

India's new cotton policy was spelt out, Rs. 61 lakhs was taken as bribe, and Mr. Adani was the leader of the Adani PSP-Oza Group and this happened during the days of the Oza Ministry? More than Rs. 70 lakhs corruption is said to have been managed by the GPCC president, Mr. Zina Dorji during floods, from the flood relief allocation. May I know whether the police, medical and revenue departments are spotted out for huge money collections for transfers? May I know whether levy collection has been totally sabotaged and corruption charges from *talati* to M.I.A and Minister are galore? May I know whether quo a distribution and allocation in fertilisers, diesel, cement, steel etc. has been openly fixed with an amount of corruption involved? May I know whether all this has led to the situation which is still raging there? May I know whether Government are thinking of dissolving the Ministry and the Assembly and thereby help in the people to come to peace as early as possible, before the lives of many more people are lost there?

**SHRI RAM NIWAS MIRDHA** - The hon. member has given certain instances of alleged atrocities by the police I am not at present in a position to say anything about them. But I can assure the House that all complaints that would be received against the police and the administration would be fully inquired into and if any one is found at fault, all appropriate action would be taken against the persons involved.

**AN. HON MEMBER** : By what time?

**SHRI RAM NIWAS MIRDHA** : As regards allegations, or rather wild allegations, regarding bribe collected by certain Ministers and others—sometime back the figure was Rs. 25 lakhs and now it has gone upto Rs. 30 lakhs and even more; I do not know which figure to believe in— all I can say is that these wild allegations do not merit any attention.

12.46 hrs.

#### STATEMENT RE ALLEGED ARREST OF SHRI SAROJ MUKHERJEE, M.P.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): Sir, on 26-11-1973, Shri Saroj Mukherjee, M.P., wrote to the Speaker of the Lok Sabha regarding the circumstances of his alleged arrest by Calcutta police on 15-11-1973 and their alleged failure to intimate the Speaker about the fact of arrest. Shri Mukherjee stated in his letter that this involved a breach of his privilege as Member of Parliament.

Shri Mukherjee's letter was forwarded to the Home Minister by the Minister of Parliamentary Affairs the same day. The Government of West Bengal were requested by the Ministry of Home Affairs the same day i.e. 26-11-1973 in a wireless message to intimate the connected facts. The State Government sent their reply on 3-12-1973 and a copy of the report was sent to the Lok Sabha Secretariat on 7-12-1973.

According to the report of the State Government, nine political parties took out a procession as a part of their civil disobedience movement on 15th November, 1973, in Calcutta from Raja Subodh Mullick Square and the procession was led by leaders of these parties, including Shri Saroj Mukherjee, M.P.

On reaching Esplanade Row East, the processionists became violent, broke through police cordon and started brick-battling. The police arrested 610 persons. None of the leaders was arrested. When arrested persons were being removed to Presidency Jail, Calcutta, Shri Saroj Mukherjee, M.P. and some other leaders, insisted on accompanying the arrested persons although they were told by the officer-in-charge of the police party at Esplanade Row East that they were not under arrest. Shri Saroj Mukherjee, M.P. alongwith other leaders, arrived at Presidency Jail gate the same afternoon.

[Shri Ram Niwas Mirdha]

Of the 610 persons arrested by the Police 500 were lodged in the Presidency Jail. The remaining 110 persons were discharged by the Magistrate. At Presidency Jail gate, Shri Saroj Mukherjee, M.P., alongwith some other leftist leaders, took their seats in a tent near jail gate. They were again told by the officer-incharge of the police party that they were not under arrest and they were also requested to leave the place. Shri Saroj Mukherjee, M.P. and the other leaders, however, insisted on staying near the gate and told the police officers that they would not leave the place till the arrested persons were lodged inside the jail. After the arrested persons were lodged inside the jail, Shri Saroj Mukherjee, M.P., and other leaders were escorted back home by the police from outside jail gate at their own request.

SHRI JYOTIRMOY BOSU (Diamond Harbour): On a point of clarification. How did Shri Saroj Mukherjee go from Esplanade Row East to the Presidency Jail? He travelled in a police van. If it was so, how could that be done unless he was arrested?

MR. SPEAKER: He insisted on accompanying them.

SHRI JYOTIRMOY BOSU: He has made a statement which is not correct. Here is an hon. member making a statement that he was arrested. This is not the first time it has happened. It has happened before. The Minister has misled the House. He was arrested and taken to the Presidency Jail in a police van from Esplanade Row East.

SHRI DINEN BHATTACHARYYA (Serampore): This must be referred to the Privileges Committee.

SHRI JYOTIRMOY BOSU: This must be sent to the Privileges Committee. He has made a wrong statement. This is not fair. You must give a ruling on this.

MR. SPEAKER: The statement is there.

SHRI JYOTIRMOY BOSU: We want to know. Shri Saroj Mukherjee was taken

in a police van from Esplanade Row East to the Presidency Jail which is about a good 5 miles away. How could that happen unless he was arrested? Unless man is arrested, how can he travel in a police lock-up van? How can that be, Sir? What is your ruling on this?

MR. SPEAKER: Order please. Kindly sit down.

They say he was not arrested. If he had been illegally detained he can go to the court. The House is not here to judge it.

SHRI JYOTIRMOY BOSU: They are misleading the House, Sir.

MR. SPEAKER: Only the Speaker gets the information about the arrest if he had been arrested. They say he was not arrested.

Now, if you want to controvert it, you better go to the court.

SHRI JYOTIRMOY BOSU: You are our court.

MR. SPEAKER: I have no powers to judge whether it was an arrest or he was in illegal custody. It is the court which has to decide it.

SHRI JYOTIRMOY BOSU: No, Sir. Mr. Saroj Mukherjee. . .

MR. SPEAKER: You cannot give me powers which are not there under the rules.

SHRI JYOTIRMOY BOSU: It is not disputed by the hon. Minister that Shri Saroj Mukherjee has travelled in the police lock-up van from the Esplanade Row East to the Presidency Jail, a distance of five miles. Unless a man is arrested, how can he force his way into the van? I request you to apply your mind as a lawyer.

MR. SPEAKER: Even the Privilege Committee cannot judge, if they do not inform the Speaker. They say that they did not arrest him.

SHRI JYOTIRMOY BOSU : You can.

MR. SPEAKER : You may go to the court.

SHRI JOYTIRMOY BOSU : Why ? It is a violation of the rules of procedure of the House.

MR. SPEAKER : The House has no powers to say whether he was in illegal custody or not. If he was in illegal custody, then one can go to the court. The Speaker cannot perform the functions of the court

SHRI JYOTIRMOY BOSU : Neither can I. The Minister is misleading the House. Let the Minister reply whether or not Mr. Saroj Mukherjee travelled in a police van from Esplanade Row East to the Presidency Jail. If he gives a reply, I shall be satisfied.

MR. SPEAKER : Kindly sit down. Suppose I am going on foot, and some police officer says, "You better sit in the vehicle." Am I arrested? The Minister says the Member insisted on accompanying them. If there are any disputes about the facts, you better go to the court.

SHRI JYOTIRMOY BOSU : Will you please ask the hon. Minister to tell us whether he travelled in the police van or not ? (*Interruptions*) Let the hon. Minister tell us whether Shri Saroj Mukherjee travelled in the police van.

MR. SPEAKER : He has read out the statement.

SHRI JYOTIRMOY BOSU : Let the Minister tell us whether Shri Saroj Mukherjee travelled in the police van.

MR. SPEAKER : Have you any information about it ?

SHRI RAM NIWAS MIRDHA : Even if he was in the police van, he was repeatedly requested and told that he was not under arrest. I have said it in the statement.

SHRI JOYTIRMOY BOSU : Can he force his way into the police van ? Mr Frank Anthony is there ; an eminent barrister and a criminal lawyer ; rather, a lawyer for the criminals.

MR. SPEAKER : You better make him appear in the court.

SHRI JYOTIRMOY BOSU : We will. You cannot get away like this.

MR. SPEAKER : I am not getting away.

SHRI JYOTIRMOY BOSU : Mr Saroj Mukherjee was forced to travel in the van, and therefore he was under arrest.

MR. SPEAKER : Kindly sit down. The fact is, if he was arrested, the fact of his arrest is conveyed to the Speaker. Now, they say there was no arrest and therefore no information to the Speaker. That is so far as the factual position goes. Now, you say he was arrested. You better prove it outside. I am not sitting as a court to listen to the case whether he was arrested or not.

SHRI DINEN BHATTACHARYYA : You have to believe the Member when he makes the statement.

MR. SPEAKER : There are both the sides. I cannot say that the Member is right and the Minister is wrong. He was asked to bring information and he has brought the information...(*Interruptions*).

SHRI JYOTIRMOY BOSU : The information is incorrect. We request you to reconsider the issue. Mr. Saroj Mukherjee was taken in a police van for five miles and therefore he was under arrest and the police failed to intimate the House according to the rules of procedure. I might inform you that we would raise it again. We do not want to take the time of the House but you are compelling us to do so.

MR. SPEAKER : We take up the next item of business.