

- 3) Construction of a new container freight station.
- 4) Creation of additional capacity for storage of containers.
- 5) Provision of computer facility at these berths.

#### **Wadhwa Committee Report**

7351. PROF. K.V. THOMAS: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have examined the Wadhwa Committee report on Police-Lawyers row in 1988;

(b) if so, the findings of th Committee in detail; and

(c) the action taken to implement the recommendations of the Committee?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) and (c). The information is given in the statement below.

#### **STATEMENT**

The Government have generally accepted the findings/recommendations of Justice Wadhwa Committee. Action taken on the findings/recommendations is indicated below:

*Finding:* Arrest of Shri Rajesh Agnihotri, Advocate on 15.1.88 was legal and justified. His handcuffing, however, was illegal.

*Action taken:* It has been decided to initiate departmental action

against the officials responsible for handcuffing the accused.

*Finding:*

There was an indiscriminate and unjustified lathi charge at Tis Hazari on 21.1.88. This resulted in injuries to lawyers and also some press correspondents and photographers.

The lathi-charge was ordered at the instance of DCP (NORTH) without any lawful excuse.

*Action taken:*

It has been decided to initiate departmental action against the officials concerned.

*Findings:*

The case FIR No.20/88 under sections 147,148,149,332.353, 186, 427 IPC - PS Subzimandi registered on 21.1.88 against 16 lawyers should be withdrawn.

*Action taken:*

The Government entrusted the investigation of the case relating to the incident of 21.1.1988 to the CBI on the recommendations made by the Committee in their interim Report. A decision on the recommendations made by the Committee in its final Report to withdraw the case will be taken on the report of investigation by the C.B.I.

*Finding:*

The police was actively involved in organising the mob and its transportation to Tis Hazari Court complex on 17.2.88. The mob was

brought by Shri Rajesh Yadav, Municipal Councilor in active connivance with Smt. Kiran Bedi. The crowd was allowed by the police to indulge in vandalism without any check. There was failure on the part of the police officials in not controlling the crowd in time and not taking action against any one is the crowd and cognizable offences were committed.

*Action taken:* It has been decided to initiate departmental action against the officials concerned.

*Finding:* The lawyers who suffered injuries and also those who suffered because of mob violence in the Court premises on 17.2.88 should be compensated.

*Action taken:* The recommendation of the Committee has wide financial implications and a decision will be taken after examining all aspects of the matter.

*Finding:* The conduct of a section of lawyers, when secret ballot was in progress to ascertain whether the strike in the Supreme Court should continue, in snatching the ballot boxes and manhandling certain members of the Supreme Court Bar Association who wanted to appear in the Court, was highly reprehensible.

Militancy has no place in the

legal profession committed to the rule of law. The Bar Association is not a trade union and strike by the lawyers should be an anathema. Strike by lawyers amounts to denial of justice to litigants. It is the duty of the lawyers to see that the judicial system which is one of the three pillars of democracy is strengthened and justice reaches all in the shortest possible time. The senior members of the Bar could contribute more in preventing frequent strikes by lawyers.

*Action taken:* The Delhi Administration has been directed to transmit the observations made by Justice Wadhwa to the concerned Bar Associations and other forums concerned.

#### **Memorandum of Understanding Signed for Import of Telecommunication Equipments**

7352. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether his predecessor visited some foreign countries since 1 January, 1990; if so, the details thereof;

(b) whether Memorandum of understanding were signed with any country during such visits;

(c) if so, the details thereof;

(d) whether any equipment/know how connected with modern communication system is proposed to be imported; and