic statement which can be made.

About the criminal part, I will not say because I am as anxious as he is and anybody else, to see that the Police are treated fairly, justly and as well as possible.

He says callous. How can you call me callous when I am anxious that all these things should be done. I do not accept these charges.... (*Interruptions*) I am equally anxious and that is why I have stated that I wish to see that the various recommendations of the National Police Commission and other recommendations which are under our consideration are finalised as quickly as possible and implemented expeditiously.

Now, in answer to Mr. Jyotirmoy Bosu's question 'When and how soon' I said 'very soon'. And when emphasis was required, I said 'very very soon'. Now, if there is any question of our attitude being callous or cynical towards the policemen, I would only ask my hon. friend if he does not think that there is any need for ensuring agitation along certain lines on the question of right of association; the right of association is given to them and should be given to them, but in a restricted form. This is our view also. It is not that anybody took it away. It is this Parliament which took it away, if you like, some of the fundamental rights. (*Interruptions*) Parliament is the institution.

SHRI SOMNATH CHATTERJEE (Jadavpur): Parliament also passed the Forty-second (Constitution) Amendment Act.

SHRI H. M. PATEL: That is why I am saying.

MR. SPEAKER: He asked you three questions. Would you revise your attitude completely towards the policemen?

SHRI H. M. PATEL: My attitude is already being revised but not completely to his satisfaction but, I think, to the satisfaction of the policemen.

MR. SPEAKER: His second question is about the repeal of the Act.

SHRI H. M. PATEL: It is not possible. As far as I can see, a certain amount of restriction of these rights will be necessary.

MR. SPEAKER: His last question is whether you will ask the Punjab Government to take a lenient view.

SHRI H. M. PATEL: We have asked the Punjab Government to take a lenient view. I shall be very happy to advise the Punjab Government to take as liberal an attitude as possible, consistent with the maintenance of discipline.

SHRI SOMNATH CHATTERJEE: Can the Minister give an assurance in the House that he will not take to any other recourse unless it is warranted? No enquiry is there; no charge-sheet is there.

MR. SPEAKER: Now, Shri Ram Shastri.

श्री रामशारी शास्त्री (पदगौरव) : मान्यवर, यह समस्या जितनी गंभीर है उसके मुकाबले माननीय गृह मंत्री जी का जो बयान है उससे ऐसा लगता है कि इस समस्या को वे कोई समस्या नहीं मानते हैं। वे समझते हैं कोई साधारण सी बात हो गई है। उन्होंने कहा है कि वे बड़े ऐंसास हैं, वे बड़े हृच्छुक हैं कि यह विभिन्न शिकायतें जो कि लगभग सभी राज्यों में विद्यमान हैं उन पर सहानुभूतिपूर्वक वीक्षण से विचार किया जाए और इन मामलों में वे कुछ का अध्ययन राष्ट्रीय पुलिस आयोग द्वारा किया जा चुका है।

[श्री रामधारी शास्त्री]

आखिर में वे कहते हैं कि मैं पुलिस कम-
चारियों से हाथिक अपील करता हूँ कि मैं जो
आस्थासन दे रहा हूँ उन्हें मान लें और आन्दोल-
नात्मक तरीके का त्याग करें। मैं चाहूँगा मंत्री
जी एक, दो, तीन करके बतायें कि कौन से एम्प्लो-
रेस उन्होंने दिये हैं? हर चीज का एक निगोटिव
पहलू होता है और दूसरा पाजिटिव होता है।
इसका निगोटिव पहलू तो मैंने समझ लिया कि
केंद्रीय सरकार से जो फोर्स मांगी गई थी वह
दे दी गई लेकिन पुलिसमैन की कठिनाइयों के
बारे में क्या एम्प्लोरेस हैं? मंत्री जी का स्वयं
का बयान है कि 13 तारीख को भारत सरकार
के गृह मन्त्रालय ने हरियाणा, हिमाचल प्रदेश,
उत्तर प्रदेश, राजस्थान और मध्य प्रदेश की सर-
कारों को भी एनट किया था कि वे भावधान
रहें कहीं पंजाब की यह बॉमारी वहाँ भी न फैल
जाए। इसके बाद यह कहना कि हमारी इच्छा
है कि समस्या का समाधान शान्तिपूर्ण ढंग से हो
जाए तो फिर आपकी इच्छा का मूर्तरूप क्या है?
केवल यह कह देना कि यह स्टेट सज्जट है इस
कोई सरकार बरी नहीं हो सकती है। भारत
सरकार को बहुत पहले बॉटिस देनी चाहिए थी।
इस मामले में 15 अप्रैल को सबसे पहले पटि-
याला में पुलिसमैन का डिमान्डेशन हुआ लेकिन
उस पर कोई जू तक नहीं रेंगी। भारत सरकार ने
कोई गाइडलाइन्स दी हो ऐसा भी नहीं मानूँ
होता। उसके बाद उनके तमाम प्रदर्शन हुए एक
1) जगह नहीं बल्कि लुधियाना, भटिण्डा सभी
जगहों पर। उसके बाद ऐसी स्थिति आई कि
हथियारधरो पर सेना भेज कर कब्जा करना
पड़ा। उस के बाद उस के निबटारे के लिये कोई
काम नहीं हो रहा है। मैं यह भी कहना चाहता
हूँ—एटीचूड के बारे में जैसा मेरे कुछ दास्तों ने
कहा है—अभी तक कोई परिवर्तन देखने में नहीं
आ रहा है। आज पंजाब सरकार की तरफ से
जो बयान आया है—मैं उस के लिये उनको धन्य
बाद देना चाहता हूँ—लेकिन यह घोषणा उनको
पहले ही कर देनी चाहिये थी, 7 या 8 मई को
ही उन्हें इसका नॉटिस ले लेना चाहिए था।
पुलिसवालों को तो मैं दोबारा धन्यवाद दता हूँ—
उनका आन्दोलन बहुत शान्तिपूर्ण था। पंजाब
के मुख्य मंत्री ने धपन बयान में कहा है—

“Mr. Badal told newsmen he
would not make an appeal to police-
men to withdraw the agitation. He
said that the grant of enhanced pay
scales to the police must not be mis-
construed as the government's weak-
ness.”

मैं यह कहना चाहता हूँ—वह आपके एम्पलाइड
हैं, यह धपरो का बयाना नहीं है, अगर 1946
के पहले की बात होती तो उनसे कह दिया
गता कि तुम वापस इन्वेड करने जाओ, इनको

तो इसी देश में रहना है—जब यह बात
आप के सामने आई तो आपको पुरत अपील
करनी चाहिए थी कि आपने, हल एक राज्ज-
टैबिल काम्फरेस में बैठ जायें, हम सारे मामलों
का निपटारा करने के लिये तैयार हैं।

हमारे गृह मंत्री जी को भी इस का बहुत
सौरियस नॉटिस लेना चाहिए था, मने ही पुलिस
का विद्रोह या इस तरह की घटना होना एक
अपवाद है, लेकिन यह भी सही है कि पुलिस
कास्टेबिल की तनक्वाह रिषर्ष बैक या बैक स्टेट के
अपराधी से भी कम है, उसको कोई मुविधा नहीं
मिलती यहाँ तक कि यदि वह दोरे पर जाता
है तो उस को एडवास का पैना भी नहीं मिलता
है। उस के लिए खूनी का कोई इन्तजाम नहीं
है। उस की जिदगी एक बलालत का जिन्दगी
बन कर रह गई है—ऐसी हालत में भी पुलिस के
सोग मलोप से रहते आये—जमके लिये वे धन्य-
वाद ले पाते हैं।

मैं गृह मंत्री जी से कहना चाहता हूँ—क्या
कर के इस तरह में हल्क फुलके बयान न दे और
एक एम्प्लोरेस के कि कितने दिनों में आप इस
काम को करेगें। “बैरी मून” या “बैरी-बैरी मून” कह
देन से कुछ नहीं होगा। “बैरी-मून” का मतलब है—
2 वर्ष और “बैरी-बैरी मून” का मतलब है—4 वर्ष।
आप माफ बनलाइये कि आप कितने दिनों में
करेगें।

मेरा पहला प्रश्न यह है—क्या आप इस
बात के लिये तैयार हैं कि कितने प्रदेशों में इस
के फैलने की आशंका है—जैसा आप ने स्वयं
जाहिर किया है—वहाँ के होम मिनिस्ट्रें और
फीफ मिनिस्ट्रें को बुलाकर जल्द से जल्द कोई
काम्फरेस कर के किमी निश्चय पर पहुँचेंगे कि
सारे देश के पुलिस के लोगों के पैन्कल क्या
हों, उनकी मुविधायें क्या हों और उन के साथ
क्या व्यवहार किया जाय ?

2 आज प्राइ० ए० एम० अफसरों को,
जा सामन की सब से बड़ी बोटों पर बैठे हैं, एसो-
सियेशन बनाने का अधिकार है, पी० सी० एस०
अफसर एसोसियेशन बना सकते हैं तो क्या बजह
है कि आप पुलिस के लोगों को धपना संघटन
बनाने का अवसर देने के लिये तैयार नहीं हैं ?

3. अन्तिम प्रश्न मैं यह पूछना चाहता हूँ—
कितने और राज्यों में विद्रोह हो जायेगा, तब
आप से सारे कदम उठावेंगे—इस के बारे में भी
बतला दीजिये ?

SHRI H. M. PATEL: Sir, the last
question of my hon'ble friend took me
aback when he said that in how many
States we would like this agitation to
get spread before we take any action.
Well, Sir, none of us here would like

police agitation to spread beyond the limits of Punjab and, we hope, we shall be able to bring them to certain disciplined lines very shortly.

So far as his desire for an assurance is concerned, I may assure him that it is my intention to take it up with the State governments and see that these matters are decided upon very quickly. Some hon'ble Members do not like my using the words 'very very soon'. So, I would say that it will be my endeavour to see that some definite decision are taken on great many point a before the end of the financial year.

12.40 hrs.

PETITION RE. CHANGES IN MARRIAGE, DIVORCE AND INHERITANCE LAW FOR HINDU WOMEN

श्री शरद यादव (जबलपुर) : अध्यक्ष महोदय, मैं हिन्दू महिलाओं के लिए विवाह, तलाक और उत्तराधिकार कानून में परिवर्तन करने के बारे में नारी रक्षा समिति, दिल्ली की उपाध्यक्षा, श्रीमती सरला मुद्गल द्वारा हस्ताक्षर की हुई याचिका प्रस्तुत करता हूँ।

12.41 hrs.

[MR. DEPUTY SEAKER: *in the Chair.*]

STATEMENT BY MEMBER RE. ANSWER TO USQ NO. 2023 dated 6-3-79 in RESPECT OF BABUDIH SLAG DUMP OF TISCO

SHRI A. K. ROY (Dhanbad): Under Direction 115 I hereby point out the inaccuracies and contradictions in the statement of Shri Karia Munda, Minister of State in the Ministry of Steel and Mines, in answer to my unstarred question No. 2023 dated 6th March, 1979.

In answer to part (a) of the question, the Minister has said, "No, Sir, TISCO have also denied that any contract had been in existence in the name of a fictitious person."

The issue of fake contractors in Babudih Slag Dump was raised in the

House in connection with the Call Attention dated 23rd August, 1978 on drowning of 6 Adivasi women and children in Subaranarekha River by the musclemen of these contractors.

When this statement is read with the statement made quite a few months back by the Minister of State for Home Affairs while replying to the Call Attention, one is bound to be struck by the glaring contradiction between the two. The Minister of State for Home Affairs had said on 23-8-78: "the second point raised by him was whether he was the real contractor or who was the contractor in whose name the contract stands. In this particular case one Sachidanand Mishra appears to be the benami contractor because the real contractor is Sheoji Singh who is rich man of Jamshepur; he has taken the contract for Rs. 5.25 lakhs and the contract is to expire on 31st December 1978".

It is worth noticing that the name Sachhidanand Mishra was not suggested by any hon'ble Member. The Minister volunteered this information himself, which means: this name came to be known to him during the course of the preliminary enquiry he had made into the matter over which the country and the House were agitated.

Now, the answer of the Minister of State for Steel and Mines to my question that "the TISCO have also denied" clearly emphasised that he claimed that there was no fake contractor and the government was reinforced in its view by the denial of TISCO. In other words, what the Minister of State for Steel and Mines wants to convey is in clear contradiction of what the Minister of State for Home Affairs had said earlier.

It is also worth mentioning that Mr. Bhola Paswan Shastri, M.P., Chairman of Scheduled Castes and Scheduled Tribes Commission had visited Jamshedpur in connection with the ghastly murder of Adivasis