

SHRI YOGENDRA SHARMA: Sir, we are prepared to follow you, but not them.

SHRI S. M. BANERJEE (Kanpur) : Sir, I move a motion under rule 340....

MR. DEPUTY-SPEAKER: Nothing will be recorded. (*Interruptions*)**

As the House is not in a mood to conduct any debate, as the tempers are too high I adjourn the House till 14.10 hrs.

10-13 hrs.

The Lok Sabha adjourned for lunch till ten minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Twelve minutes past Fourteen of the Clock.

(MR. DEPUTY-SPEAKER in the Chair)

MOTION FOR ADJOURNMENT

USE OF FORCE BY THE POLICE AGAINST CERTAIN MPs AND OTHERS AT PATEL CHOWK, NEW DELHI

SOME HON. MEMBERS *rose*—

MR. DEPUTY-SPEAKER: I have received three notices of motion of privilege... (*Interruption*) from Dr. Ram Subhag Singh, Shri H. N. Mukerjee and Shri J. H. Patel for an alleged beating... (*Interruption*) of some Members of Parliament—Shri Madhu Limaye... (*Interruption*), Shri George Fernandes... (*Interruption*), Shri Ram Sewak Yadav... (*Interruption*). I would like to hear Dr. Ram Subhag Singh and other Members who have given notices... (*Interruption*)

SHRI SAMAR GUHA (Contai): On a point of order.

MR. DEPUTY-SPEAKER: I have called Dr. Ram Subhag Singh who has given notice of the motion. I will call Shri Mukerjee and others also... (*Interruption*). When you shout, I cannot hear and follow anything.

SHRI SAMAR GUHA: On a point of order... (*Interruption*). Sir, I rise on a point of order. My point of order is this. As soon as a Member of Parliament is assaulted, it is the duty of the Government to inform you... (*Interruptions*)

SOME HON. MEMBERS: Shame, shame! (*Interruptions*).

MR. DEPUTY-SPEAKER: Order, order. If all of you speak, I cannot hear anybody. The House is seized of this matter. I would like to hear the Members, one by one. If all you speak, I cannot follow anything.

SHRI J. H. PATEL (Shimoga): I am one of those who was beaten by the police... (*Interruptions*).

MR. DEPUTY-SPEAKER: I have mentioned your name also, I will be coming to you. If all of you speak, I cannot follow anything. Shri Samar Guha has got a point of order.

SHRI SAMAR GUHA: Sir, my point of order is this. Just now, we have got the information that 3 Members of Lok Sabha have been mercilessly, brutally, beaten when they were just coming to place a memorandum before the Government... (*Interruptions*). I want to know from you whether the Government have informed you that three Members of Parliament have been brutally assaulted. It is the duty of the Government to communicate to you that information and the circumstances... (*Interruptions*) I want to know whether that information and the circumstances have been communicated to you. (*Interruptions*)

MR. DEPUTY-SPEAKER: Let me first deal with the point of order raised by Shri Samar Guha. (*Interruptions*) I will be coming to everyone.

SHRI K. LAKKAPPA (Tumkur): We do not want any enquiries. (*Interruptions*) We want that he should resign. That is our demand.

MR. DEPUTY SPEAKER: Mr. Samar Guha, I have not received any information from the Government. Under Rule 229, the information is to be given to the Speaker only in matters of arrest and conviction. All those things have not taken place. (*Interruptions*)

SHRI SAMAR GUHA: Shri George Fernandes, Shri Madhu Limaye and Shri Ram Sewak Yadav were coming to Lok Sabha and they were debarred from performing their legitimate rights. They have been assaulted and the Government should have informed you about it (*Interruptions*).

SHRI M. L. SONDHI (New Delhi) : Sir, I want to ask a pointed question to Mr. Chavan. Is it a fact that the order under Section 144 which has been promulgated, if he can produce this order, includes even the precincts of the Parliament House? How can that be done? It is a direct affront to you, Sir, and to each and every Member here. I want to tell the Home Minister, in his face, that we will tear up this order under Section 144. He has used it earlier on many occasions. This time, this order has been imposed in the precincts of the Parliament House. How does he dare to impose it inside the Parliament House? This is, actually, imposed in the compound of the Parliament House without your permission, Sir, and without the permission of the Members. How has this been done? What has been done to Mr. Madhu Limaye and others raises the highest indignation of the House. We can postpone all other issues and discuss this serious matter, involving the right and the dignity of the House. (*Interruptions*).

The Parliament cannot function here if tomorrow there are going to be brutal assaults on Members of Parliament. Where is that Magistrate? That magistrate should be brought here as a prisoner hand-cuffed. (*Interruptions*) Have you got knowledge of this order under Sec. 144? How can it be applied without your permission?

MR. DEPUTY-SPEAKER : Mr. Sondhi, after the Members who have given notice have made their comments, I will hear you. (*Interruptions*) I would like to know the position. Let me first hear the Home Minister.

SHRI M. L. SONDHI : We cannot even meet here according to that order. (*Interruptions*) Sec. 144 is in force not only in the Patel Chowk, it is also in force inside the compound of Parliament.

श्री रवि राय (पुरी) : उपाध्यक्ष महोदय, माननीय जार्ज फरनेंडीज का खून में सना हुआ कुर्ता मेरे पास है।

श्री जनेश्वर मिश्र (फूलपुर) : मान्यवर, मुझे देखिये। चन्हाण साहब ने पुलिस से जबरदस्ती मझे घसितवाया है। आप इन से इस्तीफा मांगिये।

MR. DEPUTY-SPEAKER : I will call you. I will call Mr. Rabi Ray also.

Kindly sit down. Let us hear the full story. (*Interruptions*).

SHRI M. L. SONDHI : There is no independence. Is there Sec. 144 inside the compound of Parliament? (*Interruptions*).

MR. DEPUTY-SPEAKER : I will give you an answer after hearing everybody. Please sit down.

DR. RAM SUBHAG SINGH (Buxar) : Hundreds of persons were brutally attacked and hundreds of women were even beaten by the Police and they are lying in the streets. Nobody is there to take them to the hospital. I, therefore, move that the House do adjourn to discuss the failure of the Government. (*Interruptions*) We must adjourn the House.

SHRI HARDAYAL DEVGUN (East Delhi) : I support him, Sir.

SHRI S. M. BANERJEE (Kanpur) : I rise on a point of order.

MR. DEPUTY-SPEAKER : What is your point of order?

SHRI S. M. BANERJEE : Kindly listen to me, Sir. We have just heard that an hon. Member of this House and other various members of the Samyukta Socialist Party organisation . . .

SHRI SAMAR GUHA : Including the its Chairman, Mr. Karpuri Thakur.

SHRI S. M. BANERJEE : . . . the Chairman of the Party and other Members of this House, in addition to many members of the Party, and ordinary citizens came...

MR. DEPUTY-SPEAKER : What is your point of order?

SHRI S. M. BANERJEE : . . . to this august House to present a memorandum. They came without knowing that this House is not open to the people; it is not Lok Sabha but it is a House where decision is taken to butcher people and whose members are being beaten mercilessly outside. I, therefore, plead that not only this incident—but previously also small girls were beaten—these things should be enquired into. I move under Rule 340 that this House do adjourn and also move that the debate on the Demands of the External Affairs Ministry be taken up later. The Home Minister has converted the Parliament Street and this House into a concentration camp.

[Shri S. M. Banerjee]

अगर यह आप ने नहीं किया तो इस तरह के खून का बदला हम खून से लेंगे ।

श्री गुणानन्द ठाकुर (सहरसा) : मैं घटना-स्थल पर मौजूद था और मैं कुछ कहना चाहता हूँ । आप मुझे क्यों नहीं समय देते हैं ?

MR. DEPUTY-SPEAKER : I am not able to follow any Member.

SHRI M. L. SONDHI *rose*—

SHRI SAMAR GUHA *rose*—

MR. DEPUTY-SPEAKER : If you allow me to speak, I will be able to say what I want to say.

श्री गुणानन्द ठाकुर : मेरा व्यवस्था का प्रश्न है । मैं खड़ा हूँ और आप मुझे समय नहीं देते हैं ।

MR. DEPUTY-SPEAKER : I will give you a chance. Now I cannot accept the motion for adjournment.

SHRI SAMAR GUHA : Why not? The House will not be able to continue.

SHRI M. L. SONDHI : You are not to be dictated to by the Home Minister. (*Interruptions*).

MR. DEPUTY-SPEAKER : I am not dictated to by anybody. Kindly listen to me. I am to conduct the House under the Rules.

SHRI M. L. SONDHI : With the sword of Damocles. .

SOME HON. MEMBERS *rose*—

श्री मोलहु प्रसाद (बांसगांव) : आप प्रक्रिया नियमावली का नियम 340 पढ़िये ।

DR. RAM SUBHAG SINGH : Now, you must adjourn the House.

SHRI CHENGALRAYA NAIDU (Chittoor) : Adjourn the House, Sir (*Interruption*).

MR. DEPUTY-SPEAKER : I am not able to complete what I wanted to say. Twenty or Thirty Members get up.

SHRI M. L. SONDHI : It is because of the feelings which we have; it is a fact.

MR. DEPUTY-SPEAKER : Please give me two minutes; let me complete what I wanted to say. You don't allow me even to complete a sentence...

SHRI M. L. SONDHI : Why do you plead your inability? You have the entire strength of the House behind you.

MR. DEPUTY-SPEAKER : I am not pleading any inability. I am trying to consider what should be done. I am conducting the House according to these Rules. (*Interruption*). You do not allow me to complete my sentence. Under these Rules, notices are to be given. I have received notices of Motions of Privilege under Rule 222. Dr. Ram Subhag Singh has done that. Prof. Mukerjee has done that. Mr. Patel has done that. I have agreed to consider this in the House. I cannot suddenly accept any other motion for the same thing. On this matter of breach of privilege, I call upon Dr. Ram Subhag Singh to speak.

DR. RAM SUBHAG SINGH : I have already moved for the adjournment of the House.

श्री गुणानन्द ठाकुर : मैं कब से खड़ा हूँ, आप मुझे भी मौका दीजिये ।

MR. DEPUTY-SPEAKER : Others will speak; you will also be called upon to speak. Kindly resume your seat.

DR. RAM SUBHAG SINGH : Under rule 56 and under Rule 340, whichever you like, I move :

"That this House do now adjourn" because of the brutal attack on Shri Geroge Fernandes, Shri Madhu Limaye, Shri Raj Narain, Shri Patel and so many other Members. (*Interruption*).

MR. DEPUTY-SPEAKER : I am not for adjournment just now. (*Interruption*). Dr. Ram Subhag Singh has given this notice (*Interruption*).

DR. RAM SUBHAG SINGH : You may consider it. Rule 340 says :

"At any time after a motion has been made, a Member may move that the debate on the motion be adjourned."

Also Rule 56 says :

"Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker."

श्री रवि राय : इन कपड़ों को देखने के बाद भी आप नहीं कहते हैं ? मैं विनती करता हूँ कि आप मेहरबानी कर के एडजर्नमेंट मोशन को स्वीकार कीजिये ।

SHRI SAMAR GUHA: This is the floor of the Members of Parliament. You should accept this motion. (*Interruption*).

श्री रवि राय : क्या आप समझते हैं कि इस तरह से किसी दूसरे विषय पर बहस चल पायेगी ? मैं विनती कर रहा हूँ कि आप एडजर्नमेंट मोशन को मान जाइये ।

DR. RAM SUBHAG SINGH : More than hundred of them are women and children. They came over here in procession—a peaceful procession—towards Patel Square, and without any provocation the police used the tear-gas. And later they started beating Shri Raj Narain, Shri Madhu Limaye, Shri George Fernandes, Shri J. H. Patel, Shri Molahu Prasad and so many others. Still we do not know where Shri Fernandes has been taken away or how he has been whisked away by the police. The police might be beating him even now, because they feel that he is the main organiser of this procession. The Home Minister is here. I charge the entire Government, the Prime Minister and others, that they have failed and it was their conspiracy to beat the peaceful processionists without any provocation from them. If they did it without any provocation from them, then they have no place to sit here. I charge him and I challenge him to point out what was the provocation under which the police made the lathi charge. And what was the provocation by the women who were dragged near Patel Square (*Interruption*). And when the Prime Minister has got her decorated officer, how does she allow those ruffians and goondas to come here to the gate of the Parliament House or to come near Patel Square ? Even now you can adjourn the House and go and see hundreds of women in blood. Their sarees are torn out and they were dragged here and you can see the *nishans* of lathi charge all over their bodies. This is a shameful, heinous and brutal act on the part of Government which is headed by a woman. She says that the women are on her side. Where is the truth of this statement when the people who had come here to represent their case about the increase in prices and the increased burdens on them, were

dragged and beaten (*Interruption*). Some of them were vomiting blood.

Therefore, Sir, I request that you must adjourn the House immediately so that we may carry our colleagues to the hospital and get them proper treatment and see how best their lives can be protected.

SHRI M. L. SONDHI : Mr. Deputy-Speaker, Sir, I move that the Magistrate on duty may be arrested immediately and brought here with handcuffs. You are authorised to do it. This has been done in the history of the House of Commons. This House has a sovereign right to take action. We are not going to wait till tomorrow. Is this the way that Government of India should carry on? I support Dr. Ram Subhag Singh's motion. An over-legalistic view will not help.

MR. DEPUTY-SPEAKER: Shri Mukerjee.

SHRI SEZHIYAN (Kumbakonam) : On a point of order. Under rule 56, Dr. Ram Subhag Singh has moved a motion.

MR. DEPUTY-SPEAKER: I will hear everybody.

SOME HON. MEMBERS: No, no.

SHRI JUGAL MONDAL (Uluberia) : You must take a vote on this immediately.

SHRI SEZHIYAN: Under rule 58, not more than one motion can be admitted in the same sitting. Dr. Ram Subhag Singh has already moved a motion. There is no scope for any other motion now.

MR. DEPUTY-SPEAKER: What I have is what I have in writing from him.

SHRI PILOO MODY (Godhra) : Dr. Ram Subhag Singh has already moved a motion in the House.

SHRI CHENGALRAYA NAIDU: On a point of order. He has moved a motion which is before the House. You have to give a ruling as to whether you are going to put it to vote or are going to do something else. If you delay it, you are only helping Government to get their members for voting. This is not the way. Please put it to vote here and now. Otherwise, our rights will not be protected; you will be protecting only the Government.

DR. RAM SUBHAG SINGH: A number of members are ready to rise in favour of my motion.

MR. DEPUTY-SPEAKER: I am entirely in the hands of the House. But then I would like to say . . .

SHRI SAMAR GUHA: You refuse to be so. A motion has been moved and it has been supported by the leaders of all Opposition parties. You are not in the hands of the House; had you been so, you would have immediately accepted the adjournment motion which has been moved. You are not in the hands of the House, but in the hands of somebody else. It is enjoined upon you to accept the verdict of the House.

SHRIMATI TARKESHWARI SINHA (Barh) : On a number of occasions in the past, the business of the House has been adjourned to make way for discussion of adjournment motions.

MR. DEPUTY-SPEAKER : I want to explain . . .

SHRI NIHAL SINGH (Chandauli) : We do not want explanation.

MR. DEPUTY-SPEAKER: I cannot give any decision under pressure. I am not allowed to speak even a sentence.

SHRI SHEO NARAIN (Basti) : Who is putting pressure on you ?

SHRI H. N. MUKERJEE (Calcutta North East) : When the House is so agitated about some most reprehensible things that have actually happened, to some of which I was an eye-witness, surely there must be a *modus operandi* which this House can operate. From that point of view, I say that you have before you some notices of motions of privilege, to one of which I am a signatory, and Dr. Ram Subhag Singh is also there. Now there is a question of adjournment of the business of the House. The point is that there has to be a discussion immediately because the matter has happened in such a scandalous fashion that the House cannot but take note of it. It is for you to give us that opportunity.

As far as I am concerned, I gave notice of that privilege motion because of what I saw. As soon as I got out of this House and got into the Lobby, I saw Mr. Limaye hobbling with assistance into the Lobby and he showed me on his back and on his knee certain marks of very severe belabouring by lathi or by

lash, I cannot say. Having seen that, and having seen also that our own Watch Ward Officer was apologetically shepherding Mr. Limaye to the dispensary near the Central Hall, I rushed to you because the only thing I could think of at that time was to have an immediate motion of reference to the Committee of Privileges. I beg of my colleagues to bear with me for a moment because at that point of time I was not aware of all that had happened. Even now I am not an eye witness of anything that has happened except in regard to Mr. Limaye. At that point of time what I saw and what I was told by Mr. Limaye himself was this, that they had a meeting in Patel Chowk, and after the meeting Mr. Limaye and some other Members of Parliament were coming to meet you or the Speaker with some sort of a petition or resolution, I do not quite know, and they were beaten up by the police who appeared to be strangers to this city, but that is a matter of detail that Mr. Chavan might have to deal with. They were beaten black and blue, and what I saw was enough for me to be convinced.

When Members of Parliament are molested and assaulted physically on their way to the House to see the Speaker with a list of grievances or whatever else it might be, it is absolutely necessary for us to sit up and take notice.

I know also that we in this House have not yet laid down for certain what is the actual boundary up to which the jurisdiction of the Speaker extends, inside which Members of Parliament have complete parliamentary immunity. I find in *May* for instance that the City of Westminster and the Charter of Westminster, whatever that might connote, is the area where any kind of molestation or assault on Members is a very high infraction and violation of privilege.

So, to my way of thinking, after what I have seen in the case of Mr. Limaye, it appeared as if an immediate reference to the Committee of Privileges was called for. But since then I have heard, and I have been shown evidences, of a kind of heinous, barbaric perpetration, especially in relation to Members of Parliament who were coming over to this House when the House was in session. This is a kind of proceeding which is utterly preposterous, which is something which has to be condemned by the House, and for that purpose, it is for you and the rest of the House to evolve a *modus operandi* for discussion.

I do not want to hang anybody without hearing him. The Government may or may not have anything to say, but I say that something has happened which goes against the grain of all propriety, of all decent administration, and when this is the kind of thing which can happen within stone's throw of Parliament when Parliament is in session, then God help the future of our country. That is the pass to which we have been reduced, and that is why I beg of you to give your mind to this matter without delay and give an opportunity to this House to let off the passion that has accumulated inside of us on account of the most disgraceful happening to which some of us are witnesses. That is my submission.

SHRI J. H. PATEL (Shimoga): This is exactly what happened. At about 10 O'Clock today our demonstration came peacefully and the whole demonstration sat in Patel Chowk. People were still coming in. The demonstration was very successful, and we had also taken permission to hold a meeting in Patel Chowk. We had set up a platform there. Our people, from all over the country, Addis and others, were enjoying themselves.

They were sitting in different groups. There were women and children they come because we had not intended to defy section 144. If we had planned to defy 144 we would not have brought them at all in a demonstration like this. It was absolutely a preplanned and deliberate act of the police and they wanted to commit such atrocities. We were taken unawares. I was sitting with friends from Karnatak. All of a sudden there were tear gas shells. One fell by my side and exploded; people became panicky; they ran helter skelter and women started crying, and the police immediately followed them. There was absolutely no provocation and they started beating them. I saw Mr. Madhu Limye being beaten up like anything and I wanted to protect him. I told those persons that he was a Member of Parliament and I was also a Member of Parliament and we wanted to go to Parliament and see the Speaker. They replied:

तुम कोई भी हो, हम को क्या वास्ता

Again they beat him. Because of tear gas shells, we were shedding tears. We were so angry and we could not understand what was the reason for Government to perpetrate such an atrocity. If we had broken the law and we were prepared to take such a punishment, he could

understand it. What was done in this case was unwanted and uncalled for without any justification whatsoever. If this Government calls any other Government barbaric, there is no equal to its barbaric activity. This has happened to Members of Parliament. Everybody was beaten without exception. Mr. George Fernandes, I am told, has been spirited away somewhere. He was so brutally handled that his life is in danger. I had sent in a motion of privilege because in that panic I myself did not know what to do. I support now Dr. Ram Subhag Singh's adjournment motion so that this House may discuss it. If democracy is to survive, if we are not to bid goodbye to democracy this should be discussed thoroughly. I feel that I can physically go and strangulate Mr. Chavan. It was so cruel. But it is undemocratic and unparliamentary; that is why we are restraining ourselves. When we exercise such restraint, these persons have no sense of decency, have no human feelings; they have done such a horrible thing. This must be enquired into.

DR. RAM SUBHAG SINGH: The House itself should enquire.

SHRI J. H. PATEL: The House should see to it. You have to protect not only the Members of Parliament but many thousands of women and children who came from different parts of India to express their grievance against this blind, deaf and criminal Government... (*Interruptions.*)

SHRI M. L. SONDHI: I wish to say first of all that a very heavy responsibility lies on your shoulders at this moment. I would not be exaggerating if I say that history is looking at you because I believe time is of the essence. In this context it is the basic and fundamental relation between Members of Parliament and the magistracy in Delhi. What has happened in Delhi? Section 144 is imposed here in a manner which challenges the very basis of our Constitution. I invite you to examine the order which I mentioned earlier. This order has been made in such unrestrained language by the magistracy and if accepted in letter, it would not allow even Members of Parliament to come inside and meet together. I would therefore reiterate the point I made earlier that we must have a thorough understanding of the situation here. What is the doctrinaire quality in the mind of the Home Minister, if he deserves to remain the Home Minister? (*Interruption*) We know in other

[Shri M. L. Sondhi]

countries procedures for riot control are adopted, but are we to meet here with the sword of Damocles on our head? Are we to meet here at the time when Mr. Chavan holds to us the sword (*Interruption*) and say that no other proceedings can go on in this House except this matter? Again I say that the magistrate should be handcuffed and brought here, the magistrate who gave that order.

SHRI SEZHIYAN : I do not want to discuss at this stage the point of the brutal assault on Members of Parliament and others. There is already the Adjournment Motion moved by the hon. Member, and on that I want you to give a decision. It is no good raising other points, because once the Adjournment Motion has been admitted, then the discussion starts and we all give our views. I do not want any rambling discussion now.

श्री रवि राय : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैं श्री सेझियान से पूरी तरह सहमत हूँ कि अभी विभिन्न सदस्यों के इस त्रिपय पर बोलने का सवाल नहीं है। इस समय तो सदन को स्थगन-प्रस्ताव के बारे में फ़ैसला करना है। जब उस पर वहल होगी, तो विभिन्न माननीय सदस्य इस बारे में अपने विचार प्रकट कर सकते हैं। जब श्री पटेल ने प्रिविलेज सम्बन्धी प्रस्ताव दिया, तो उस समय वह प्रोसीजर के बारे में विचार करने की स्थिति में नहीं थे। उन्होंने बहुत बचन हो कर वह प्रस्ताव दे दिया। डा० राम सुभग सिंह और श्री बनर्जी की तरफ़ से जो स्थगन-प्रस्ताव आए हैं, आप उन को मान लीजिए और इस बारे में सदन की राय ले लीजिये। इस प्रस्ताव के बारे में फ़ैसला हो जाने के बाद माननीय सदस्य अपने अपने विचार प्रकट करेंगे। (ब्यवधान)

श्री मोलूह प्रसाव: उप अध्यक्ष महोदय, आज 1942 की घटनाओं को दोहराया जा रहा है। श्रीमती इन्दिरा गांधी को होश में आना चाहिए। उन के द्वारा यह कैसा लोकतंत्र चलाया जा रहा है कि जब इन को मकखन लगाने वाले लोग आते हैं, तो दफ़ा 144 नहीं टूटती है और जब दूसरे लोग आते हैं, तो दफ़ा 144 टूट जाती है और निहत्थी जनता पर लाठी, गोली और आंसू गैस छोड़ी जा रही है। (ब्यवधान)

SHRI RANDHIR SINGH (Rohtak) : When the House rose for lunch, I was in the lobby, and I was deeply touched by the number of injuries I saw on the person of Shri Madhu Limaye. (*Interruption*) Just a minute please. It is not the question of the honour of any Member. It is a question of the honour of the whole House. I feel that the action was most shameful and most brutal; it is a breach of privilege that has been committed. What I feel is that the matter is very patent, obvious enough for being handed over to the Privileges Committee. I would like the whole House to refer the matter to the Privileges Committee which could discuss the matter. (*Interruption*) I would also like this matter to be enquired into by the Home Minister.

श्री रवि राय : उपाध्यक्ष महोदय, आप स्थगन-प्रस्ताव के बारे में राय ले लीजिए कि क्या पचास सदस्य स्थगन-प्रस्ताव के पक्ष में खड़े होते हैं या नहीं।

DR. RAM SUBHAG SINGH: Now, there is a Motion for Adjournment before the House. We have to take a decision on it. Please let us know what is your decision on the matter. (*Interruption*).

MR. DEPUTY-SPEAKER: I will make this very clear that I am not taking a decision under pressure. (*Interruptions*).

SHRI RANGA (Srikulam) : Why do you use the word 'pressure'? I have been holding myself in patience and under control. We have not used any pressure on you. You should not have used that word 'pressure'. (*Interruptions*). House wants a discussion there is on....

SHRI H. N. MUKERJEE: The House wants a discussion there is on doubt about it. (*Interruptions*).

SHRI SAMAR GUHA : You are the defender of the honour, dignity, security and rights of the members of this House. You are here to see that the honour, dignity and right of the members of this House are protected. (*Interruptions*). When that fundamental right is threatened, when we raise it here, if you say that we are exerting pressure upon you, I say, you have become devoid of all human feelings and of all human sense today. You have taken a decision that does not benefit the Chairman of this House, but one who has no consideration for the life, security, honour and dignity of the members of the House.

Have you not the moral compunction? Have you not the feeling of human dignity. (*Interruptions*). Have you not the sense of responsibility that you have to defend the right, honour and dignity of this House. (*Interruptions*).

SHRI SEZHIYAN : With all respect, I would say, we did not want to bring any pressure upon you.

MR. DEPUTY-SPEAKER: Kindly listen to me. (*Interruptions*). You are not going to compel me to take a decision unless I understand the issue. As I said, Dr. Ram Subhag Singh has given earlier a motion of privilege under rule 222 which I have agreed that we discuss. Subsequently, he has given another notice on the floor of the House for adjournment of the House under rule 56.

AN HON. MEMBER : Under rule 340.

MR. DEPUTY-SPEAKER: Rule 340 does not apply here. It is only rule 56 that applies. (*Interruptions*). You are not going to influence me by this. (*Interruptions*).

SHRI SAMAR GUHA: If the blood of an hon. Member cannot influence you, nobody can influence you. (*Interruptions*).

15 Hrs.

MR. DEPUTY-SPEAKER: I feel as anguished as you are... (*Interruptions*) but my problem is that I have to be guided by these rules which this House itself had framed... (*Interruptions*) The hon. Member had given notice under rule 56; rule 340 does not apply here; it applies to some other cases. For the benefit of hon. Members, may I read rule 56? It says:

“Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.”

Then the next rule says :

“Notice of an adjournment motion shall be given before the commencement of the sitting on the day on which the motion is proposed to be made to each of the following:”

SHRI SAMAR GUHA: That rule should be suspended. I move that rule be suspended.

DR. RAM SUBHAG SINGH: Sir I would request you not to be too technical in this matter.

SHRI S. K. TAPURIAH (Pali) : How can we give a notice in the morning when the incident has happened in the afternoon?

SHRI SAMAR GUHA: Sir, on a point of order. We do not want to be guided by a Deputy Secretary in this House. We want you to guide this House. (*Interruptions*).

MR. DEPUTY-SPEAKER: Before I decide I will call the Home Minister. I must hear their side of the case also.

SHRI SEZHIYAN: Sir, I have given notice of a motion that rule 57 be suspended. That motion may be put to the vote. If the House agrees to adopt that motion then this rule would not stand in the way. Then, Dr. Ram Subhag Singh's motion can be taken up. So, I move that rule 57 be suspended and the motion of Dr. Ram Subhag Singh under rule 56 may be allowed.

MR. DEPUTY-SPEAKER: So the motion for suspension of rule 57 is before the House.

SHRI R. D. BHANDARE (Bombay Central) : A motion has been moved under rule 388 for the suspension of rule 57. Before this motion for suspension of the rule, a privilege motion has been moved before this House by the Leader of the Opposition... (*Interruptions*) So, there is no question of adjourning the House... (*Interruptions*) The barbarities, atrocities and brutalities committed by the police must be condemned. But the rules are clear (*Interruptions*) . Those who have committed blunder and atrocities must be punished... (*Interruptions*). Therefore the Privileges Committee is the proper forum to hold the police guilty (*Interruption*). I know, hon. Members are moved by sentiments.... (*Interruption*). If at all you want to punish the guilty, the officers who have committed atrocities—I think, the officers and the police must be condemned and, at the same time, punished—the only forum is the Privileges Committee.

SHRI J. B. KRIPALANI (Guna) : I want to rise on a point of order. When there is a motion before the House that a particular rule be suspended, I think, that takes precedence over anything else (*Interruption*):

DR. SUSHILA NAYAR (Jhansi): I have had occasion to be in the Speaker's chair. What Shri Bhandare has said does not apply for two reasons: firstly, and adjournment motion takes precedence over every other motion; and, secondly, the privilege motion was given to you but was not moved on the floor of the House. On the floor of the House only the adjournment motion was moved and, therefore, there is no difficulty in suspending rule 57 to enable you to consider taking up the adjournment motion.

MR. DEPUTY-SPEAKER: Would the Home Minister like to say anything?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) *rose*—

SOME HON. MEMBERS: Shame, shame!

श्री जनेश्वर मिश्र (फूलपुर) : इतनी बड़ी तूफानेबदतमीजी के बाद चव्हाण साहब इस्तीफा दें, वे नहीं यहां रह सकते हैं . . . (व्यवधान) पार्लियामेंट आते हुए इन्होंने मुझे पुलिस से घसितवाया। ये चमचमाता हुआ टीनोपाल का कुर्ता पहनेंगे और मैं पार्लियामेंट आजंगा तो पुलिस के द्वारा घसितवाया हुआ कीचड़वाला कुर्ता पहने रहूँ यह नहीं हो सकता, इन को इस्तीफा देना होगा। 18 साल के बालिग-मताधिकार के सवाल पर वह कहीं से चुनाव लड़ लें, इन को हराया जायगा, इन की जमानत ज़रूर कराई जायगी . . . (व्यवधान) . . .

उपाध्यक्ष महोदय, चव्हाण साहब के बोलने से पहले, उन से इस्तीफा लेनेवाली बात प्रधान मंत्री से कहिये, हम जानना चाहते हैं, वह इन का इस्तीफा लेंगे या नहीं . . . (व्यवधान) . . .

SHRI RANGA : You put the motion for the suspension of Rule 57 to vote first. Let the House get an opportunity to discuss it and then you can hear the Home Minister . . . (Interruptions).

MR. DEPUTY-SPEAKER: If the Home Minister does not want to say anything, I can put the question to vote. (Interruptions)

SHRI RANGA : You put the motion to vote . . . (Interruptions).

SHRIMATI INDIRA GANDHI *rose*—

SHRI RANGA : You have no right to speak now . . . (Interruptions) Let the House first agree to the suspension of the rules.

Then, let us discuss the adjournment motion and then, you yourself, your Law Minister, your Home Minister, the whole lot of you, can speak. (Interruptions).

THE PRIME MINISTER, MINISTER OF FINANCE, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): Mr. Deputy-Speaker, Sir . . . (Interruptions).

SHRI RANGA : You put the question to vote . . . (Interruptions).

SHRI SEZHIYAN: I rise on a point of order. Sir, I have given a motion that Rule 57 be suspended. You put it to vote. Then, Rule 60(2) reads :

"If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than fifty members rise accordingly, the Speaker shall intimate that leave is granted"

Once any objection is raised, you have to ask the members to rise in their seats and if 50 members are there, you have to say that the leave is granted. The word used is "shall". So, you put my motion to vote . . . (Interruptions).

Sir, I move :

"That Rule 57 of the Rules of Procedure and conduct of Business in Lok Sabha in its application to the Adjournment Motion by Dr. Ram Subbarg Singh be suspended."

SHRI P. K. DEO (Kalahandi): Let it be put to vote, Sir. There is no other way out. (Interruptions).

श्री रवि राय : आप किस रूल के मुताबिक प्राइम मिनिस्टर को बुला रहे हैं . . . (व्यवधान) . . . प्राइम मिनिस्टर किस रूल के मुताबिक बोलेंगे ?

SHRIMATI INDIRA GANDHI: I am not making a speech. (Interruptions).

SHRI RANGA : There can be no discussion on suspension of rule.

SHRIMATI INDIRA GANDHI: I only want to say . . . (Interruptions).

MR. DEPUTY-SPEAKER: Now I put the question to the House for suspension of Rule 57.

SHRI KANWAR LAL GUPTA: She is opposing it. (Interruptions).

MR. DEPUTY SPEAKER: You don't want me even to put it to the House. The question is

SHRI KANWAR LAL GUPTA: The Prime Minister is agreeing, Sir.

SHRI K. NARAYANA RAO (Bobbili): On a point of order, Sir. (*Interruptions*).

MR. DEPUTY-SPEAKER: I put the question to the vote of the House that Rule 57... (*Interruptions*).

SHRIMATI INDIRA GANDHI: I was going to say that we have no objection to the suspension of the Rule or the discussion because we are just as sorry about what has happened. As soon as I heard the news, I went to see Mr. Madhu Limaye and others in the dispensary. I have also sent somebody to the hospital to see the injured people there. (*Interruptions*).

MR. DEPUTY-SPEAKER: The question is:

"That Rule 57 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the Adjournment Motion by Dr. Ram Subhag Singh be suspended."

The motion was adopted.

(*Interruptions*)

MR. DEPUTY SPEAKER: Now, Dr. Ram Subhag Singh may move his adjournment motion.

DR. RAM SUBHAG SINGH (Buxar): I move:

"That the House do now adjourn."

to discuss the brutal attack that has been made on more than 100 women of this country, the poor and down-trodden women who have come from different parts of India. ... (*Interruption*).

MR. DEPUTY-SPEAKER: Motion moved: "that the House do now adjourn."

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAGHU RAMAIAH): Let them have a discussion.

MR. DEPUTY SPEAKER: Nobody wants to speak.

SHRI RABI RAY: Only adjourn; no discussion.

MR. DEPUTY-SPEAKER: The Motion has been moved. Is there any objection to it?

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: Dr. Ram Subhag Singh.

DR. RAM SUBHAG SINGH: This bloody Government, which does not

present the people of India, which is mortgaging the interest of the country to foreign power, has inflicted a brutal attack on the women and down-trodden people of India. It has also mercilessly beaten half a dozen Members of Parliament of this House and the other House. They are: Shri Geroge Fernandes, General Secretary of the Samyukta Socialist Party, Shri Karpuri Thakur, Chairman of the Samyukta Socialist Party, Shri Raj Narain, Shri Madhu Limaye, Shri, Molhu Prasad, Shri R. S. Yadav, Shri J. H. Patel and so many other Members of both Houses. They have been beaten up by the Police. In Delhi and in other parts of India, there is no law and order. Thousands of people are being killed in the country because the Government does not know how to deal with the people. The Prime Minister goes on encouraging the violation of law and order and discipline in this country. She is using every means against those who are opposed to her politically and she is doing everything to eliminate her political opponents. She is using the All-India Radio and the Press that is under her power and she has set up—I charge her—certain Press here, at a cost of virtually three million rupees. Wherefrom has she got that money? And now in Delhi, on the 6th of this month, that is today, when a people's procession was organised, it came from the ramparts of the Red Fort and reached the Patel Square. As you know, in the beginning of the last session of this House a question was raised. When the Prime Minister wanted to take bouquets here in the Central Hall she had invited all her ruffians to the gates of our Parliament House.

And also here within the precincts of this House she got Shrimati Tarakeshwari Sinha and so many other Members beaten by her police and by goondas. But, to-day a peaceful procession came and that peaceful procession was attacked without any provocation. Nobody had thrown any stone. I challenge her to prove whether anybody threw any stone. I also challenge the Home Minister to prove whether anybody used any harsh words against the police. Without any provocation, they used tear gas. Not content with that they started beating in a manner which was most brutal. They dragged the women in the street. Their sarees got torn. You can yourself see that over two dozen people are lying with blood on their clothes. Shri Nanda was saying day before yesterday in Patna that he was very happy over the performance of this Government. He was

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very happy even over his own performance. He had also used the police to kill the people in various places some time back. To-day he has rejoined the Government. The police was used today against the peaceful processionists. Only a few months back she used to get bouquets for her airtong slogans, bouquets for the wrong promises and bouquets for the wrong assurances. She was going in a wrong way. Now lakhs of people paraded—about 80,000 of them paraded here and they wanted her to keep her promise. This procession came over here because of this budget. The prices have gone up by 30% in regard to several commodities. In fact the tea is not used in the urban areas but it is used by the rural people. And she raised the duty on it. She raised the duty only on better quality tea. But the prices on every item have gone up. All the essential items are used by the common men. And the prices of all those items too have gone up. Therefore, under that pressure, under the banner of poverty, they all came over here in procession and they wanted that poverty should end here. If they are acting in this manner that the people of India should quit so that they may enjoy and have all the goods and commodities that are here, that is not going to happen. When the people came and when the Government knew what for the procession has come—they wanted to present a petition to you, Sir—they were beaten. After all they were coming in a peaceful procession to present a petition to you. But they were not allowed to do that. On the way they were blocked. The lathi charge took place. They were beaten and there was nobody to give them water and there was nobody to give them any medicine. The police did not pick up any woman who was beaten there. They did not even take care of the children of these women. These women were dragged by them. Had they any intention to protect or maintain law and order, they should have promulgate Sec. 144. They did not do that. Without introducing Sec. 144 here what right has this Government got to resort to the lathi charge or to use the tear-gas? Therefore, I charge that this Government has acted in a manner which is shameful for the people, which is anti-people, anti-India and anti-democratic and also antisocialist. I therefore commend my Motion to the acceptance of this House.

MR. DEPUTY-SPEAKER: Shri Ranga.

SHRI RANGA (Srikakulam) :
Mr. Deputy-Speaker, Sir, I am very

glad that you have found it possible to give me this opportunity to speak.

First of all, I would like to assure you that it was not my intention or even the intention of the leaders of various parties here either to pressurise you or force you—when they used those two words, I naturally resented that because it did not fit in with the dignity of this House, and the relations that should subsist between the Chair and the leaders of parties in the House.

My Hon. friend, the leader of the CPI, Shri Hiren Mukerjee, had already spoken compassionately about it. Many of us were in that mood. It was because of that what we asked you to give us this permission. At long last the House was able to succeed after 1 hour and 30 minutes of patience with the Chair in getting this permission. We thank you for it.

Why is it that we are so very insistent that this House should adjourn? I was not an eye-witness to what has happened. This has been happening all over India in the same way, and so many of us like, myself have not been eye-witnesses to it with the result that we have been here to ask for inquiries, judicial and magisterial inquiries, departmental inquiries and so on. The Government has been able to go scot-free in spite of all this atmosphere of violence that has been prevailing not only because so many people of their own party or groups or their organisations were organising these marches but also because of the incompetence of this Government to control its own police force and ensure that the police would act when they should and would not use violence when they should not, and use it only where necessary to see to it that they are the agents of peace.

We have seen it here today. It is not myself but several of our members were not only witnesses but some were also the victims of the violence this Government is capable of inflicting upon the people in such a reckless, mad and irresponsible manner.

What has happened? There was s.144. This House was never given an opportunity of saying yes or no to their proposal that there should be s. 144 near about this Parliament, for a mile or two or some thing like that. The same thing happened some years ago and thereafter Government of their own accord imposed this 144. In spite of it, we have been democratic enough not to raise a furore over it and

have been trying to act according to that. That is how today's procession also had assembled at the Patel Square. They took permission also—that is what we were told. They had their meeting; they prepared their own memoranda. They were sitting in the Patel Square in linguistic groups, State-wise groups and so on. They were discussing among themselves; they were about to send their leaders including quite a number of MPs to go over here and hand over their memorandum to you as well as to whomsoever on the other side they were thinking of handing it over.

I was a party to such a demonstration some years ago when we were protesting against the 17th Amendment to the Constitution which was then on the anvil. Some force could have been used against us. Rajaji also was there. So many of us from all over India. We did not have suffer that way. But today it came to the lot of our friends of the SSP to be the victims of that. It does not matter to which party they belong; it is a fact that they are a democratic party. They believe in democracy. They believe in peaceful demonstrations. They believe in presenting their petitions to Parliament. They do not believe in upsetting or defying Parliament. So they wanted to come to us.

Why is it that suddenly the police have gone mad? Is it only because something happened from heaven? Is it a chimerical thing? Is it too much to draw on one's imagination to assume that something must have happened during the last night after the successful march that the Jan Sangh people have had yesterday? It was such a success. The papers were full of it. The Government must have felt terribly mortified over it. They must have taken the police to attack—what happened we do not know, we can only presume and they must have told them, "How dare you allow this kind of procession to go off so peacefully, so successfully and become such an effective thing, an effective challenge to the Government?". And the police people naturally took the cue, must have taken the cue, and they must have said to themselves that if they were being taken to task because they allowed one procession to go out peacefully, they should not allow any other procession to go peacefully in a similar way. That must have been one of the forces behind the mad activity of the police.

Our friend Mr. Rabi Ray, leader of the S. S. P., has told us how it happened. Mr. J. H. Patel told us that they did not

give any notice. There was no tom-tomming of the magisterial order. Suddenly action began. Tear gas bombs were thrown, people began to be beaten. They began to run and they were being beaten. Some of them happened to be Members of Parliament. According to their earlier decision, they protested and then after protesting, they wanted to go over to Parliament, but they were beaten. Then the police were told that they were Members of Parliament, and if I understood his Hindi properly, to some extent at least, the police said, "We do not care who you are. You are here in this area, and we are masters, we have the right to beat you, we are beating you." It is in that spirit that these Members of Parliament were beaten.

We do not need any Commission. Here is our friend, here is evidence. Some people might say how they can depend upon these people, but here is living, visible evidence of one of the Members of this House and of another Member who saw Shri Madhu Limaye when he came. I did not see him.

DR. RAM SUBHAG SINGH: I myself saw him.

SHRI RANGA: No less a person than Shri Hiren Mukerjee and the leader of the Opposition said he was limping. You all know what a dynamic, strapping man Shri Limaye is. I am told that the Prime Minister has also seen. There can be no question whatsoever that he was beaten, beaten very badly. He is not a man to pretend. He was limping and he needed help and assistance and our Watch and Ward had to give him assistance. Thank God because if similar earlier experiences we have got a dispensary here and he was given some assistance.

But what happened to our friend Shri George Fernandes? I do not agree with his politics. Many a time I was unable to see eye to eye with him when he was holding forth either against my party or against that party there. Yet he is an hon. Member of this House and an eminent Member of the House. Can we say, can anybody say that the police in this city are so ignorant of these Members and their photographs which appear in the newspapers, that they have not heard of these Members, Shri Limaye and Fernandes, that they have not seen their faces and that of Shri Raj Narain in the newspapers? They are some of our most prominent Members whose names

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and photographs appear in the newspapers frequently. Yet the police made no distinction between man and man, between man and Member of Parliament between Member of Parliament and Member of Parliament. Here were these three leaders and they were beaten up. The police wanted to show that it makes no difference whatsoever whether you are a Member of Parliament or a leader of an important political party, whether you are a democrat or anybody else. They seem to have thought, "We have the power, we have the bludgeon in our hands, we have the tear gas, we have the orders, we have the permission of the Minister, and more than that we have the permission and acquiescence of the Prime Minister, we are the agents of authority, we have used this power when the British were here and we continue to use this power against you Members of Parliament." It is in that spirit that they have used this power or misused it and mishandled that situation. Is it not a calamity? Here comes the Prime Minister to say: we are also sorry. Yes, they will have to be sorry; the nation is being stifled; its soul is desecrated, its spirit humbled. Members of Parliament are also brought down on their knees they will hereafter have to take the warning that they will have to be very careful about how they discharge their functions in this House and also outside. This is what has happened today to Mr. Madhu Limaye and George Fernandes and other leaders. Just now one of our friends was trotting out some rule when an hon. Member said: A day will come when your head also will have to receive police baton. My hon. friend the Home Minister is here; he will trot out his reply: what can I do, I do not know and soon, in his own glib way. He is a very eloquent man. He would be sorry, I am sure. I am also sorry for him. Sometime ago I advised him he would not take anybody's advice. If he had only taken my advice he would not have been obliged to remain there in this miserable fashion, as an accused who has very little alibi, no justification, no *raison d'être* at all for continuing to remain as the Home Minister. Yet he is there; we are not able to throw them out. Only the other day I pleaded guilty for our inability to dismiss him and them because we are still in a minority it does not matter. Thank God, this Parliament is still alive and we are able to assert ourselves at least through our voice and vote for whatever it is worth and condemn this Government and criticise

it and pilory it and hold it responsible for discharging its responsibilities towards humanity and humanism. I charge this Government as being heartless, soulless and incompetent. Many are the things one can say. The sooner this Government dismisses itself, the better it will do if it has got any conscience. I know it takes a long time for my hon. friends to realise where their conscience is. It is only when they are beaten, defeated and thrown back into opposition, possibly they may begin to think about the wrongs they have committed and they were committing on this nation. Let these words remain there as a sincere and serious censure from people who come from those days when we fought against the British. We fought for winning our freedom similarly we are fighting now we shall win our freedom also from the dictatorship of this Government.

SHRI M. L. SONDHJI (New Delhi) : We are concerned with this problem here today in terms which require from us a judgment based upon the highest principles. It is true that our hearts are weighed with anxiety over those who had been injured and as you very correctly pointed out we must exercise our most thoughtful opinion on this most grave subject. Visualise the situation in the context of which we are having this discussion. A group of people, belonging to a recognised Indian political party led by men who have played an important role in our country's political life. Their objective is to come here, some of them, to the Speaker or to you in his place, place before you certain facts relating to the situation in our country which raises higher issues as far as our economic democracy is concerned. They have been given permission. Yet, all of a sudden, they are confronted with the use of violence, because I regard teargas shells as calculated to make people fail in the purpose which all peaceful assemblies have. Tear gas provokes, it irritates and upsets people's tempers. That is why we are against tear gas, we are against gas warfare and all the other agreements which was the purpose of the Geneva Convention to ban. And these Members of Parliament showed their identity cards. They disclosed who they are. They did not hide the facts, they did not go with cloak and dagger. They go as peaceful citizens representing a peaceful citizenry.

We have, Sir, inherited certain traditions in this country. The galleries here

are adorned by portraits of the various leaders, groups of photographs which reflect a certain past, the democratic past of our country, how in the crucible of experience democracy was created. Today we are concerned with big issues which are of the highest importance. What is the title of this Government to call itself a responsible government, if, in its behaviour it brings about a situation which reflects signs of grave irresponsibility? Section 144 is not a blanket answer to all problems. It is a provision in the law meant to serve the purpose of law, not to frustrate the law, not to frustrate the work of the democratic assembly. This is one of the greatest democratic forums in the country. What is the outlet available to us? We know what is happening? Taxes rise people suffer privations and their expectations have been built up by great pronouncements. Our mothers, our sisters, are unable to make a meal in their homes and the children have to go hungry when they retire in the evening. That is the gravest economic condition of our country. Have they no right? The rights of these millions of people have been enshrined in the Constitution, to come and express their innermost feelings and disclose to this greatest forum of democracy, to disclose what is the real condition, economic distress and privation and the grave failure of the administration to this House which represents the organised political life of our country, to bring about a state of civilised existence for the vast millions here.

Therefore, we want to know if our democratic procedure provided an outlet, a way, to express themselves. Some of us have privilege here to speak the other people have them in the form of peaceful assembly which has been guaranteed under our Constitution: the right of the common man to express himself. These are national issues, on which our democratic Constitution must give a solution when prices are rising, when economic privation stares people in the face, the people have a right to come in the form of peaceful assembly and express themselves.

The use of tear gas, the use of the projectiles which come and hit you and diffuse gas and spreads it, is a form of violence which is something that a democracy cannot tolerate so easily. What we have been witnessing is a pattern. (*Interruption*) We have seen a pattern of violence happening in this country, it is by some—I do not say all—by certain elements who have tried to learn from political personalities in this country which occupy certain

positions. This is a trend which bodes ill for our democracy. Yesterday it was a case of a lady Member of this House, today, it was a case of another Member. Tomorrow, it may be some Member opposite. When they are subjected to physical pressure, physical strain, physical assault, to physical terror, then where will our Indian democracy go? What was the use of Lajpat Rai and Lokamanya Tilak and others laying down their lives for the sake of this country, if the idea they fashioned is to be used in such a preposterous manner?

I am personally concerned with this matter because I witnessed...

SHRI S. R. DAMANI (Sholapur) : When Shri Kamaraj in the Congress House was attacked, what happened? (*Interruption*)

श्री रवि राय : माननीय सदस्य के दोस्तों पर मार पड़ी है और वह इस तरह से टोक रहे हैं ।

SHRI M. L. SONDHI : I feel that at this time, if I ask for a judicial enquiry, into the whole incident, I am not asking for something which is too much. That is the very minimum which this Government owes to this House: immediately to have a judicial enquiry where many of the questions the hon. Members have referred to and have in mind may be expressed. We also have to lay down for all times to come that the people have a right to go to Parliament. This section 144 cannot be imposed in this blanket fashion.

Then we have also to be concerned with the relations of the magistracy and the police in the City of Delhi, in the Union territory of Delhi. Since Parliament has its home here, there is a controversy into which I am not going at this stage, but we do expect that there would be a Police Commissioner appointed so that one person could be pinpointed and he would be personally responsible. Otherwise, what happens is, such incidents take place and you cannot pin-point the responsibility. You go from one door to the other and everybody escapes responsibility and those who are guilty escape punishment. As I said earlier, I appeal to that sense of the House. I believe we are united in that. We want to give eloquent expression to the deeply felt needs and wants of our people. We crave for economic justice. That is why today if I say that the state of affairs

[Shri M. L. Sondhi]

merits that the Prime Minister comes forward and hands over her resignation, I am not asking for the skies. I am expressing the sense of indignation at the challenge to our democratic sentiment.

We have to provide for a new arrangement here. This debate must be taken into consideration as leading to practical action. We do not want police raj in Delhi. Whichever party is in power in the State of Delhi and at the Centre, we want that there should be harmonious cooperation in order that the democratic rights of our people should be preserved, their right to assemble peacefully, their right to demonstrate peacefully and their right to ventilate their grievances. The use of tear gas and other weapons which bring violence in to the situation is wrong in principle. It is the sacred right of a sovereign Parliament that people have the right to go there. We have known bells of justice hung in Assemblies in the past which could be peeled in order that rights which were denied could then be affirmed.

Are we going to deny people entrance to Parliament House? We are a democratic people. The more we trust our people, trust will beget trust. But if some members—I hope I am wrong—if some members of the Government are thinking in terms of turning the Government and this Parliament into a fortress, then we will have a sort of fortress democracy in our country. That democracy will not survive. It will be a hot house plant. We want a democracy which has its connection with the grassroots, with the feelings and aspirations of the people. We want that this expression should be carried on in matters which concern our country's prime need.

Therefore, the present situation shows very clearly that we have every right to ask of this Government its resignation. We have every right to suggest that the pattern of events shows a conspiracy of certain elements to throttle democratic expression in this country. It may be that some people are acting in a misguided manner. Whatever the situation, we in the Bharatiya Jan Sangh feel that in the matter of democratic rights, right of peaceful assembly, right of peaceful demonstration—there should be no curb which goes against the letter and spirit of our Constitution. I would therefore ask you to view this problem in the proper context. There were women and children there. They were belaboured. Hon.

members of Parliament had come. I had the opportunity to witness and see Mr. Madhu Limaye's condition. I can assure you, it brought no comfort the way in which one found scars. Therefore, I say these magistrates must be asked to explain. The whole incident must be gone into and they must be punished.

SHRI RANGA: They are too small fry. It is the people here sitting opposite who should be punished. (*Interruptions*).

15.53 hrs.

[SHRI VASUDEVAN NAIR *in the Chair*]

SHRI S. M. BANERJEE: The Home Minister, the I.G. of Police—they should be punished.

SHRI M. L. SONDHI : I feel I have expressed myself adequately when in terms of a constitutional Government and in terms of a collective Government, I have asked for the resignation of the Prime Minister. That is the principle of collective responsibility as I understand it. Of course, other people may have more wisdom than I have. I am not going to compete with them.

SHRI PILOO MODY: Mr. Banerjee is upholding the judiciary! (*Interruptions*).

SHRI S. M. BANERJEE : Let judiciary go to hell.

SHRI BAL RAJ MADHOK : We protest strongly against this. Let him go to hell. The judiciary is there and that is why we are here.

SHRI RANDHIR SINGH: This should be expunged.

SHRI S. M. BANERJEE: On a personal explanation. I want a judicial enquiry. I want judiciary to continue. But they always say judiciary, judiciary. What judiciary? We have seen their reports. (*Interruptions*).

SHRI M. L. SONDHI : Sir, it is of the essence that this subject be debated in the proper context and be understood in that context. As I see it, today there is widespread discontent with the provisions of the budget. People do feel that the great economic Shangri-la which was promised to them is beyond their reach. Therefore, there is a sense of frustration which has to be faced as a fact. If the members opposite are political realists, they will

remember that such agitations are going to be there and it is for them to decide in their wisdom how to tackle them and whether it is to be tackled in this spirit.

Here I would recall the words of Lala Lajpati Rai at the time of the Simon Commission that every lathi blow is a nail in the coffin of the British imperialism. I say today every lathi blow on Shri Madhu Limaye, or any other Member of Parliament, or even our common people who are not Members of Parliament—because our common people also have the potentialities to rise to the highest position as guaranteed in the Constitution; it is our failure if we had not given them every opportunity—every lathi blow is a nail in the coffin of the party in power.

Do not try to make cheap debating points. We can out do you there. This is not the moment for cheap jibes. This is the moment for you to bring forward your imagination, your initiative, your judgement and give us proof of your action, here and now, today before this House decide to give all the particulars, come out with the truth and give vent to the feelings of this entire House, share those feelings and decide on specific action, specific remedies; and those specific remedies should be such that this House should determine and pledge that such incidents will never tarnish the fair name of our democracy and, therefore, I ask you again not to do what you have given very often, procrastination.

श्री कंबरलाल गुप्त (दिल्ली सदर) : सभापति जी, मेरा प्वाइन्ट आफ आर्डर है। नियम के अनुसार तो यह ठीक है कि कोई भी मंत्री यहां पर बैठे हों, लेकिन यह विचित्र बात है कि जब इतनी गम्भीर परिस्थिति चल रही है जब रूल को वेव कर दिया गया है, यहां न गृह मंत्री उपस्थित हैं और न उन के सहयोगी उपस्थित हैं। विवाद में उपस्थित होनेवाले प्वाइन्ट्स को जब कि कोई नोट नहीं कर रहा है, जैसे हमारे सोधी जी का भाषण हुआ है, दूसरे मेम्बर भी बोलनेवाले हैं, तो उन का जवाब ये कैसे देंगे। सभापति जी, यह क्या तमाशा है, दिल्ली में इन्होंने पुलिस राज कायम कर रखा है, यहां ये डेमोक्रेसी का गला धोट रहे हैं। मैं मानता हूं कानून के मुताबिक एक मंत्री भी यहां रहे तो ठीक है, लेकिन वे इस का जवाब तो नहीं दे सकते हैं...

MR. CHAIRMAN : He has made his point. I hope it will be conveyed to the Home Minister.

श्री कंबरलाल गुप्त : कन्वेड का कोई मतलब नहीं होगा। इन्होंने जो बात यहां कही है उस का उन को पता ही नहीं है...

MR. CHAIRMAN : I am told he would be coming back immediately.

श्री कंबरलाल गुप्त : वे वहां मैनवरिंग कर रहे हैं कि कैसे वोटिंग होगा अपने को बचाने की कोशिश कर रहे हैं। इस तरह से ये हम लोगों की भावनाओं के साथ खिलवाड़ कर रहे हैं।

SHRI BEDABRATA BARUA (Kaliabor) : Mr. Chairman, Sir, we on this side also share the resentment of the members sitting opposite against the reported action of the police. We certainly are second to none on this side also in maintaining the privileges of the members and the House. We feel that this is really an objectionable type of situation or event that has taken place and I have no doubt that we on this side and the members opposite would join together in seeing that those who have been responsible for this type of incident, be he a magistrate or an ordinary policeman, should be punished according to the law. But on this also we do not have two opinions that in these matters we have to consider carefully what has happened and take records from all concerned before we come to a very specific and clear conclusion as to what had happened.

I have no reason to disbelieve what Shri Patel, a member of the S.S.P., has reported to this House. The way the demonstrator have been described, we have no reason to doubt that they were peaceful. They were attacked by the upholders of law and order. It is a matter of shame for all of us. But, at the same time, this is a matter which in a big demonstration is likely to happen here and there once or twice. It does happen. It has happened not only in Union territories; it has happened not only under Congress governments but situations like this have happened—I do not need to quote instances—throughout India under governments of all colours and all parties.

DR. RAM SUBHAG SINGH : That is no justification.

SHRI BEDABRATA BARUA: I do not want to justify it on that ground. I just want to say that no attempt should be made to make political capital out of it.

DR. RAM SUBHAG SINGH: What political capital?

SHRI BEDABRATA BARUA: I am not saying that all people are trying to make political capital out of it. If we try to make political capital out of it—I will not exclude even myself from it—we will be doing disservice to democracy.

SHRI M. L. SONDHI : Suppose you were beaten, what is our duty? Should we not come here? Should we say that we are not making political capital out of it? Please do not insult our intelligencce.

SHRI BEDABRATA BARUA: I am not saying that Shri Sondhi is making political capital out of it. I thank him for making a very reasonable and conscientious speech today. I feel that I almost agree with every word of what he said.

He said that there should be a judicial inquiry into the matter. I have no doubt that Government will consider this matter seriously and immediately order a judicial inquiry into this incident. If it is a matter of privilege, certainly it has to go to the Privileges Committee of the House. We should be second to none and we would be second to none in demanding a through probe into this incident not only because a Member is involved but because the entire democratic functioning is involved if three Members of Parliament can be beaten and their injuries can be demonstrated to us. We felt sincerely from our heart that it is a situation in which the type of affairs which we do not like may happen. That is why we would like that this should be nipped in the bud and should not be allowed to raise its ugly head again. Such incidents should not take place.

But I would like to repeat what Shri Sondhi said. While a Member of the House has certain privileges, an ordinary citizen also has certain privileges and even a magistrate has certain privileges. He also has the authority to work under and within the law. There is no question of first execution and then trial. I do not believe in any theory that suggests execution first and then trial. There cannot be any execution unless there is a proper and full trial including the right to appeal.

Because I have got respect for Shri Patel and Shri Madhu Limaye, I am not going to judge the matter entirely on the basis of what Shri Limaye or Shri Patel may tell me. I know that as a Member of Parliament and of the ruling party I have a responsibility to the House. We have a responsibility to the House and we have to carry that out.

While the House expresses the sovereign will of the people, we must not forget that even the most ordinary citizen has got certain rights. It is in this context that we would like this matter to be investigated. No mercy should be shown even though the aberration from the law is the slightest but, at the same time, there should not be any execution before trial.

But when the Government is brought in, I become suspicious. Many of us wanted to say that we are very sorry for what had happened. We did not want to shout but we felt that something seriously wrong has happened with the machinery of law and order. Some people could not recognise Shri Limaye. That type of thing might have happened but this is a matter which cannot be mixed up. One is the question of privilege of Members and that must be gone into. The Privileges Committee must take evidence, hear the magistrate, the Members, those who were assaulted and other people. Then only the Committee can come to the conclusion as to what has happened.

This incident must be looked into and proper action must be taken. Therefore we all join together in demanding a judicial inquiry into it. We want that this matter may be discussed in the Privileges Committee. Let us all join together not to politicalise the issue which has not much of politics in it. It was something that happened in the usual course of the maintenance of law and order under Section 144.

It is a part of the functioning of the democracy that the Members of Parliament should be able to function free from intimidation or pressure from outside. Their deliberations should not be influenced by outside pressures.

I oppose the adjournment motion because in the adjournment motion, under the cover of a question which deeply involves the democratic functioning of the country, the privileges of the Members and many other things, an attempt is being made—I appreciate the feelings

of the Members; I do not want to attribute motives to the Members—which will not lead to a sober analysis of the issues involved but a sort of emotional, sentimental, reaction to a situation which will be against the very concept of democracy. I do not think it was the Government responsible for it but it was a machinery that we have devised and we have maintained in the last 20 years. The Opposition parties are also maintaining the police system wherever they are in power. This system has to be controlled and guided. Sometimes, this system runs amuck and some serious events take place.

We regret this incident. We are sorry that this has taken place. We felt that something should be done about it. But, at the same time, no emotional advantage should be taken out of it by elements or by people who have always committed themselves not to help the democratic functioning of the country but to create a sort of instability in the political life of the country. We are committed to so many other issues. I would request the hon. Members to ponder seriously over them.

Sir, with these words, I oppose the adjournment motion.

THE PRIME MINISTER, MINISTER OF FINANCE, MINISTER OF ATOMIC ENERGY AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI): Mr. Chairman, Sir, when I had stood up earlier, I was not intending to make a speech but merely to say that we are sorry for what has happened. Any physical injury to anybody is a matter of distress for us and, specially, if it happens to somebody whom we know and who are our colleagues.

Sir, as soon as I received the news, I myself went to meet the injured colleagues who were here. Since I could not go immediately to the hospital, I sent somebody there to have a look at them there. I do not know the full facts of what took place. That is why another statement that I was going to make when I got up at that time, was that the best way to find out the full facts is to have an inquiry and the Government is prepared to have a full inquiry into this matter ...

SHRI HEM BARUA (Mangaldai) : Judicial ?

SHRIMATI INDIRA GANDHI : Certainly; a judicial inquiry. We have no objection to that.

SHRI HEM BARUA: I am happy that you propose to have an inquiry into this incident. Is it going to be a judicial inquiry?

SHRIMATI INDIRA GANDHI : Yes; a judicial inquiry, not a departmental inquiry.

DR. RAM SUBHAG SINGH: You saw the injuries. Does it require any inquiry? You should resign and get out of your chair. You are not able to protect the Members; you are not able to protect women and you are not able to protect the people. You should resign and get out of your chair.

SHRIMATI INDIRA GANDHI: Dr. Ram Subhag Singh is known to us all. I need not make any comments on what he has said. I can fully understand the excitement of the hon. Members there... (Interruption).

SHRI M. L. SONDHI : Indignation, not excitement.

SHRIMATI INDIRA GANDHI: As my hon. friend, Shri Barua, was saying such occasions instead of dealing with the subject in hand and expressing our distress, if they are used to make allegations of all kinds it is not good. Had the hon. Members allowed my colleague, the Home Minister, to get up, he himself would have at that time said that he was willing to have a judicial inquiry.

SHRI J. B. KRIPALANI : He never got up—I am sorry.

SHRI HANUMANTHAIYA (Bangalore): He got up.

SHRI SEZHIYAN (Kumbakonam) : What Prof. Ranga and others wanted were the facts of the case because the Government have a machinery. We do not have the machinery. It is the obligation also of the Government to come forward and give the background and all the facts of the case. Only on the facts a fruitful discussion could be had. The Home Minister should have *suo motu* made a statement.

SHRI S. M. BANERJEE: The facts are that the people are mercilessly beaten. We have seen the bloodstained clothes here.

MR. CHAIRMAN : So, you don't want an inquiry ?

SHRI S. M. BANERJEE: We do not want Home Minister's facts. We want a judicial inquiry. Let the Prime Minister declare here and now that a judicial inquiry will be held by a serving Judge and action will be taken against those officers found guilty.

श्री समर गुह : श्री चव्हाण के खिलाफ कास्पिरेसी भी तो हो सकती है, कंट्रेडिक्शन भी तो हो सकता है कांग्रेस ट्रोइका में ।

MR. CHAIRMAN : I request Members to give a patient hearing to the Prime Minister. She has only started her speech. She has said that there will be a judicial inquiry. Let her continue her speech.

SHRI RANDHIR SINGH : Let it be by a High Court Judge.

SHRIMATI INDIRA GANDHI: I do not want to say anything further. I merely want to reply to the hon. Members.

SHRI M. L. SONDHI : Please do.

SHRIMATI INDIRA GANDHI : I was sitting here when the Home Minister got up and he was trying to give all the information he had but he was not allowed to speak.

SHRI SEZHIYAN: Let him now give the facts.

SHRIMATI INDIRA GANDHI: I do not know how much information he has. I do not know.

SHRI SEZHIYAN: I rise to express our deep anguish and strong condemnation about what happened against an assembly of persons who had assembled within stone throw of Parliament in a peaceful, orderly and legal way. It would have been better if the Government and the Home Minister had come forward *suo motu* giving the back ground and the facts of what happened there. It would have facilitated and easier discussion. More than a few Members of Parliament were ruthlessly assaulted. It is a breach of privilege of this House I know but more than that some fundamental and basic issues are involved. Mr. Madhu Limaye and others were beaten, but even if an ordinary citizen in the country has been beaten ruthlessly and that too in the streets of the capital, it is a thing to be ashamed of. It is a thing to be condemned by all. Unfortunately, the street where this has happened is called Parliament Street. It goes by the

name of Parliament. If Parliamentary democracy has come to this stage where people who have got the permission to hold a procession, people who had obtained a valid licence to hold a meeting, all of a sudden were assaulted by the Police with lathis ruthlessly, the symptom is something deeper. The malady is something deeper than the bloodstained clothes that were shown here. The hon. Member sitting opposite and who preceded me said that members should not make political capital out of this incident. I accept this plea, but I will also ask him not to think on political leave, on party level. This is an issue that concerns the whole of the House. This is an issue that concerns the whole of the country. It is not only Mr. Madhu Limaye who has been beaten. An ordinary citizen, a proud citizen of this country who took a valid licence to hold a procession, a licence to assembling there, has been assaulted. In the blood that has been shed here I see the blood of not only an M. P. A citizen of our country has been beaten and bloodstains have been caused. As Members of Parliament we represent only the people outside; if they are beaten, it represents that we have been beaten. We are only their delegates; for the execution of the work that has been assigned to us we hold some privileges; those privileges are not for the personal dignity of the person concerned; those privileges have been given just to execute the tasks that have been given to us.

Regarding the meeting I can say the S.S.P. party organised a people's Demands Day and to hold the procession and to hold the meeting in the Patel Chowk they got the permission from the Police. At this stage we are yet to be told whether there was any disorder there. From what Mr. Patel has given to the House we understand that there was a peaceful assembly of persons there with a valid licence. What enraged the police, we do not know, whether the situation warranted such a beating, such a blood-shed we do not know. The Members on the Ruling side also have gone through the same trials during the British days. I do not want the same lessons to be repeated now in the country when they are in power. In a democracy, unless ample opportunities are given to the people to express their grievances in an orderly way, if you suppress this thing with lathis and bullets, with tear-gas, etc. then all legitimate meetings will be suppressed, and people will be driven to take to violence, to meet violence with violence.

That will become the order of the day and that will be the sad day when democracy will be forgotten, when Parliamentary Procedure will be forgotten and even Parliament will be forgotten and the street that is called 'Parliament Street' will become a bloody street of the capital.

Therefore, when we go into this thing something fundamental and something basic should be seen. In Delhi, law and order is always at a very low ebb. Every morning we read very many horrid stories of children having been kidnapped, of girls going to the college being kidnapped. I do not know what is the efficiency of the Police is here. They are not able to control these kidnapers but they come in a row with lathis to beat the people in the streets, Sir, there are two questions involved here. It is good that the Prime Minister has come forward to say that judicial inquiry will be conducted. I want a judicial inquiry, or, rather an inquiry to go not only into what has happened, I want to go even to the entire background of an assembly which was licensed to hold its meeting. I want to know whether any orders were given to them in one way or the other. All these things should come forward. Apart from judicial inquiry I want this matter also to go to the Privileges Committee because judicial inquiry will confine itself to what happened at Parliament Street and Patel Chowk but the Privileges Committee of Parliament will go deeper into the question because Members of Parliament execute their duties not only as citizens but as representatives of citizens in this country and they have been molested and restrained from carrying on on their duty.

Sir, I can quote very many of the procedures here. In *Shakdher and Kaul* book, in page 211, it has been very clearly stated that this is a very blatant breach of privilege of the Members of Parliament.

It says :

"Molestation of Members is a breach of privilege and contempt of the House."

"To molest a member while in execution of his duty, while he is attending the House or while he is coming to or going from the House is a breach of the House."

Shri Madhu Limaye and others were coming to the House in execution of their duty. They were not given the

Protection that the law and Parliament should give. We are making a postmortem examination. The machinery has failed. To-day it has happened to Shri Madhu Limaye and it may happen to somebody else tomorrow. You may not agree with all that they stand for. This is more than a party question. And I can assure my friend Shri Barua that this is not a party question and this is a question above the party level, above the political level. We should be able to protect not only the privileges of the Members of the House only but the privileges of the entire citizens of this country. If you are not able to hear their grievances and offer solutions which take away their grievances, the demands will come more and more.

The processions will be the order of the day. Instead of going to the root cause and taking away the base of their grievances and instead of accepting the petitions if lathi is allowed to operate, we will go the same way as Hitler, Mussolini and others went.

I do not want the Government of Shri-mati Indira Gandhi to go that way.

While I welcome a judicial inquiry that has been ordered by the Prime Minister, I do not think that it is sufficient to meet the situation. A very heinous beating has taken place. Not only a postmortem examination is necessary but also whoever is responsible for that should come forward and make suitable amends to this House and to the country. And this matter should also go to the Privileges Committee of this House wherein the report of the inquiry this is going to be conducted by judicial authorities should also go there. These are two separate things. One is a judicial inquiry that has been taken up by Government. And the other is the inquiry by the Privileges Committee which is entitled to go into this question; and all the facts that are available with the Government and the judicial body should be placed before that Committee and the decision of the Privileges Committee should be binding not only on this House but also on the Government and the country.

Thank you.

श्री रणधीर सिंह (रोहतक) : सभापति महोदय, सबसे पहले मैं लीडर आफ दी हाउस का शुक्रिया करता हूँ कि उन्होंने इस हाउस के सभी मेम्बरों के एहसासत और जज्बात का खयाल रखते हुए जूडिशियल इन्क्वायरी

[श्री रणधीर सिंह]

का जो मुतालबा था उसको मंजूर कर लिया है। मैं आशा करता हूँ कि यह ज्यूडिशियल इनक्वायरी किसी छोटे मजिस्ट्रेट या किसी डिस्ट्रिक्ट जज द्वारा नहीं कराई जाएगी बल्कि एक अच्छे सर्विंग हाई कोर्ट जज के द्वारा कराई जाएगी।

लिमये जी मेरे पुराने साथी हैं और दस पंद्रह साल मैंने उनके साथ काम किया है। हम यहां सौ बार लड़े लेकिन अपनी अपनी राय का इज़हार करने का हम सब को हक हासिल है। लेकिन आज जो कुछ हुआ है, वह हाउस के वक्कार का सवाल है। अगर मेम्बर पार्लियामेंट के साथ कोई ज्यादती होती है या उसकी बेइज्जती की जाती है तो वह फरदन फरदन उस मेम्बर की तौहीन नहीं है बल्कि सारे हाउस की तौहीन है और सारी नेशन की तौहीन है।

आज जब मैंने इस घटना के बाद मधु लिमये जी को देखा तो मैं अपने जज़्बात पर काबू नहीं पा सका। उनकी हालत बहुत ही दयनीय थी। एक साथी के नाते मैंने भी यह महसूस किया कि इंसाफ होना चाहिये और मुझे खुशी है कि इंसाफ मिलेगा। लिहाज़ा मुझे हिचकिचाहट नहीं है कि प्रधान मंत्री जी ने इन्क्वायरी की बात कह कर एक बहुत अच्छा काम किया है। उन्होंने हमारे एहसासात का खयाल किया है। पहले थोड़ी जल्दी में बात हो गई वर्ना होम मिनिस्टर भी कोई स्टेटमेंट देने वाले थे।

अब सवाल पैदा होता है कि अगर दफा 144 लगती है तो हाउस के नजदीक वह लगे या न लगे। यह एक कंट्रोवर्शल इशू है। हाउस की प्रोसीडिंक्स पीसफुली चलें या न चलें, यह भी एक इशू है जिस पर हम को सोचना चाहिये (इंटरप्रांज़) आज से तीन चार महीने पहले मैंने भी मधु लिमये जी की तरह के एक बड़े भारी जलूस का नेतृत्व यहां किया था। उस में पंद्रह लाख आदमी थे। शायद हिन्दुस्तान और दुनिया में भी इतना बड़ा जलूस नहीं आज तक निकला होगा। जन संघ वालों का जलूस तो उसके मुकाबले

में कुछ भी नहीं था, वह जलूसी थी (इंटरप्रांज़) जो घटना आज घटी है उस पर मुझ को भी उतना ही अफसोस है जितना कि इनको है। मैं तो इनको हिमायत कर रहा हूँ। यह पार्टी का सवाल नहीं है सारे हाउस का सवाल है और सारे हाउस की बात मैं कह रहा हूँ।

सवाल पैदा होता है कि जब जलूस आता है तो मेम्बर पार्लियामेंट को क्या हक है या नहीं है कि जलूस को वह लीड करे? अगर वह लीड करता है तो मैं नहीं समझता कि वह कोई गुनाह करता है, कोई जुर्म करता है। अगर यह एक गुनाह हो तो मैं भी गुनहगार हूँ, मैं भी मुलजिम हूँ। मैं यह भी मनाता हूँ कि मेम्बर पार्लियामेंट और आम शहरी में बाहर कोई फर्क नहीं है। फिर भी सियासी नेता के तौर पर हर एक मेम्बर पार्लियामेंट जो यहां पर है वह अपने अपने दायरे में बैसीह दायरे में या तंग दायरे में नेता है। देश में वह जाता है और उस पर अगर कोई पुलिस कप्तान या कोई और बड़ा अफसर या मजिस्ट्रेट हाथ उठाता है, उसको अगर दह रोकता है तो विधान के खिलाफ जाकर वह ऐसा करता है, जो प्रिविलेज मेम्बरजों को हासिल हैं उनके खिलाफ जाकर वह ऐसा करता है। लिमये जी पर या मिश्र जी पर या मोलहू प्रसाद जी पर या राज नारायण जी पर जो दूसरे हाउस के मेम्बर हैं, जब ये बाहर जलूस के सामने गए तो कोई जाती हैसियत उस वक्त उनकी नहीं थी। जो एक आम काज है उस काज की वकालत करने वे गए थे। वे शायद ठीक तौर पर गए। उनको रोका जाना और रोका ही नहीं बल्कि उनको पीटे जाने से हमारे दिलों पर बड़ी ठेस लगी। मैंने खुद उनकी हालत को देखा है, अपनी आंखों से देखा है। दो लम्बे लम्बे निशान लाठी के मैंने खुद लिमये जी की पीठ पर देखे हैं। उनकी आंखों में जब मैंने आंसू देखे तो मैं अपने जज़्बात को रोक नहीं सका। यह पार्टी का सवाल नहीं है। वह एक बाइज्जत हमारे साथी हैं। उनका मैं एहतराम करता हूँ। यह उनकी इज्जत और हाउस की इज्जत का सवाल है।

मैं चाहता हूँ कि यह सारा मामला प्रिविलेज कमेटी में जाए। अगर इन्क्वायरी होती है तो उसमें यह चीज असर अंदाज नहीं होगी। मैं चाहता हूँ कि इन्क्वायरी भी हो और जो हमारे प्रिविलेज पर हमला हुआ है, उसको देखते हुए प्रिविलेज कमेटी में भी इसकी साथ साथ छानबीन हो।

मैं समझता हूँ कि कागनिजेबल आफेंस भी इससे बनता है। मैं महसूस करता हूँ कि लिमये जी की चोट एक सीरियस चोट है, शदीद चोट है। इन्क्वायरी खत्म होने में तो हो सकता है कि छः महीने लग जाए, छः महीने बाद उसका रिजल्ट आए, इसलिए अभी मामला प्रिविलेज कमेटी को सौंप दिया जाए। मैं आपकी मार्फत गवर्नमेंट से कहना चाहता हूँ कि जो जिम्मेदार हों, चाहे कोई भी इसके लिए हो मजिस्ट्रेट या कोई अफसर हो या पुलिस वाला हो, मेम्बरज पार्लियामेंट पर यह जो जरब हुई है, चो चोट पहुंचाई गई है वह कागनिजेबल आफेंस है और उन आदमियों के खिलाफ केस चलना चाहिये। जहां तक इस बात का सवाल है कि क्या वह जुडिशल एन्क्वायरी से टकरायेगा, यह कानून की बात है और होम मिनिस्ट्री इस को देखे। लेकिन मैं चाहता हूँ कि इस मामले का ज्यादा से ज्यादा सीरियस नोट लिया जाये। आज एम० पी० इतना गरीब जानवर बन गया है कि कहीं पांच एम० पी० को कोर्ट में हाजिर होने के लिए कहा जाता है, कहीं कोई थानेदार किसी एम० पी० के साथ ज्यादाती करता है, जिसका मामला प्रिविलेजिज कमेटी के सामने है और कहीं इस हाउस की एक सदस्या, श्रीमती तारकेश्वरी सिन्हा, के साथ थप्पड़बाजी होती है जिससे हमारा दिल हिल गया था। मैं अर्ज करना चाहता हूँ कि हम लोग लाखों इन्सानों के सेवक हैं और हमें उनके नेता कहा जाता है। इस तरह की हर रोज की घटनायें बन्द होनी चाहिये। कोई भी आदमी बड़ा हो या छोटा, उस को कानून को तोड़ने की इजाजत नहीं देनी चाहिए। यह कोई जज्बात की बात नहीं है। अगर कोई आदमी हमारे हुकूम को छीनता है या हमारे फ़रायज की सरंजामदेही में रुकावट

डालता है, तो वह संविधान की धज्जियां उड़ाता है और इसलिए हमारे प्रोसीजर, हमारे संविधान और आई० पी० सी० के मुताबिक उस को पूरी सजा देनी चाहिए।

मैं चाहता हूँ कि एक तो यह मामला प्रिविलेजिज कमेटी के सामने भेजा जाये; दूसरे इस मामले को कानिजेबल आफेंस के तौर पर कोर्ट में ले जाया जाये गौर तीसरे, इस मामले की जुडिशल एन्क्वायरी कराई जाये।

लेकिन मेरी समझ में नहीं आता कि इस मामले से एडजार्नमेंट मोशन का क्या ताल्लूक है। इसके बारे में जितना मंखालिफ़ वैचिज के हमारे दोस्त महसूस करते हैं, उससे कहीं ज्यादा हमारे लीडर और ट्रेजरी बैंच और इधर के दूसरे साथी महसूस करते हैं। मैं ऐसी कोई बात नहीं कहना चाहता हूँ, जिससे मेरे भाइयों की दिलख़राशी या दिल-आजारी हो। चूँकि आपोजीशन की जो ख्वाहिश है, वह पूरी होने जा रही है और हमारे इन साथियों के साथ इन्साफ़ होने जा रहा है, इसलिए इस मामले को ज्यादा केपिटलाइज नहीं किया जाना चाहिये। मैं इस एडजार्नमेंट मोशन की मुख़ालिफ़त करता हूँ और मैं चाहता हूँ कि मैंने जो सुझाव पेश किये हैं, हाउस उन की हिमायत करे और उनको अमली जामा पहनाया जाये।

SHRI H. N. MUKERJEE (Calcutta North East) : I reiterate, because it bears reiteration, that a most shameful incident has happened and the sour taste it leaves in the mouth will take a long time before it goes.

I am glad that, better late than never, the Prime Minister has tried to pour oil on troubled waters and she has now told the House that there would be a judicial enquiry. I am sorry, however, that I have to say that, while a judicial enquiry is welcome as far as it goes. I had an idea that the Government would respond in a way different from the way in which I have seen them respond this afternoon.

I do not mind telling you that these days I do not quite feel like taking the initiative in many procedural matters

[Shri H. N. Mukherjee]

which come up in this House, but when I saw Shri Madhu Limaye I felt I had to take whatever step was possible in the circumstances, and then I hastily went and saw the Deputy-Speaker in regard to whatever steps should be taken. I did it because I was reminded that, after all, this kind of lathi charge is reminiscent of the days of our dependence when Lala Lajpat Rai was beaten up with results which were disastrous to the country because he died very soon afterwards.

I recall how Govind Ballabji Pant was beaten and all his life he had to carry a certain infirmity, physically speaking. When I saw a strapping chap like Madhu Limaye having been beaten the way he was, it made me feel as if we were functioning in a context of things which it is very difficult to stomach in a free country. That is why I say that I discovered the Government was rather insensitive about what had happened. I do not blame Prime Minister because she finds perhaps occasionally the atmosphere in the House to be such that she could not cope with, I could not scope with it and even the Chair cannot cope with it it is quite patent. I do not wish to be too harsh but at the same time she is the Leader of the House and when she come a little later she must have discovered that the House, in a ferment everybody was trying to speak at the same time and the Deputy Speaker was getting the impression that he was being sought to be pressurised while he himself was trying to do his duty according to the light that is in him. When the whole House was agog, so to speak, with a kind of anger and indignation that is not very common, the Treasury Benches showed a kind of *Gita* equilibrium, and kept up an egregious indifference or God knows what. It seemed to me to be utterly out of tune with what has happened. I am sorry to have to say it but I cannot quite believe that when Mr. Chavan wanted to say something, he could not have his way. On the contrary there was a point of time when I noticed that the Deputy-Speaker had called upon one of them to speak and they were all pushing one or the other to find out who would get up first because they were not ready to say even one single word and much afterwards, nearly ninety-minutes after the whole excitement started, the Prime Minister was good enough to say that she was not opposing the suspension of the rules so that the House might have a discussion. This is indicative of something which is by no means happy

and I am afraid—I must say—that the Government's behaviour has not been of the soft that it ought to be if what Mr. Bedabrata Barua and Mr. Randhir Singh said was really representative of their feelings.

I do not know what defence, if any, the Home Minister will make of whatever has happened. But I do wish that he does not try to shield the Delhi magistracy. I do wish that he at least tells the House today that pending the judicial enquiry which may bring up so many other things, some miscreants who ought to be identified quickly enough would be punished without delay. I want him also to tell the House that he would consider the idea which had been suggested by some Members that suspension of some of the officers concerned in today's incidents is also ordered. I would request—as a matter of fact I should put it even stronger—that the Government should come forward with an apology to Parliament on account of what has happened. It is important because, as Mr. Randhir Singh and Era Sezhiyan said, quite apart from what has happen, incidents proper beating up, etc. parliamentary privilege has been violated in a manner which is rather egregious. Mr. Sezhiyan pointed out something from Kaul and Shakhder's book. Here, Erskine May on page 212 of the 17th edition says that 'it is a breach of privilege to molest a Member of either House while attending such House or when coming to or going from it'. It makes a reference to a resolution of the House of Commons and of the House of Lords which reads as follows :

"Assaulting, insulting or menacing any Member of this House in his coming to or going from the House or upon the account of his behaviour in Parliament is a high infringement of the privilege of this House and a most outrageous and dangerous violation of the rights of Parliament and a high crime and misdemeanor." Normally, I think I have said it openly in this House and elsewhere that perhaps we over to this business of privilege from time to time, but on this occasion something has happened where this matter should go to the Committee of Privileges quite apart from whatever other administrative steps Government might take.

I would also like to say, what has already been indicated by some Members, this idea of clamping down section 144 on the area abutting on Parliament is an idea which Government should give

up at once. I cannot understand, is our Government going to refuse our people access to their representatives in Parliament? As a matter of fact, that attracts privilege. Access to Members of Parliament is something which a people have almost as a fundamental right, and Members of Parliament have a right to except the people to come to them. Are we going to have this kind of anti-diluvian regulation which even in the British days would have called for the highest condemnation? For hundreds of yards, or Heaven knows how long, for nearly a mile or more from Parliament, you cannot congregate in a large enough number. This sort of thing should have to go. After all, the British Government wanted Delhi to be their capital, and that is why they built a New Delhi to be a dead city of conformist crowds of people who wait upon favours from Government.

But that is not the capital of India a Free India which wishes to order her own affairs. We do not wish to function in this House in conditions of air-conditioned immunity, untouched by the waves of discontent and indignation which flow in the country from time to time. It is, therefore, that the incident of this morning has brought into focus all these important matters.

Government is called upon, first of all to give an apology to Parliament for what has happened. Government is called upon to follow up the Prime Minister's assurance regarding the judicial investigation. Government is called upon to add to it its determination to punish the miscreants administratively as soon as ever that is possible, and because a *prima facie* case is so clear, suspend some of the officers concerned in this inequity. Government is called upon to announce to this House, at least in deference to what has happened, that section 144 will never again be promulgated as far as the area abutting on Parliament is concerned. Government on their part is called upon by this debate in which all sections of the House are unanimous, to say that the people's right to have unfettered access to the Members would not be infringed upon.

All this is subject to whatever legal and administrative safeguards are necessary for purposes not of law and order which is the expression used these days, but peace and tranquillity which in the first Parliament was used by the Home Minister as, a substitute for the bad old expression "law and order". For peace and tranquillity

purposes, we can have some regulation. But otherwise, the rights of the people should not be infringed upon and the rights of Parliament should not be so ruthlessly and savagely invaded as they have been by certain representatives of the Delhi police.

SHRI E. K. NAYANAR (Palghat) : Mr. Chairman, Sir, I would like to speak in my own language, Malayalam.

**Mr. Chairman, Sir, the anger and anguish given expression to by the Hon. Members here today goes to prove that what took place near the Parliament House today is very serious and even Satanic. Today at about 13.45 hours I went and saw Shri Madhu Limaye. He has bruises on his back and on his legs. Apart from Shri Madhu Limaye, hundreds of people were injured and were lying on the street because the Police resorted to a lathi charge and even exploded tear-gas shells against the peaceful demonstrators without giving any notice to them. The demonstration was peaceful and the SSP workers and their sympathisers and followers were in fact coming towards the Parliament House to present a memorandum to the Hon. Speaker. But without any prior warning they were lathi-charged and tear-gassed and as a result of that many of them were lying on the street bleeding. What is the provocation for the Police to perpetrate this heinous crime?

Yesterday there was a demonstration organised by the Jan Sangh and that was also peaceful. They also presented a memorandum. Today's SSP demonstration was announced earlier. They had prepared a memorandum complaining about the rise in prices of all essential commodities after the Budget for this year was presented by Smt. Indira Gandhi. An immediate check in the price-rise is what all the common people need and therefore these demonstrators set forth their demands in a memorandum which they wanted to present to the Parliament. The procession consisted of several old people, women and even children. They were essentially workers and common people. It was against them that the lathi charge was resorted to and tear-gas shells were exploded. This has resulted in injuries to many people and many of them are lying unattended. This brutal action can never be justified by anybody and it deserves, therefore, to be condemned by one and all.

**The original speech was delivered in Malayalam.

[Shri E. K. Nayanan]

So far as Members of Parliament are concerned, their rights have been infringed. The law and order situation in Delhi which is the capital of India has been discussed here in this very Parliament on many an occasion since 1967. In 1967 when a group of Policemen were going to Shri Chavan's house to present a memorandum, they were lathi-charged and in fact one policeman was killed. This matter was discussed here. After that, we, Members of Parliament from Kerala, picketed at the gates of the Prime Minister's house and we wanted to present a memorandum to her. But then the Border Security Force and other policemen blocked our way and stood in front of us like a wall. We were prevented from going inside and in fact we were pushed back with the help of ropes. This was in July 1967. But what happened today is worse because even women and children were not spared by the Police. Only those people who have no feeling for women and children could do this. It is extremely cruel and gruesome.

On several other occasions also, Police has acted atrociously. Last year some young people from Kerala came here and held a demonstration. They were arrested and put in Tihar Jail. I went there and told the police authorities that I wanted to hand over a book to one of them. I was then told that such a thing could never be allowed in Delhi. It was then that I came to the conclusions that Tihar jail officials were heartless. Today the Police was ruthless against people who were coming to see Members of Parliament and the Hon. Speaker in order to present a Memorandum. It looks as though this is the accepted policy of this Government. In the past also people used to come here, used to see Members of Parliament and Ministers and present memoranda on all those occasions. Nothing of this kind then happened to them. But today when people from all over the country assembled in Delhi in order to see the Hon. Speaker and present a memorandum and focus the attention of this Parliament on the needs of common people of India, they were brutally assaulted. The fact that there would be a procession and peaceful demonstration was announced earlier. Government should have issued necessary instructions to their officers who, in turn, should have made adequate arrangements to tackle the situation. If this demonstration had taken place without any previous notice, then one could appreciate the difficulty

of the Police officials. But it was given widest publicity. Usually when there is a Communist demonstration or procession, Government, look back and in order to justify firing or lathi-charge say later on that the demonstrators had turned violent. But here, the procession was not led by Communists. It was an SSP procession taken out after obtaining the necessary permission from the authorities. The Police authorities knew full well that Parliament was in Session and that the elected representatives of the people, were inside the Parliament. After all we the elected representatives of the people have also certain rights. It is our right to come into contact with the people and know their difficulties. Taking all these things into account, Police officers should have made adequate arrangements to handle the situation in a better way. Since that was not done, the only inescapable conclusion the people will arrive at is that this is the considered policy of this Government.

One word about this Section 144. Sir, Delhi is the capital of India. In session and out of session this Section 144 promulgated here. In our mythology, you know, Sir, that Sita Devi was asked to jump into the fire to prove her purity or chastity. This Section 144 is just like that fire into which people are pushed before they can come to Parliament House and represent their difficulties to their Members. First, they have to get over this Section 144 and then only they can meet Members or Ministers. I can think of another simile. I had been to the Delhi zoo. I saw there tigers and leopards, all in their respective cages. Outside these cages, sometimes there are iron-railings or moats. Why? So that they do not pounce, upon the visitors and kill them. Likewise outside this Parliament House, there is this moat of Section 144. Sir, if people cannot come here and see their elected representatives, is this democracy? Is this socialism? Have not the people the right to see their representatives? Should they not be allowed to take out peaceful processions? I do not know in what direction this Government is moving? I said that Delhi is the capital of India and whatever happens in Delhi is copied by other State capitals. If Section 144 is promulgated in Delhi, States also promulgate Section 144. When Section 144 is in force, people cannot move about freely, peasants and workers cannot even assemble or take out processions. I would say scrap this Section 144, tear it into pieces. I would urge upon Shri Chavan to scrap Section 144 and allow people full freedom

to assemble and take out processions and speak out what they want to say. I hope Government will take into account the feelings and sentiment of the Hon. Members expressed in this House and scrap this Section 144 immediately.

Prime Minister has conceded the demand for a judicial inquiry. It was said that a serving Judge would conduct this inquiry. This is sheer political expediency. Apart from this judicial inquiry, I would say that a Committee of Members of Parliament should also examine this matter thoroughly. Quite apart from the Privileges Committee, this Committee should also investigate and find out whether there was any infringement of the rights of Members and whether the action of the Police was deliberate. This Parliament should be convinced that the action of the Police was *bona fide*. That is why I suggest that a Committee of Members of Parliament should go into this matter. I would also suggest that all those who have been responsible for today's heinous crime should be punished immediately. This is all, Sir, that I wanted to say. Thank you.

श्री एस० एम० जोशी (पूना) : सभापति जी, आज जो कुछ हुआ है, जो घटना घटी है उसमें गुस्सा आता है, दुख होता है और शर्म भी आती है। मैं उस जुलूम के साथ तकरीबन 9 बजे से लेकर साढ़े 12 बजे तक था और उसके साथ चलता था। हमारे साथी मैसूर के श्री गोपाल गौड़ को ब्लड प्रेशर ज्यादा था इसलिए हमने कहा कि अब थोड़ा सा विश्राम करने के लिए जायेंगे, और फिर हम टैक्सी ले कर के घर चले गए। वहां से पानी वानी देने के बाद जब हम आये तो इतनी देर में ही घटना घटी लेकिन उस वक्त मैं वहां पर नहीं था। स्थिति यह है कि हमारी पार्टी के लोगों ने यह फैसला किया था कि आज हम लोगों को प्रोहिबिट्री आर्डर तोड़ना नहीं है। इजाजत लेकर अपने जुलूस को निकालने का प्रबन्ध किया गया था। पटेल चौक में जब सब लोग आये तो वहां बैठ गए। बैठने के बाद एक जगह पर कहीं कुछ गड़बड़ हो रही थी। जो भी बात है वह मैं सच बताऊंगा, जैसा कि मुझे मालूम है। शायद हमारे कुछ कार्यकर्ताओं का पुलिस वालों के साथ एक जगह पर कुछ बाद विवाद चल रहा था। जब जोरों से शोर

होने लगा तो हमारे मित्र श्री जार्ज फरनेन्डीज उनको समझाने के लिए गए। तो जब वह समझाने गए, वहां पर जार्ज साहब को यहां पर लाठी लगी और उससे वे जमीन पर गिर पड़े। संयुक्त सोशलिस्ट पार्टी, महाराष्ट्र शाखा के जो सेक्रेटरी हैं उन्होंने फरनेन्डीज साहब को पहचाना तो नहीं लेकिन जब उन्होंने देखा कि एक आदमी गिरा है तो उस गिरे हुए आदमी को उठाने के लिए श्री पन्ना लाल सोराना, जिनको गृह मंत्री जी भी जानते हैं, और श्री बापू उपाध्याय जो आजकल सेक्रेटरी हैं, वह गए। पहले तो वे समझते थे कि यह कोई दूसरा आदमी है लेकिन बाद में उन्होंने पहचाना और उस वक्त जार्ज साहब कराह रहे थे। जार्ज साहब के तकरीबन 10-11 इन्चरीज हैं। पीछे इतने जोरों से चोट लगी है कि वहां पर दो तीन इंच का जखम है। उसमें से खून खूब बहता था तो ये लोग जार्ज साहब को उठा करके मंच की तरफ ला रहे थे। जो श्री बापू उपाध्याय हैं वे उनको अपनी गोद में लिए थे और उठा करके मंच की तरफ ला रहे थे तो जो चक्कर है उसमें से चारों तरफ से पुलिस आई और उनको पीटने लगी। जब पुलिस उनको पीटने लगी तो उन्होंने कहा कि क्यों पीटते हो, ये तो जार्ज फरनेन्डीज हैं, पार्लमेंट के मेम्बर लेकिन उन्होंने कोई खयाल नहीं किया। एक पुलिस आफिसर था जिसने रोकने की कोशिश की थी और कहा था कि मत मारो। इन लोगों की कोशिश थी कि उनको लेकर के सार्किल के बाहर ले जायें, कार्डन के बाहर। यह साबित करने के लिए कि इन्होंने कार्डन तोड़ा है, पुलिस उनको मार मार कर वहां ले गई और वहां ले जाने के बाद पुलिस ने वान में बैठने के लिए कहा। पुलिस वान में बैठाने के बाद उनको पार्लमेंट स्ट्रीट थाना ले जाया गया। वहां पर वह लोग कहने लगे, श्री बापू उपाध्याय, कि ये लोग पार्लमेंट मेम्बर हैं, आप लोग यह क्या कर रहे हैं, किस तरह से आप बेगुनाह आदमियों को मारते हैं तो उन्होंने कहा कि हम नहीं जानते हैं। फिर उन लोगों ने कहा कि इन का खून बह रहा है, इनको फौरन अस्पताल में ले जाना चाहिए।

[श्री एस० एम० जोशी]

पुलिस वालों ने कहा कि आप लोग इनको छोड़ो तो इन लोगों ने कहा कि हम इनको कैसे छोड़ सकते हैं, हम इनको नहीं छोड़ेंगे। तो आधा पौन घंटे इसी तरह से पुलिस वाले उनको बिठाले रखे—न अन्दर ही ले गए और न हास्पिटल ही ले गए। पौन घंटे तक उसी तरह से खून बहता रहा। बाद में फिर व हास्पिटल ले गए। जब मैं आया और मुझे पता लगा तो मैं ने पूछा कि कौन कौन लोग हैं तब मुझे बताया गया कि रामानन्द तिवारी भी उनके साथ थे, रामानन्द तिवारी के भी चोट लगी है, भदौरिया, बागड़ी के चोट लगी है, किशन पटनायक की हड्डी टूट गई है। श्री राम विलास मित्र, जो कि बिहार के एम० एल० ए० हैं वे जब गिरे हुए आदमी को उठाने के लिए गए तो उनको भी पीटा गया। इस तरह से यह सब क्या हुआ, इसके पीछे क्या है, यह बात कुछ समझ में नहीं आती है। उसमें दो तीन महिलाये भी हैं जिनको अस्पताल में एडमिट किया गया है। एक श्रीमती रमणिका गुप्त जो कि एम० एल० ए० की सीट के लिए खड़ी हुई थी, उनको महिला पुलिस जमीन पर घसीटती हुई ले गई। इसलिए समझ में नहीं आता कि इस पुलिस को क्या हो गया है? मैं ने भी ऐसी चीजों को देखा है। गृह मंत्री जी स्वयं जानते हैं कि हमने भी इस तरह के प्रोसेशन लीड किए हैं। मुझे याद है कि बाम्बे में मुझे भी लाठी लगी थी लेकिन मेरी समझ में नहीं आता कि जब पार्लियामेंट के मेम्बर्स प्रोसेशन में हैं और कहीं कुछ गड़बड़ हो तो पुलिस को कम से कम इतनी तमीज होनी चाहिए कि लीडर्स को बुलाकर कहते कि इन लोगों को समझाइये और यहां पर उलटे जब श्री जार्ज फरनेन्डीज उन को समझाने गए तो उनको पुलिस वालों ने मारा जिससे उनको इतना बड़ा जख्म हो गया। मेरी समझ में नहीं आता कि यह हो क्या रहा है? पुलिस वालों को इतनी भी तमीज नहीं है? आखिर आपका इंटेलेजेन्स डिपार्टमेन्ट क्या काम करता है? मंत्रियों की इतनी हिफाजत

होती है, जो पार्लेमेंट के मेम्बर्स इतने जाते हैं मैं उनकी हिफाजत की बात तो नहीं कहता... हमारे लोगों को पहचानने के लिए कोई आदमी तो होना चाहिये। पार्लियामेंट का एक सदस्य है, उस को पीटा जाता है, घायल किया जाता है, जमीन पर वह गिरता है और उस को उठाने के लिये कोई जाता है तो उस को मार मार कर कार्डन के बाहर ले जाया जाता है यह साबित करने के लिये कि उसने जुर्म किया है यह बात मेरी समझ में नहीं आती।

17 hr.

250 आदमी इन्जर हुए हैं और उन में से 16 सीरियसली इन्जड हैं, जहां तक मेरी जानकारी है। उन में से 6-7 आदमी बुद्धे हैं जिन की उम्र 60 साल से ऊपर है। वह तो ऐसा हुआ कि पांच मिनट के लिये मैं वहां से चला गया था नहीं तो मैं भी उसमें जाता क्योंकि जैसा मेरा स्वभाव है उस के अनुसार मैं इस को रोकने जरूर जाता। फिर पता नहीं क्या होता। लेकिन शायद उन लोगों को तो कुछ लगता ही नहीं है कि आदमियों को कैसे मारना चाहिये। मेरी समझ में नहीं आता कि उन्होंने ऐसा क्यों किया है। मैं सदन में यह कहूंगा कि उन को कुछ तो सोचना चाहिए था। अगर मैं कार्डन तोड़ने के लिये जाता तब बात दूसरी थी। जब बम्बई में मैं ने कार्डन तोड़ने की कोशिश की थी तब मुझे को लाठी लगी थी। उस वक्त मैं ने खुद कह दिया था कि इस में पुलिस का क्या दोष है मैं ने खुद कार्डन तोड़ा था? लेकिन यह कार्डन तोड़ने के लिये नहीं गये। उन को क्यों पीटा यह मेरी समझ में नहीं आता।

मैं सदन में प्रार्थना करूंगा कि घायल लोग पार्लियामेंट के मेम्बर हैं इस लिये नहीं, लेकिन जो जंगली बर्ताव किया जाता है पुलिस के द्वारा उस के बारे में हम को सोचना चाहिये।

डा० राम सुभग सिंह : गवर्नमेंट जंगली है।

श्री एस० एम० जोशी : जैसे हम लोग हैं वैसे यह गवर्नमेंट है। इस लिये हम को देखना

चाहिये कि क्या हुआ है। आप तो जानते हैं कि पुलिस वालों को इन लोगों ने निकाल दिया था। यह जो काम कर रहे हैं (व्यवधान)

श्री यज्ञ दत्त शर्मा (अमृतसर) : सख्ती पर नहीं निकाला था, दूसरे सवाल पर . . .

श्री एस० एम० जोशी : मैं जो कुछ कह रहा हूँ उस से आप यह न समझिये कि मैं गवर्नमेंट का समर्थन कर रहा हूँ। मेरी तमाम जिन्दगी विरोध में गई है। आज जो दूसरे लोग विरोध कर रहे हैं उन को मालूम है कि हमारी जिन्दगी विरोध में बीती है। मैं कहता हूँ कि गवर्नमेंट को इस्तीफा देना चाहिये। इस में मोशन का विरोध करने का क्या सवाल है। अगर आप कुछ निर्णय लें तो अपनी जिम्मेदारी समझ कर। हम लोगों को समझना चाहिये कि यह कैसे हुआ। जो भी एन्क्वायरी हो वह हाई कोर्ट या सुप्रीम कोर्ट के जज द्वारा होनी चाहिये और वह भी सिटिंग जज हो, रिटायर्ड नहीं। उस के द्वारा एन्क्वायरी होनी चाहिये। अगर इस तरह से नहीं करते हैं तो उस का कारण क्या है? हुकूमत को यह सोचना चाहिये कि उस के ऊपर यह जिम्मेदारी आती है। वह कैसे कह सकते हैं कि उन के ऊपर जिम्मेदारी नहीं है। वह तो है ही। जब यह एन्क्वायरी हो तो जो लोग इस के लिये जिम्मेदार हों उन को सस्पेंड करना चाहिये और इस में क्या किया गया यह पार्लियामेंट के सामने लाया जाय। यू पी में जब ऐसी स्थिति हो गई थी तब लोग कहते थे कि पुलिस आफिसर को सस्पेंड करो, उस के बाद एन्क्वायरी करो, लेकिन पुलिस आफिसर को सस्पेंड नहीं किया गया उस को प्रमोट किया गया। हम ने कहा कि उस को ट्रांसफर करो, लेकिन उस को ट्रांसफर भी नहीं किया गया। क्या इस तरह से कोई एन्क्वायरी हो सकती है? अगर हम उन पुलिस वालों के सामने इस तरह से एन्क्वायरी करेंगे तो उस में से कुछ निकलने वाला नहीं है।

इस लिये मैं अपील करूँगा कि इस चीज को इस तरह से न जाने दिया जाय। हम लोग अपनी

जिम्मेदारी निभायेंगे, लेकिन गवर्नमेंट की हम से दसगुनी जिम्मेदारी है क्योंकि पुलिस आप की है। इस लिये मैं कहूँगा कि इस समय सदन में जो ऐडजर्नमेंट मोशन है उस का हम पूरा समर्थन करते हैं। इस ऐडजर्नमेंट मोशन को पास करना चाहिये ताकि हुकूमत को सबक मिले।

MR. CHAIRMAN : Shri R. D. Bhandare.

DR. SUSHILA NAYAR : rose—

MR. CHAIRMAN : Let one round be over.

DR. SUSHILA NAYAR : Why are you calling the fourth person from the ruling party?

MR. CHAIRMAN : The usual procedure is, one from this side and one from that side.

DR. SUSHILA NAYAR : No, no that is gone now.

The fourth person is being called from that side. You cannot give them 50 per cent of the time.

MR. CHAIRMAN : Shri R. D. Bhandare.

SHRI J. H. PATEL : Just now I have got a serious information that the two persons have died in the willingdon hospital. It seems the police authorities are trying to hide those facts; the police are rushing into the hospital and the people are not allowed there. I would request the Home Minister to immediately inquire into the matter.

SHRI KANWAR LAL GUPTA : The Home Minister should give his answer. We want to know whether what the hon. Member said is correct or not. (Interruptions).

SHRI HEM BARUA : The House should adjourn and every body should go to the hospital now. Every Member of Parliament should go and visit his friends in the hospital.

श्री कंवरलाल गुप्त : आप मंत्री महोदय से कहें कि वह जवाब दे। हमें उन्हें खबर तो देनी चाहिये।

श्री रवि राय : आप उन को निर्देश दीजिये कि वह बतलायें क्या हुआ है।

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : There were some injured persons in one of the rooms in Parliament House. I went and saw them. Mr. Madhu Limaye was there. Mr. Raj Narain was there. Mr. Karpuri Thakur was also there. I went and saw them. Other members were in the hospital. Naturally, I could not go there. Really I wanted to go straightaway and see them.

श्री रवि राय : यह रिपोर्ट आई है कि कानपुर के हमारे दो कार्यकर्ता मर गये हैं । उन्होंने केवल एम पीज के बारे में बतलाया । कानपुर के एस एस पी के कार्यकर्ताओं को करे बारे में भी बतलाना चाहिये ।

SHRI Y. B. CHAVAN : Two minutes before I have sent some officers to find out the exact position. If I get the information, I will certainly give it to the House.

SHRI J. B. KRIPALANI: Somebody should be sent immediately to inquire.

MR. CHAIRMAN : He has promised to take immediate action in the matter. (*Interruptions*).

SHRI R. D. BHANDARE (Bombay Central) : So far as what Mr. S. M. Joshi said is concerned, there can be no person whose heart cannot bleed. Similarly, about the information given that two persons have died because of the assault, I don't think there can be any human being who will not feel sorry and hear it with agonising effect. If the atrocities committed by the Police must be condemned, it must be condemned with all the force at one's command. It is really a painful duty and painful and agonising to know that the citizens who had come here to present a petition to Parliament, the highest form in the country, the sovereign body where the people are ventilating their grievances, should be assaulted by the Police mercilessly and brutally. I am of the view that those who are guilty of assault on the hon. Members of Parliament and other citizens must be hauled up before the Privileges Committee because it is the inherent right of an hon. member of this House to come to this House, to speak out the agony, the misery and the grievances of the people. Therefore, I feel that Dr. Ram Subhag Singhji along with Prof. Mukerjee were justified in moving the motion that it be sent to the Privileges committee. That is the

proper forum where these officers who had committed the atrocities should have been hauled up. Now the Prime Minister has suggested that there ought to be a judicial inquiry. The judicial inquiry will be conducted by a Judge of a High Court. And officers also must be suspended immediately. I do entirely agree that an inquiry, if at all it is held, should be a judicial inquiry and it must be presided over by a High Court Judge and the officers must be immediately suspended.

SHRI KANWAR LAL GUPTA: What about the Government ?

SHRI R. D. BHANDARE: I am coming to that. Mr. Randhir Singh and Mr. Mukerjee suggested—I do not know whether they had applied their mind to this fact or not—that the matter be sent to the Privileges Committee along with the holding of a judicial inquiry. I do not know to what extent it will be right because under Article 20 of the Constitution no person can be punished twice. I do not know whether there will be complications in holding two enquiries, privileges committee enquiry and the judicial enquiry. I am not opposing the matter being sent to the privileges committee. I am only saying what has been agitating my mind and if the House thinks that it is a matter which should be sent to the privileges committee, at the same time holding a judicial enquiry into the matter, I have no quarrel whatsoever. I had therefore suggested and supported the privilege motion where it was moved, but the Opposition in its wisdom moved the Adjournment motion. I don't think that it will be possible for us to support that, even though I respect their sentiments and I condemn what has happened and what has been done by the Police. I cannot accept this. On the contrary, when the Prime Minister has suggested that there ought to be a judicial enquiry presided over by a high court judge, I don't think that the adjournment motion will serve any useful purpose. I hope they will withdraw it. I sympathise with those who have suffered because of the atrocities committed by the Police. With these words I have done.

SHRI HEM BARUA (Mangaldai): An example of police vandalism was demonstrated in the Patel Park this noon today, Sir. I may tell you, Sir, that the policemen in the Parliament Street are very arrogant and very hot-headed people. Therefore I think that there should be some major measures, some strict action taken against these people. This is not the

first time that they have beaten up people in this dastardly manner. They have behaved in the same manner during 1966 on the 7th November also and Mr. Nanda was speared out of the Cabinet, after that demonstration in Parliament House. Since then what has happened? What is the record of the policemen? The record of policemen is a matter of anguish and indignation and I know every sensible man in this house feels for these wounded and injured people. Any body who has a heart to weep, or eyes to weep, will weep over this incident. There is no doubt about it. I know the Prime Minister went to see those injured people in the dispensary or hospital here and she came back with tears in her eyes. This is such a scene that everyone feels for the injuries caused on these people. And, Sir, I do not want to draw a line of distinction between Members of Parliament and the ordinary citizen of our country. An ordinary citizen is as much a human being as a Member of Parliament but the fact remains that when 2 Members of Parliament wanted to come to Parliament, Mr. Patel and Mr. Madhu Limaye, and showed their identity cards, even then the Police did not allow them to come in and they had to offer *Satyagrah* in front of the Police cordon. This shows that Members of Parliament have been prevented from coming to the House. Sir, people have a democratic right to ventilate their grievances.

The people have the right to ventilate their grievances. This is a right which our democracy has given to us. If there can be crowds of people—demonstrators—in front of the Prime Minister's House in support of her and if these people have a democratic right to express their support to the Prime Minister, I think these people too have democratic rights to ventilate their grievances. But, here, the people were beaten down by the police men. I remember in Gandhiji's time he used to compare this police beating the people with Leonine violence under the British Rule. The Home Minister is possibly very much distressed about this incident. And he must take measures to see that this does not happen again. The demonstration, I am told, was very peaceful. The ex-chief Minister of West Bengal had described his administration as uncivilised and barbarous." What you find here is that the people did not have the instruments of operations in their hands whereas the policemen had the instruments of operations in their hands. The policemen were a symbol of

terror under the British rule. That continues even in the context of Independence.

Here are our very arrogant policemen. I am very happy to note that the Prime Minister has said that she is going to order a judicial enquiry into the entire incident. But, when the judicial enquiry takes place, there should be suspension of those people who were responsible for this dastardly act perpetrated this morning by them—whichever they may be.

Now, Sir, our Prime Minister is a woman and on the 19th September, 1968 when she found that some women in some station Mariani, Assam, were beaten, those women said that they had a grudge against her. Because she is a woman, our women should be able to get protection from her. Here is a crowd where women and children were all beaten down. There must be some kind of ethics in politics. There must be ethical approach in politics. There is no ethical approach in this particular thing. Now a judicial enquiry is proposed to be instituted by Government immediately. It should be instituted under a High Court judge. It should be seen that the culprits are brought to book. Also those who were involved in this heinous crime must also be brought to book.

I would now leave the rest of my time to Shri Samar Guha.

MR. CHAIRMAN : No, no. You have taken your full time. Now, Shri Kripalani.

SHRI J. B. KRIPALANI (Guna) : Mr. Chairman, Sir, I am afraid that we did not go to the root cause of this disease as to how it has come about. In my younger days, when I was a boy in the school, I read a sentence in a poem. What a tangled web we weave when we begin to deceive." And I was told that this was from Shakespeare. May be half of English is from Shakespeare and the other half is from the Bible. This violence has taken place because those in power violated all rules and laws—all norms of procedure.

Even among the thieves there is honour. But there seems to be no honour among the politicians. Day after day I happen to live near the Prime Minister's house—I find that there are demonstrations led by people. They all gather together by coming in hired lorries. And those who want to demonstrate in front of her house do so and nobody objects to that. Here even the peaceful demonstration was disturbed.

[Shri J. B. Kirpalani]

Every evening I was disturbed, many neighbours were also disturbed, and I had to complain in writing. I had to write to the press saying 'What is this happening'?

There was a demonstration in favour of the Prime Minister just near about here. I do not know whether it was in the Vallabhbai Patel chowk or nearer—it was here just at the door of Parliament. And one lady, Tarkeshwari, was beaten. 15 minutes after that, the Prime Minister went and addressed that meeting.

If you do these things, you cannot blame the police. I am not willing to blame the police; I blame the politicians who have set at nought everything that was sacred in our life. The word 'politician' has become now a by-word for contempt. We have to hang our head in shame when there are no laws, no procedures, no norms, no decency of life. When a woman is attacked, when a Parliament member is attacked, nobody here raised his voice. Nobody from the ruling party raises his voice. The Prime Minister goes and addresses that meeting.

I say we are on the decline. It is no use blaming the police. The police take their cue from their masters. And these are the masters. They are the greatest culprits. They bring about floor-crossing. They spend thousands of rupees in order to corrupt members to vote for them. All these things are being done with impunity, and you blame the police. The police are there. They are ignorant people. They take their cue from their masters and their masters break every decent law, every law that is in the penal code, every procedure that has been established here every norm of conduct evolved, every civilised rule and even convention built up here. If we are beaten, I am only sorry that only a few have been beaten. If this goes on, a time will come when all of us will be beaten, when our mouths will be gagged. They are already gagged. The radio from day to day, from hour to hour, praises this Government. The papers are under their control. They can give them advertisements. They can give them newspaper which they can sell in the black market and make money.

All these things are being done and we remain quiet here. Only all of a sudden when some of us are beaten, and beaten blue, some of us might have even died, then we rouse ourselves.

What were we doing? I did not know I would live to see this day when there will

be no rule. I remember Gandhiji saying 'Be careful. If you break the procedures, you will find yourself in a soup one day. If there were only a penal code and no procedure code, what would happen? Anybody could kill anybody. The procedure code is there so that the killing may be regulated or checked by law and by justice and by judges. Here I am sorry to say that from day to day the judges are being criticised. They are being abused. People say they must be impeached. And who says that? Those who had appealed to the Supreme Court and got out of the clutches of this Government. Often the Supreme Court had set aside the decision of the executive. Yet those very people who have been released from jail by the Supreme Court, denounce the Supreme Court.

I do not know where we stand today. I cannot understand how any man who belonged to the Central Assembly, who sat in this chamber—very big and honourable people sat here—could imagine that the police would beat him when he was coming to the House.

Would it have been possible when C.R. Das or Motilal Nehru entered the House? We might have been showered lathi blows when we were breaking the law, but nobody would have dared to touch us when we were coming into the precincts of the Assembly. All of us had to bear lathi blows because we violated the law deliberately. If I am to believe my hon. friend Shri S. M. Joshi, I really cannot see what need there was to keep the police at all. People have a right to come and appeal to us, to give us petitions, to give petitions to the Ministers. These are our fundamental rights. I am sorry that anybody should try to tamper with these fundamental rights. This is our right and when we lose this right, what is this liberty of ours worth? Why did we get this liberty? Did we make the Constitution, so that not the foreigners, but our own people should act in a manner worse than the foreigners? I charge this Government with having broken every law, every procedure, every decency. If they really have any shame, as Shri Nanda resigned because his police was not behaving well, they must also resign because their police has not behaved well.

श्री हरदयाल देवगुण (पूर्व दिल्ली): सभापति महोदय, अभी श्री पटेल ने जिन दो व्यक्तियों के बारे में कहा है, उन के बारे में गवर्नमेंट के पास इनफ़ॉर्मेशन आ गई होगी।

सभापति महोदय : गवर्नमेंट की तरफ से कहा गया है कि वह इनफमेशन मंगवा कर देगी ।

श्री जी० वेंकटस्वामी (सिद्दिपेट) : सभापति महोदय, आज पुलिस ने जो लाठीचार्ज किया है उस के बारे में सुन कर मुझे बड़ा दुख हुआ है । यही पुलिस जब हैदराबाद आई थी तो उस ने वहाँ पर फ़ायरिंग किया था जब कई मेम्बरो ने उस सवाल को यहाँ पर उठाया, तो गृह मंत्री जी ने कहा कि हम ने एन्क्वायरी कराई है, मगर अभी कोई रिपोर्ट नहीं मिली है । जब पार्लियामेंट के मेम्बरो के बारे में पुलिस का यह रवैया है, तो आम जनता के साथ उस का क्या व्यवहार होगा, इस की कल्पना की जा सकती है ।

आज जब पुलिस इस तरह से मारपीट करती है, तो ऐसा लगता है कि क्या यह गवर्नमेंट पुलिस की गवर्नमेंट है या हमारी गवर्नमेंट है । जिधर देखो पुलिस की लाठियाँ नज़र आती हैं । क्या ला एंड आर्डर को मेनटेन करने का यह तरीका है? आज जब श्री मधु लिमये और श्री जार्ज फ़रनेन्डीज़ पर मार पड़ी है, तो पार्लियामेंट के हर एक मेम्बर को, चाहे वह इधर बैठा हो और चाहे उधर इस स्थिति पर विचार करना चाहिये और इस घटना को पूरी तरह कनडेम करना चाहिए । जैसा कि श्री जोशी ने कहा है, हाई कोर्ट या सुप्रीम कोर्ट के किसी जज के द्वारा इस मामले की जुडिशल एन्क्वायरी कराई जानी चाहिए । वह जज आन ड्यूटी होना चाहिए, रिटायर्ड नहीं, क्योंकि रिटायर्ड लोग गोल-माल कर देते हैं । जो आफ़िसरों इस में इनवाल्ड हैं पहले उन को सस्पेंड कर देना चाहिए ।

ये लोग ये देश में बढ़ रही कीमतों के विरुद्ध आवाज़ उठाने के लिए इकट्ठे हुए थे और इस बारे में अपनी डिमांड्स रखना चाहते थे । क्या यह गुनाह है ? अगर हम जनता के रिप्रेजेन्टेटिव होते हुए इस डेमोक्रेटिक गवर्नमेंट के सामने इस की डिमाण्ड करें, तो उस के बदले हम को पीटा जाय, तो आज हमारी आवाज़ सुनने वाला कौन है ।

श्री कंवर लाल गुप्ता : इस गवर्नमेंट को कहा कि इस्तीफ़ा दे ।

श्री जी० वेंकटस्वामी : इस लिये मैं कह रहा हूँ कि पुलिस का जो तर्जुबा आज हमारे अपोज़िशन मेम्बर्स को हुआ है, उस को हम डेढ़ साल से भुगत रहे हैं । डेढ़ साल से आन्ध्र में वहाँ की पुलिस नहीं है, चन्हाण साहब की पुलिस आ गई है । हम कहते हैं कि आप अपनी पुलिस को वहाँ से विद्दा कीजिये, हमारे 300 से ज्यादा बच्चे सेप्रेट तेलंगाना के लिये इस पुलिस के जरिये मारे गये हैं, आफ़िशियल रिपोर्ट के अनुसार पिछले 6 महीनों में 50 हजार लोगों को एरेस्ट किया गया है । जो, 300 लोगों को गोलियों से मार डाला गया है उन में एम० एल० एज० और एम०पी०ज भी है जिनको मार लगी है ।

SHRI K. NARAYANA RAO : Are we discussing the Telangana issue here? (Interruptions)....

श्री जी० वेंकटस्वामी : डेमोक्रेसी के अन्दर हम को बोलने का राइट दिया गया है, प्रोसेशन निकालने का राइट्स दिया गया है, अगर हमारे इन सात फण्डामेन्टल राइट्स को पुलिस के जरिये दबाया जा रहा हो, तब हम इस गवर्नमेंट के अन्दर रह कह-मेरे भाई जोश में आ गये हैं-हमारे 300 लोगों के मरने के बाद भी अगर हम इस पार्लियामेंट के अन्दर उस की बात नहीं करेंगे, तो क्या बाहर बात करेंगे ।

मैं यह कहना चाहता हूँ कि जो कुछ हुआ है वह बहुत दुर्दशा की बात है । हमारे पार्लियामेंट के मेम्बर्स को और जनता को इस तरह से पुलिस के जरिये पीटना, लाठी-चार्ज करना बहुत बुरी बात है, मैं इस को कन्डेम करता हूँ और चन्हाण साहब से गुजारिश करता हूँ कि इस की जुडीशियल एन्क्वायरी करायें ताकि आइन्दा के लिये पुलिस की जो जुन्म और ज्यादती जनता के ऊपर देश के अन्दर हो रही है, वह कम हो जाय । आइन्दा कभी भी पुलिस इस तरह से सिर उठा कर न देखे । कोई एजीटेशन करे-यह हमारा फण्डामेन्टल राइट है, उस को रोका

[श्री जी० व्यंकटस्वामी]

नहीं जा सकता। एजीटेशन के जरिये ही हम अपनी आवाज़ को दृकूमत तक पहुँचा सकते हैं। मैं आप से कहना चाहता हूँ कि निज़ाम के टाइम में भी सेक्शन 144 का इस्तेमाल इस तरह से नहीं हुआ था, आज डेढ़ साल से हैद्राबाद में सेक्शन 144 लगा हुआ है। जब हम आजादी की लड़ाई लड़ रहे थे, उस वक्त भी निज़ाम ने 144 नहीं लगाया था। हम जब पुलिस को विद्वुष्ट करने के लिये चव्हाण साहब के कहते हैं तो वह कहते हैं कि हम क्या करें, स्टेट गवर्नमेंट चाहती है। वे लोग जैसा जवाब देते हैं, वैसा ही जवाब यहाँ पर दे दिया जाता है।

इन शब्दों के साथ मैं इस को कन्डेम करता हूँ और चाहता हूँ कि इस की जूडीशियल एन्क्वायरी कराई जाय।

श्री प्रकाशवीर शास्त्री (हापुड़) : सभापति जी, भोजन के बाद जब सभा की बैठक प्रारम्भ हुई तो लगातार विरोधी पक्ष की डेढ़ घण्टे की जद्दोजहद के बाद सरकार ने स्वीकार किया कि नियम को स्थगित किया जाय और डा० राम सुभग सिंह के कार्य-स्थगन प्रस्ताव को विचार के लिये स्वीकार किया जाय। कुछ भी कहने से पहले मैं एक मिनट इस सरकार की अक्रल पर तरस खाना चाहता हूँ। पंजाब की वह घटना सभापति जी, आपने सुनी होगी, जब किसी अपराधी को यह कहा गया कि दण्ड स्वरूप या तो 10 जूते खाओ या 10 प्याज खाओ। पंजाब की प्याज बड़ी चिरपरी होती है उस अपराधी ने सोचा कि जूते की अपेक्षा यह आसानी से खा लूंगा। लेकिन जब पहली प्याज के बाद उस के आंसू निकन आये, तो उस ने कहा—मैं जूते खा लूंगा। जब पहले ही जूते से सिर भन्ना गया, तो वह बोला—इको, मैं प्याज खा लूंगा। इस तरह से उस ने 10 प्याज भी खाये और 10 जूते भी खाये। इस सरकार की हालत भी आज इसी प्रकार की है, डेढ़ घन्टा अपमानित होती रही और उस के बाद इस ने स्वीकार किया कि नियम भी स्थगित किया

जाय और स्थान प्रस्ताव भी स्वीकार किया जाय।

जहाँ तक श्री जार्ज फरनान्डीज़, श्री मधु लिमये और हमारे मित्र श्री राज नारायण के ऊपर पुलिस की लाठियों के प्रहार का सम्बन्ध है, इस सम्बन्ध में कुछ कहने से पहले मैं इस सभा को श्री जवाहर लाल नेहरू की उस घटना का स्मरण कराना चाहता हूँ—जब इसी तरह से उन की माता श्रीमती स्वरूप रानी जी के के माथे पर पुलिस का डण्डा लगा था। जवाहर लाल जी ने अपनी माता से पूछा—आप के माथे पर यह चोट कैसे लगी है तो उन्होंने ने बताया कि पुलिस का डण्डा मेरे माथे पर लगा था, जिससे चोट लगी है। जब हर लाल जी ने अपनी आत्म-कथा में इस घटना का उल्लेख करते हुए लिखा है—भले ही गांधी जी के चरणों में बैठ कर अहिंसा का किताब ही पाठ पढ़ा था। लेकिन जब माता के माथे पर पुलिस के डण्डे की चोट लगी हुई देखी तो मेरी अहिंसा खत्म हो गई। अगर वह पुलिसवाला मेरे सामने आया होता तो पत्थर लेकर उसका सिर तोड़ देता, जिस ने मेरी माता के माथे पर डण्डा मारा था। मैं पूछना चाहता हूँ क्या मधु लिमये का परिवार नहीं है, क्या जार्ज फरनान्डीज़ का परिवार नहीं है, क्या राज नारायण के साथ परिवार नहीं है, वे भी किन्ही माताओं के बेटे हैं, किन्ही बच्चों के पिता हैं, किन्ही बहनों के भाई हैं? आज उन के परिवारों पर क्या बीत रही होगी और जैसा अभी पटेल साहब ने बताया, यदि उन का कहना सही है कि दो व्यक्ति प्रदर्शन में मारे गये, वे भी तो किसी परिवार के सदस्य हैं। मैं आज चव्हाण साहब से यह कहना चाहता हूँ कि अगर राजनीतिक बदले लेने की परम्परा को इस तरह से प्रारम्भ किया गया और राजनीतिक पार्टियों के प्रदर्शनों पर इस तरह बरहमी के साथ पुलिस द्वारा लाठियां पड़वाई गई तो वह दिन दूर नहीं है—आज यह घटना एस०एस० पी० के साथ हुई है, कल यह घटना आपकी पार्टी के साथ भी घट सकती है।

इस लिये राजनीतिक जीवन में आज हम को कुछ आचार संहिता का निर्माण करना

है। राजनीतिक में विरोधियों को दबाने की यही परम्परा जारी रही, उन पर लाठी और टीअर गैस का इस्तेमाल किया जाय, पालियामेन्ट के मेम्बरो को बेरहमी पीटा जाय, जिस का सूबूत खन से सने हुए ये कपड़े हैं, उन की दर्दनाक कहानी दिल को दहला रही है, तो यह प्रवृत्ति कहां जा कर रुकनेवाली है, हम को इस पर विचार करना चाहिये।

दूसरी चीज—मैं पुलिस की आचार संहिता के संबंध में कहना चाहता हूं। जिस पुलिस की लाठियों और डण्डों से इन सदस्यों और नागरिकों को पिटाया गया है, जिन के लिये जोशी जी का कहना है कि 16 व्यक्ति वे हैं, जिन को गम्भीर चोटें लगी हैं इस पुलिस के लिये आचार संहिता बनाना बहुत जरूरी है। जिसके अंग्रेजी की पुलिस की तरह से बेहोश हो कर, मदहोश हो कर आज ऐसा काम किया है। आज वह परिस्थिति आ गई है जब पुलिस के लिये खास तौर से राजधानी पुलिस के लिये, आचार संहिता का निर्माण करना बहुत आवश्यक हो गया है।

तीसरी बात—जो मैं कहना चाहता हूं—आखिर इन के प्रदर्शन का उद्देश्य क्या था, इन्होंने क्यों प्रदर्शन किया? जिस समय दफा 144 लगाई गई थी, उस घटना का प्रारम्भ हुआ था वहां से, जब गऊ-हत्या बन्द कराने के लिये यहां पर प्रदर्शन हुआ था और उस प्रदर्शन पर पुलिस ने लाठियां और गोलियां चलाई थीं। बहुत कुछ समय हुआ था। उस समय यह कहा गया कि ये प्रदर्शनकारी आल इण्डिया रेडियो के स्टेशन को न जला दें, योजना भवन को न जला दें इस लिये प्रदर्शनकारियों को दूर तक रोकने के लिये ऐसा किया गया था। उस समय भी मैंने यह कहा था कि संविधान में प्रदर्शन का मौलिक अधिकार है। अगर आपको आल इण्डिया रेडियो का खतरा है, आप दूसरी सड़क नियत कर दीजिये। चेम्सफोर्ड क्लब के सामने की सड़क पर प्रदर्शन हो सकता है और वहां जनता सामूहिक प्रदर्शन कर सकती है या कोई दूसरी सड़क नियत कर दीजिये। लेकिन संविधान

से प्रदत्त इस मौलिक अधिकार को आप हम नहीं छीन सकते। एस०एस०पी० का जो प्रदर्शन आज हुआ, और जिस प्रदर्शन पर आज लाठियां और टीअर-गैस चलाई गई, इस ने आज इस सदस्य के सामने एक दूसरा प्रश्नवाचक चिन्ह लगा दिया है। सरकार आज इस प्रकार से प्रदर्शनों पर रोक लगकर जनता के मौलिक अधिकारों का हमन करना चाहती है आखिर ये मौलिक अधिकार कब तक हतन होते रहेंगे? इस विषय में निर्णय लिया जाना चाहिये और 144 लगा कर जनता के मौलिक अधिकारों पर जो प्रतिबन्ध लगा हुआ है, उस को तत्काल हटाया जाना चाहिये, ताकि एस०एस०पी० के सदस्य यह अनुभव करें कि हम ने जो प्रदर्शन किया, उस में हमारे सदस्यों को चोट तो लगी, राजनीतिक बदले तो लिये गये, लेकिन जो हमारा उद्देश्य था, वह पूरा हो गया। कम से कम दफा 144 हटे, इस बात का अवश्य ध्यान रखना चाहिये।

17-39 hrs.

[MR. DEPUTY SPEAKER in the Chair]

SHRI K. NARAYANA RAO (Bobbili): Sir, we are all very sorry for what has happened today, especially because some of our colleagues have been injured. But in our fit of anger and emotions, we should not lose sight of the issue but view it in the correct perspective. Till now, we do not know the facts of the situation. We have only known that some of our colleagues were injured. But we should realise that when more and more agitational activities take place in our political life greater reliance on the police is bound to take place. I am not holding any brief for the police.

SHRI M. L. SONDHI: On a point of order, Sir. Article 19 of the Constitution says that all citizens shall have the right (a) to freedom of speech and expression and (b) to assemble peaceably. Does the article say further that they shall exercise this right only when the police will be there and the police shall use tear gas and the use of tear gas shall not be objected to? What is the sense of this article? Is the word 'agitation' a bad word of which we should be/ashamed of? Gandhi said, believe in perpetual discontent, divine discontent.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD): Under that article, he has also the right to speak.

SHRI M. L. SONDHI : He said agitation should not be thought of because they have got the police on that side. With freedom fighters like Mr. Bhagwat Jha Azad on that side, I would like to ask, are you symbolising the hope of the nation or despair of the nation? (*Interruptions*).

SHRI BHAGWAT JHA AZAD: That freedom of speech applies to him also. Let him speak.

SHRI K. NARAYANA RAO: I am aware of the fundamental right of the freedom of speech and right to assemble peaceably. This right has been interpreted by the Supreme Court to include the right to demonstrate. But they have tried to draw a distinction between peaceful demonstration and violent demonstration. We start something in a peaceful manner, but due to mass psychology, somehow it erupts into violence. Therefore, it becomes necessary to see that the ordinary citizen is protected from these violent activities. The cow slaughter agitation started in a peaceful manner but all of a sudden, it erupted into violence. People ran in various directions and committed all sorts of things. Then we thought that this Government fail to protect the people. The then Home Minister, Mr. Nanda, was nice enough resign. But now when strong action is taken in enforcement of law and order, again we find fault with it. It is a very dangerous thing. I am not defending the police. But the situation is such that some undesirable things may take place. My friend referred to the Telengana issue. There was a reign of terror. Many women were raped and a large number of families had to go away from there.

I know the rights of Members of Parliament. But beyond the precincts of Parliament, our right is equivalent to the right of any ordinary citizen. Every member has a right to come here, but has he a right to lead a demonstration to the House? No. (*Interruptions*). I have a right to come here, but I do not have a right to bring a demonstration in to this House.

With these words, I hope that such things would not happen again.

SHRI BAKAR ALI MIRZA (Secunderabad) : Mr. Deputy-Speaker, Sir, when a

Member of Parliament is arrested, the magistrate is required to report immediately the state of the arrest to this House. Does it not follow that when a Member of Parliament is beaten or killed it is the responsibility of the Home Minister to come and report to the House? This incident took place at 1' O'clock. The first thing that the Home Minister should have done was to come to this House and say with regret that such and such thing has happened. Then the whole House would have appreciated that the Home Minister is not only alert but is also responsible and is conscious of the rights and privileges of the Members of Parliament. But he did not do that. Some others had to raise it, it was debated and still he did not have the courtesy to get up and say "yes, it is a serious matter, we are ready to discuss it". The Prime Minister had to come to the rescue of the Home Minister.

After all, the facts are already well-known and there is no contradiction or dispute about them. Most of the speeches have been made by eye-witnesses and they are very convincing. Shri Joshi has given a full account of what has happened there. But he left out one incident which was reported to me, and that is this. The police in the vans had actually chased people in the streets, lathi-charged them and dispersed them.

Then, both Shri Madhu Limaye and Shri George Fernandez are well-known to all. They are so active that not only the policemen but also the press, members of the public, in fact everybody knows who is Shri Madhu Limaye and Shri George Fernandez, because they are like Shri S. M. Banerjee. So, the statement that the police could not recognise Shri Madhu Limaye and Shri George Fernandez cannot be believed, because the same policemen are posted here every time and they have been supplied with the photos of Members of Parliament, the whole lot of them, and they know who is who. Therefore, I personally believe that, there was a design, there was a plan, there was a deliberate attempt to create a reign of terror.

Because it has happened near Parliament House it has assumed this importance. This is happening in the States. Somebody objected to Telengana being brought in here. I have raised this question at least hundred times. 300 people have died in the firings. Why don't you hold a judicial enquiry? Is it such an unreasonable request? I referred to it during the discussion on the demand for grants of the

Home Ministry but no reply was given to my point. Because some people are hurt here...

SHRI RANGA : Two people have been killed here.

SHRI BAKAR ALI MIRZA : ... a judicial enquiry is being conceded.

If there is no freedom of speech, if there is no freedom of association, then democracy is meaningless. You cannot think of democracy and, at the same time, have fascist methods. Therefore, I say that this has to be taken note of very seriously. Three bombs were thrown at the residence of Dr. Chenna Reddy. Yet, no action has been taken.

Can the Home Minister give us the number of firings and the number of deaths during the last ten years and also during the freedom movement? Then compare in how many cases there have been judicial inquiries and in how many cases action has been taken against the erring officials?

We want the people to have freedom of expression and the freedom to come to Parliament. Why should there be section 144 near Parliament House. It is the right of every citizen of India to approach a Member of Parliament. At the most, you can prescribe a particular route.

So, I associate myself with the demand that there should be a judicial inquiry. Not only that, there should also be an assurance from the government that wherever firings take place all over India, judicial inquiry will be ordered as matter of routine. We do not want people to be killed just in the name of democracy. Therefore, I support the adjournment motion.

DR. SUSHILA NAYAR (Jhansi) : Mr. Deputy-Speaker, Sir, today happens to be the 6th April, the beginning of our National Week. Over 50 years ago in this National Week we saw the tragedy of Jalianwalla Bagh. People had gathered there to ask for freedom and some rights. Today these brethren of ours had gathered to ask for freedom from hunger. They had gathered to ask for some decent living and to present their petition to Parliament.

The people of this country still have confidence in this Parliament and feel that if they bring their grievance and difficulties before Parliament, Parliament will do something about it. In Jalinwalla Bagh they asked for freedom and got bullets

and here in Delhi today they got the beating instead of bread. What sin had the innocent men, women and children committed for which they were beaten up?

The Prime Minister was very smug when she presented her Budget with its draconian taxes, and she assured everyone that the cost of living would not go up as a result of new taxes. Does she know, do her ministers know, how much the cost of living has gone up? How difficult it is for an average family to make two ends meet? And when they come for presenting their difficulties and problems, what do they get? Tear gas and lathi blows!

The police officers did not bother when our colleagues and friends informed them that they were Members of Parliament. They did not care; they laughed. Why should they care? They thought, they would get a pat on the back from their masters for dealing sternly with their inconvenient opponents. Did this Government not encourage the manhandling of Shri Nijlingappa? The officer who tried to stop it, was transferred somewhere in some God forsaken place in Haryana or somewhere. Have we forgotten how Shrimati Tarkeshwari Sinha was slapped and the Prime Minister went and addressed that rally afterwards without saying a word of regret, or condemnation about it?

In the light of these happenings how do the police know that today they are not going to get appreciation for being tough with the demonstrators and are going to get into difficulties instead?

Now the Government have offered us a judicial inquiry. They have seen how angry the whole House is. The anger of the House reflects the anger of this whole nation. Each one here represents lakhs of people in their constituencies. The Government have come up to say that they will order a judicial inquiry. Is it fair on the part of Government to try and find scapegoats in this manner?

The police has done something terrible. But who is responsible for this action of the police? I charge this Government of deliberately trying to create chaotic conditions in this country. After their experience in Calcutta, Burdwan and elsewhere, they should have known—they know it very well—how surcharged the atmosphere in the country is. Under the circumstances they should have thought twenty times before bringing about conditions leading to brutal beating of innocent men, women and children including Members of Parliament.

[Dr. Sushila Nayar]

I feel very much disturbed when I find that this Government takes such frankly discriminatory attitude with regard to rallies and processions led by different people. A few days ago Shri Sashi Bhusan led a rally and nothing happened. Today the S.S.P. rally comes and we know what has happened. Their bloodstained clothes are here in front of us.

Now, the tear-gas is a chemical. The Chemical warfare is being banned. I demand that the use of tear-gas be banned in the country. In England, it is being discussed and it is being demanded that tear-gas should be banned. It is barbarous and it should be banned in India also.

Is it not a tragic situation when peaceful citizens in free India are assaulted in the shadow of the Parliament, the supreme sovereign Parliament of India? As Shri Kripalaniji said, the Prime Minister herself has had rallies in front of her house everyday. She has encouraged the people to have rallies. Are the rallies legitimate only when they are in support of the Government or when they are led by the supporters of the Government and when they are led by opponents of the Government, they are something terrible to be suppressed and to be dispersed through *lathi* blows, leading to bloodshed?

We have all fought for freedom, not only political freedom for having our own colour-skin people sitting in chairs in Government, but also for freedom of speech, freedom of expression and freedom of representation. Everyone has the right to present a petition here. These people, when they were on their way to bring a petition to Parliament, were brutally assaulted by the Police.

I wish to ask the Home Minister by doing what was done in Delhi. Are they not jeopardising our democracy? Are they not finishing our freedom? Are they not putting an end to the rule of law and order? All men are supposed to be equal in the eyes of law. But, according to this Government, as in George Orwell's "Animal farm", some are more equal than others. There is one type of behaviour and rules for one set of people and another type of behaviour and rules for another set of people. This is dangerous.

The governments will come and go; the parties will change and different parties will sit in treasury Benches and in Opposition Benches. The standards that are being set by this Governmen

will be followed by other governments as is happening in certain other spheres. Sir, the time does not permit me to go into those things. I will not take time of the House to narrate them. But I warn this Government that they have to set the standards and show that the Government should protect everybody, all the citizens, irrespective of their political beliefs, religious beliefs and other beliefs.

Sir, it is all right to talk of an inquiry. But it is not the judicial inquiry which will solve this problem. What this Government needs is to inquire into their own hearts, each one of them should search his heart; they should turn the search-light inwards and they should look into their own attitude; they should look into their own thinking and they should realise what they have brought this country to.

Power is not an end in itself. It is a means to serve the people and to give better life to the people. If the Government cannot do it, it will be honourable for them to get out. There is an old adage: govern or get out. This Government has shown that they cannot govern. We know what is happening in other parts of the country. With the Central Government's hands gory with blood of the people including members of Parliament, what moral authority will they have to sit in judgment over the savagery in West Bengal perpetrated by the U. F. Government? How can they do it? The honourable course for them, as I said, is to get out. But I know they will not get out. It would be honourable for them to resign as Shri Nandaji resigned after the cow protection procession tragedy in 1966; Shri Nandaji was made to resign, but those who made him resign will not do it themselves. It is being said very widely that explanation is to be sought for the tragic happenings of this morning, it should be sought in the inner feud in the Cabinet itself. If that be so, Sir, it is all the more deplorable. It is most reprehensible. I am afraid that a judicial inquiry is not the answer. A change of heart on the part of this Government, on the part of the Prime Minister is necessary.

18 hrs.

SHRI P. VENKATASUBBAIAH (Nandyal) : Only if there is a heart, there will be a change.

DR. SUSHILA NAYAR: May I say that consciously or unconsciously, knowingly or unknowingly the Prime Minister is doing what Mr. Gopalan and his colleagues have threatened to do—i.e.

wrecking the Constitution. (*Interruptions*). All that I am saying is that by creating an atmosphere of lawlessness in this country and by breaking the confidence of the people in the Parliament, she is damaging the Constitution. She is damaging democracy and she is jeopardising our very freedom. Therefore, I demand that this Government change its on ways and not try to find scapegoats through judicial inquiries.

SHRI M. MUHAMMAD ISMAIL (Manjeri) : One need not labour the point that what ever happened this morning is a very serious matter. When my colleagues on my own side, *i.e.* my colleagues of the Opposition described what happened and also produced some evidence to show what a heinous crime has been committed by the Police, then I attempted to say and sought an opportunity to say whether to-day there is any rule direct or indirect or whether there is no rule at all. The Parliament which is the supreme legislative which is the legislative body of the country, must find some way or other to deal with such situations at once as and when they happen. That was my feeling when I heard what happened in the morning.

But when the Home Minister more than once attempted and the Prime Minister also attempted to say something in the matter, they were shouted down. I was wondering why they were prevented. Then the thought came to me that there is more than meets the eye in the matter. Sir, there have been various times in various places in the country when more heinous things have happened. Thousands of people belonging to minorities were killed, many people were burnt alive and children were torn to pieces and done to death before the very eyes of their mothers and fathers. On such occasions there was no such horror expressed in the House. In the Parliament there was no such uproar on those occasions. But now when the Government themselves have promised that there is going to be a judicial enquiry, why this hubbub? There is something below the surface now. I am very glad that the Prime Minister has now taken the earliest possible opportunity to say that the Government is going to institute a judicial enquiry into the matter. I hope that the enquiry will be of the highest order and that the Government will also take steps to see that the privileges and the prestige of the Members of the House are scrupulously maintained because they are not only citizens of the country but also the protectors and the

watchmen of the rights of the people and the Government have also to see that the rights of every ordinary citizen, poor or weak, are properly and adequately protected. Thank you.

SHRI SAMAR GUHA (Contai) : I was thinking—after hearing the whole affairs of this ugly incident—what has happened to the Police who acted fiercely like lunatics, who acted like blood-thirsty vultures ordering shooting on peaceful demonstrators and really what had happened to them. Is it a mere police atrocity or is there any plot behind the police atrocities? My hunch is that what has happened today is an explosion inside the Troika High-Command, which rules the Congress and its Government today. It is for the mad race for power, one section of the ruling congress trying to belittle the other, run down the other, and internal contradictions inside the congress, that, I would say, this ugly incident has today become a shock not only to this House but to the whole country. Who came before the Parliament today, Sir? Are they the agents of capitalists? Are they the agents of feudalists? Are they anti-national people? What is this symbol, Sir? Is this the symbol of Feudalism? Is this the symbol of Capitalism? Is this the symbol of Maoism? This symbol—the wheel and the plough—is the symbol of Socialism, this is the symbol of the aspirations of the Indian people, the symbol of the aspirations of the peasants and workers and the toiling masses of our country.

People from all over the country marched with socialist slogan and they rejoiced over the new era of socialism and they came here to get reassured from the Prime Minister about the pledge for socialism, but alas, what has happened? (*Interruption*) Neither the blood to the Members of Parliament nor the blood of the people will satisfy you. They did not come here to revolt; they did not come to demonstrate against anything else; they came and I use the words again—'to be reassured'—about the pledge for socialism. There was a demonstration organised by Mr. Sashi Bhushan of these slum-dwellers who went to the House of the Prime Minister and she greeted them with embrace. This demonstration was also for bringing in socialism in India. If she really wanted to introduce a revolutionary re-orientation, a radical socio-economic system, it was her duty to go and hear these people also. With their dream of a socialist future, they came with a socialist petition to be presented before this House.

[Shri Samar Guha]

Instead what happened? The police took them round and not only beat them but they were chased upto Connaught Circus and lathi charged thereto proceed. Not only that. Five Members of Parliament were beaten when they were trying to come to Parliament. They showed their identity cards to the first barricade of people. They did not allow them. The second barricade of police too did not allow them also. But the third barricade of police when they came to know about their identity cards, allowed them to go to Parliament dispensary.

Is it not discrimination? How can we believe that they are sincere and they have genuine faith in socialism? What are they doing for socialism? I want to know from Government and I want to ask all the Members of the ruling Congress to search their hearts to find out whether it is the socialism they have in their mind after taking the blood of the Members of Parliament? It is the blood, it is the tear gas shell—the flag is soaked with blood and it is not the blood of a few Members of Parliament only or other demonstrating people but I would say that this is the blood of our Constitution; this is the blood of our democracy. Today it is not only a red letter day but I would warn the Government that it is the blood lettered day. They are utilising the police, they are utilising the tear gas as also the lathis and are adopting barbarous methods to suppress the urges of the people. They are mistaken. The Indian people will not take them lying down. When they came before this highest shrine of the people's will, the Parliament, they were beaten and their blood was let loose.

What is at stake today? It is not merely the blood; it is not merely the honour of the few people. What is at stake to-day is the dignity, the honour, of the Members of Parliament, the security for their lives, rights and privileges of Members of Parliament, the dignity of the Constitution, and the rights of the people to present their petitions before this highest shrine of the peoples will the parliament.

I therefore demand a judicial enquiry. But, as I have stated it is not a mere police atrocity but there is a sinister political conspiracy of some designing plotters behind the police action. I have said it already and I repeat that it is the result of the internal contradictions inside the Troika Command in the Congress.

Therefore, Sir, not only a judicial enquiry but I want a C. B. I. probe into the whole plot behind this police atrocity

so as to see who are the real conspirators to try sinister means to crush the socialist movement. It is all due to the rivalry in the high position of leaders in the Congress.

I now conclude by saying that what has happened to-day is not only extraordinary but it is almost a challenge for the future of our Indian democracy, for the dignity of our Constitution, for the sovereign right of this House or the right of the people to place their petition or prayer in this highest shrine of our democracy,—the Parliament of India.

श्री ल० मो० बनर्जी (कानपुर) : उपाध्यक्ष महोदय, मैं इस लिए बोलने के लिए खड़ा नहीं हुआ हूँ कि पुलिस के द्वारा श्री मधु लिमये, श्री जार्ज फ़रनेन्डीज़ और श्री रामसेवक यादव आदि के साथ, जो कि पार्लियामेंट के मेम्बर हैं, इस तरह का अनुचित व्यवहार किया गया है। मैं समझता हूँ कि जिन मेहनतकश अवाम की वे नुमायंदगी कर रहे थे, जिन के सामने वे भाषण देने जा रहे थे और जिन की अज़ियां वे इस सदन के सामने लाने की कोशिश कर रहे थे, उन मेहनतकश अवाम की, चाहे वे किसान, मज़दूर हों और चाहे विद्यार्थी हों, इज़्जत उतनी ही है, जितनी कि पार्लियामेंट के मेम्बरों की।

यह जो पुलिस का गंगा नाच और हैवानियत का प्रदर्शन आज पार्लियामेंट स्ट्रीट में, पटेल चौक में हुआ है, यह कोई नई बात नहीं है। जिस दिन दिल्ली शहर में 19 सितम्बर, 1968 को इन्द्रप्रस्थ एस्टेट में एक चार-मंजिला मकान से अर्जुनसिंह को गिरा कर मारा गया और फिर कहा गया कि वह गिर कर मर गया और उस के बाद इतना कहने के बावजूद उस की जुडिशल एनक्वायरी नहीं कराई गई, बल्कि पुलिस के अफसरान और डिप्युटी कमिश्नर को तरक्की और बर्खास्त दी गई, उसी दिन मैंने यह सोचा था कि ऐसी हालत पैदा होगी कि एक दिन इस पार्लियामेंट स्ट्रीट में लोगों की लाशें नजर आयेंगी।

मुझे मालूम है कि पुलिस को तरजीह दे कर श्री श्री चव्हाण अपना सिंहासन सम्भाल रहे थे। पठानकोट, गौहाटी और बीकानेर में मज़दूरों पर फ़ायरिंग हुई और गवर्नमेंट की

तरफ से कहा गया कि चूंकि मजदूरों ने पुलिस पर हमला करने की कोशिश की, इस लिए फ़ारियद करनी पड़ी। शायद गवर्नर की तरफ से यह भी कहा जाये कि अर्जुनसिंह भी पुलिस पर हमला करने जा रहा था। दिल्ली में पुलिस को ऊपर चढ़ा कर और उस की कार्यवाहियों की समर्थन कर के यहां पर एक पुलिस राज कायम करने की कोशिश की गई। आज यह स्थिति हो गई है कि इस लोक सभा के सामने, लोगों के नुमायंदों के इस हैवान के सामने, फ़रियादी को फ़रियाद करने की गुंजाइश भी नहीं रही है। अगर कोई यहां फ़रियाद करने आये, तो उस को टीयरगैस, लाठी और गोली का सामना करना पड़ता है। आखिर टीयरगैस, लाठी और गोली के सहारे यह सरकार कब तक चलेगी ? (व्यवधान) मैं श्री पीलू मोडी से कहना चाहता हूं कि उन के बाप-दादाओं ने कभी लाठी नहीं खाई है और न ही वह खुद कभी खायेंगे। वह एक गवर्नर के बेटे हैं, जब कि मैं एक मामूली क्लर्क का बेटा हूं। मैं लाठी-गोली का सामना करने के बाद यहां चुन कर आया हूं। आज श्री मधु लिमये की हमदर्दी में श्री पीलू मोडी ने काली पट्टी बांधी है। लेकिन जब चुनावों के दौरान श्री मधु लिमये को पीटा गया और उन की हड्डी तोड़ी गई, उस वक्त हम लोगों ने ही यहां उस सवाल को उठाया, जब कि ये लोग खामोश बैठ रहे। यह सरकार रहे या न रहे, ये लोग पावर में आये या न आये, हम ने तो लाठी-गोली खानी है, क्योंकि हम ने मेहनतकश अवाम की नुमायंदगी करनी है।

इस मामले की जुडिशल एन्क्वायरी और पुलिस के अफ़सरों के सस्पेंशन के साथ साथ श्री चव्हाण को अपने पद से इस्तीफ़ा भी दे देना चाहिए। अगर अर्जुनसिंह के केस के वक्त उन को शर्म-हया नहीं थी और उन्होंने इस्तीफ़ा नहीं दिया था, तो आज मैं उन्हें निवेदन करना चाहता हूं कि अगर शर्म है, तो वह खुद इस्तीफ़ा दे दें। अगर एन्क्वायरी में यह सिद्ध हो कि पुलिस या होम मिनिस्टर का कोई क्रूर नहीं है, तो वह दोबारा गवर्नमेंट में आ जायें; मैं उन का

स्वागत करूंगा। लेकिन मैं चाहता हूं कि आज वह देश में एक परम्परा कायम करें कि अगर पार्लियामेंट के सामने पार्लियामेंट के मेम्बरों और दूसरे लोगों को इस तरह मारा जाता है, उन की हड्डियां तोड़ने की कोशिश की जाती है, पुलिस की हैवानियत का नंगा नाच होता है तो उस के लिए ज़िम्मेदार मिनिस्टर गवर्नमेंट से अलग हो जायेगा।

अगर ऐसा नहीं किया जायेगा—हम भले ही कांस्टीट्यूशन और पार्लियामेंटरी डेमोक्रेसी की बात करें, लेकिन अगर मेहनतकश अवाम पर सी लाठी और गोली चलती रहेगी, तो हम चाहें या न चाहें, एक दिन आयेगा, जब लाठी का जवाब लाठी होगी, गोली का जवाब गोली होगी। लोग चाहें या न चाहें, वह इस देश में हो कर रहेगा।

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): I do not propose to speak here in a spirit of giving any reply as such, because I know the feelings of hon. members which I share fully, when some of our own colleagues here—not only because they are MPs but because they are eminent people in public life and also citizens of India—have been beaten and have received some injuries. Comrade George Fernandes is in hospital. He has received some cuts in the head and it is being stitched.

Other Members also have received certain injuries. I went and saw Shri Raj Narain and Shri Madhu Limaye in one of the rooms in Parliament House. I am very sorry and I regret very much. If at all any apologies are needed from the Government, I am prepared to give my full apologies.

I would like to give the hon. House the background of this matter. Some Members have spoken as if there were some political motives behind it. I would like to take the hon. House into confidence. It has been my anxiety and concern to see that, whenever Parliament is in session, no untoward incident take place. It has been the practice for the last three years to promulgate section 144 on certain roads. The main idea is to see that the functioning of this Parliament should go on peacefully. I know that some Members do not like it.

SHRI M. L. SONDHI : I have protested to you many times.

SHRI Y. B. CHAVAN : This is what I am admitting. Even then I know that many political parties have given me cooperation in this matter because I am constantly in touch with these matters. Only yesterday there was big demonstration. Fortunately, nothing happened there.

In this particular case Shri Fernandes was in touch with me, in communication with me. He wrote to me a few days before saying that this prohibitory order under section 144 should be withdrawn and that they should be allowed to reach Parliament House. I wrote him back explaining the purpose of this order and asking him not to insist on this. I added that if at all a small deputation was to be taken, he could certainly take four or five persons to meet the Speaker or the Prime Minister or whosoever they want to meet with a memorandum. I feel that it was much better that all these matters were amicably settled by talks and understanding with the leaders whatever be the other political differences. So, I personally told the Deputy Commissioner to get into touch with Shri Fernandes. They had also some correspondence between themselves.

Last night after 9 P. M., I do not exactly remember the time, I got a telephone call from Shri Fernandes. He told me that they had decided that there should not be any breaking of the ban as such, but that they would like to take out this procession, that at the same time they would like to hold the meeting at Patel Chowk which is really speaking one of the parts under the prohibitory orders. I asked him not to insist on this as one thing might lead to another and there might be further complications. He did not want to take a 'No' and said that they would certainly be peaceful. I replied that I could not agree to this because once I agreed in the case of one party, naturally other parties would ask for the same.

AN HON. MEMBER : What about Shri Sashi Bhushan ?

SHRI Y. B. CHAVAN : Shri Sashi Bhushan also.

I told him that they could cross the road and technically we would not take notice of it, that they could hold a meeting in some other place. He went on arguing,

but I said "I could not agree, but I would certainly try to see if there was something that could be done". I said I would ask the Deputy Commissioner to be in touch with him and it was much better that he was also in touch with the Deputy Commissioner. I did not take any chance. I phoned the Deputy Commissioner. I told him that Shri George Fernandes was insisting and asked him to persuade Shri Fernandes and try to find out some other way. The Deputy Commissioner told me this morning that last night at about 12 O' Clock he went to see Shri Fernandes, he met him at Parade Ground where some workers were there and tried to tell him not to have this meeting there, but Shri Fernandes insisted.

SHRI J. B. KRIPALANI : Where was the meeting held in which Shrimati Tarkeshwari was attacked ?

SHRI Y. B. CHAVAN : I had mentioned it at that time. It happened because of some irresponsible people trying to intervene in the matter.

SHRI VIRENDRAKUMAR SHAH (Junagadh) : Do you have different standards for different parties ?

SHRI Y. B. CHAVAN : Not at all. I am explaining to you.

SHRI J. B. KRIPALANI : The meeting was held in the same place, if I remember.

SHRI Y. B. CHAVAN : I was not making any discrimination between one party and another ... (Interruptions.)

SHRI J. B. KRIPALANI : It was in front of the iron gates.

SHRI M. L. SONDHI : I was prosecuted for a demonstration against the rise in milk price and was asked to go every day to the Tiz Hayari Court. Is there not a political purpose ? I am an M.P. for New Delhi and I make this charge. Your district magistrate did not have the decency to reply properly. When he was told that I was an M. P. he said let him go to hell. We want an answer from you. It goes to the heart of the matter.

SHRI J. B. KRIPALANI : Where was this meeting in which Mrs. Tarkeshwari Sinha was beaten ? I know that it was just outside the iron gates. Where was 144 then ? You cannot do like that. You cannot throw dust into our eyes.

श्री कंबर लाल गुप्त : पालियामेंट के सामने
भी उस वक्त 144 धारा थी, 100-200

के करीब लोग उस वक्त मौजूद थे, जब इन को चपत मारी गई, उस के बाद प्राइम मिनिस्टर वहां गई और उन्होंने भाषण दिया। अपने इस कन्डक्ट को एक्सप्लेन कीजिये, यह डबल-स्टैंडर्ड क्यों किया गया, जनसंघ के लिये कुछ और कांग्रेस को माला पहनाने के लिये कुछ और—यह नहीं चलेगा।

SHRI Y. B. CHAVAN: It is unfair to make such charges.

SHRI J. B. KRIPALANI: Where was that meeting held? Where was she beaten?

SHRI Y. B. CHAVAN: I am trying to give an answer.

श्री जानेश्वर मिश्र : क्या दुनिया के किसी और संसद भवन पर इस तरह से दफ्ता 144 लगी हुई है, वहां भी तो प्रदर्शन होते होंगे... (व्यवधान).....

श्री शम्भू नाथ (सैदपूर) : मैं जानता हूँ। चुप रहिये... (व्यवधान).....

श्री जानेश्वर मिश्र : उपाध्यक्ष महोदय, इन को बैठने के लिये कहिये। अगर इस तरह से चलायेंगे तो नहीं चलेगा। इस का क्या मतलब है—मैं मंत्री महोदय से सवाल पूछ रहा हूँ—इस तरह से हम नहीं चलने देंगे। क्या दुनिया के किसी अन्य पार्लियामेंट हाउस में इस तरह से चलता है?

SHRI Y. B. CHAVAN: I should like to say that there was never any question of discrimination against one party and another. The day on which the incident took place, there was no 144 in Delhi. I had explained this fact in Parliament House the other day and also the next day when this question came up.

SHRI M. L. SONDHI: Why do you not give us any permission to hold meetings? I shall produce letters; I have got them. I am an M. P. for this area. Why is it? I ask you to hold an enquiry.

SHRI Y. B. CHAVAN: When you were given permission you did not hold the meeting.

SHRI M. L. SONDHI: I did not get permission when I wanted. Permission is

given to hold mid-night meetings. I am not given to mid-night rivelyry; I wanted permission in day time, not mid-night rivelyry. I want political rights, democratic rights. I have written to you several times. Nobody has the monopoly of political wisdom here; all of us have got rights. I represent the constituents of New Delhi. I challenge you or even the Prime Minister to have an electoral contest with me right now, in New Delhi, tomorrow... (Interruptions.)

SHRI Y. B. CHAVAN: If a challenge is to be made, you can come and contest an election with me in my constituency... (Interruptions.) As a Minister you can certainly condemn my actions but I am also a Member of Parliament and I am here because of the support of the people. I am not here because of any body's obligation.

SHRI M. L. SONDHI: This is a democratic country; it is not dictatorship. You have to listen; we shall speak a hundred times and you will have to listen. It is the right of the Opposition to put you in the dock when you are wrong.

SHRI Y. B. CHAVAN: I am prepared to face that also. I have come to public life; I am prepared to face the dock and I am prepared to take my responsibility and if anything is proved, I am prepared to face you and the public; I am not afraid of my responsibilities. I am only making this submission.

श्री जानेश्वर मिश्र : चलिये, आज ही पटेल चौक में मीटिंग हो जाये। चन्हाण साहब, आप को चेलेन्ज है, वहीं मीटिंग में फेम कर लीजिये, अगर वहां से न भगा दें तो कह देना। ... (व्यवधान).....

श्री रणधीर सिंह : ये फिजूल की बातें हैं। चलो हम मीटिंग करेंगे... (व्यवधान).....

SHRI Y. B. CHAVAN: On this, I have not made any discrimination against any party. I am very sorry for what has happened today, and, as the Prime Minister has declared, there will be a judicial enquiry by a high court judge who is serving. That was the demand made by hon. Members of this august House. I give 100 per cent apologies for whatever has happened today. Nobody wants such things to happen. Let the enquiry be made. Let the truth come out, and whatever

[Shri Y. B. Chavan]

truth comes out, the persons against whom charges are proved will have to face the consequences. This is the position we have taken.

With this explanation, I would request the hon. House not to press this Adjournment Motion.

SHRIMATI TARKESHWARI SINHA (Barh): Because he referred to me, I would like to know from the Home Minister one clarification. Since the cow slaughter procession took place, as far as I understand, during the last three years, near Parliament House or on the corner of Parliament House, there is promulgation of section 144: that nobody can hold a meeting. I would like to have a clarification: whether that day, when the meeting was being held at the corner of Parliament House, it was permissible or legal or was it not violating these orders of the Government that no meeting will take place near about Parliament House.

SHRI Y. B. CHAVAN: I have already submitted for the information of the hon. lady Member that on that day there was no ban of section 144 in that place where the meeting took place.

SHRI P. VENKATASUBBAIAH: You have been telling that when Parliament is in session, for the last three years, section 144 was being promulgated: on that day Parliament was in session. (Interruption).

श्री गुणानन्द ठाकुर (सहरसा): उपाध्यक्ष महोदय, क्या हम लोग लोक सभा के सदस्य नहीं हैं? अगर इस तरह से आप करेंगे तो फिर यह सदन नहीं चल सकता है। मैं दो बजे से बारबार खड़ा होता रहा लेकिन आपकी आंख मेरी तरफ नहीं आती। क्या हम लोग लोक सभा के सदस्य नहीं हैं। मैं शुरू से ही व्यवस्था का प्रश्न उठाना चाहता था। (व्यवधान).....

माननीय गृह मंत्री ने संसद सदस्यों के सामने जो कहा, मैं उनसे पूछना चाहता हूँ कि बिहार, उत्तर प्रदेश, आसाम, बंगाल और और देश भर के जो विधायक इस प्रदर्शन में आये उनको जो मार लगी है, जैसे श्री रामानन्द तिवारी, श्री कर्पूरी ठाकुर, श्री भोला प्रसाद सिंह, श्री राम विलास मिश्र इत्यादि को जो मार लगी है बेरहमी के

साथ और अब वे विलिंगडन अस्पताल में हैं तो उनके लिए आप क्या व्यवस्था कर रहे हैं?

दूसरी बात यह है कि यहां पर गृह मंत्री जी का बयान हुआ है लेकिन जो अधिकारी इससे सम्बन्धित हैं, क्या उनको अविलम्ब आप सस्पेंड करने जा रहे हैं—इस बात का क्लैरिफिकेशन मैं चाहता हूँ।..... (व्यवधान).....

तीसरी बात यह कि अभी जो खबर आई कि हमारे दो साथी मारे गए तो उनके सम्बन्ध में गृह मंत्री जी ने कोई क्लैरिफिकेशन नहीं दिया (व्यवधान)

चौथी बात यह है कि हमारी पार्टी के बिहार शाखा के सेक्रेटरी श्री विनायक प्रसाद यादव हैं, उनका कोई पता नहीं है तो उनके सम्बन्ध में आप क्या कह रहे हैं?

SHRI Y. B. CHAVAN: Some Members met me and I told them, and certainly I owe an explanation because some Members obliquely said that two persons have died. I have made enquiries: nobody who was arrested or who was taken to the hospital after injuries, etc.—nobody—has died. I am told that some other person who had been admitted probably three or four days back for burns died. It may be another person. But nobody from the demonstrators who was taken to the hospital has died. I made double enquiries, triple enquiries about it. About MLAs etc., whatever care will be taken of other citizens, that care will be taken of them also.

AN HON. MEMBER: What about suspension?

SHRI Y. B. CHAVAN: About suspension, it would be very difficult for me to give any assurance now. Unless we go into this matter, it is very difficult for me to give any assurance.

श्री गुणानन्द ठाकुर: हमारी पार्टी के बिहार शाखा के सेक्रेटरी गायब हैं, उनका कोई ट्रेस नहीं चल रहा है, उसके सम्बन्ध में क्या कहना है? (व्यवधान)

SHRI PILOO MODY: This question has been asked before, but I do not think we have received a satisfactory reply from Mr. Chavan. He said, on the day this meeting was held when Shrimati Tarkeshwari Sinha was hurt, there

was no section 144 on that day. I would like to know whether previous to that, section 144 was there in that area or not and thereafter whether section 144 was there in that area or not. I want to know how it was contrived that section 144 was not in existence on that particular day.

श्री अटल बिहारी बाजपेयी (बलरामपुर) : मैं भी एक प्रश्न पूछ लूँ जिसका उत्तर बाद में गृह मन्त्री दे सकते हैं। सारा सदन जानना चाहता था कि आज क्या हुआ—गृह मंत्री ने माफी मांगी यह ठीक है—लेकिन संघर्ष कैसे हुआ, पुलिस इस प्रकार से अनियंत्रित कैसे हो गई, पटेल चौक पर सभा करने की इजाजत थी या नहीं थी—ये ऐसे प्रश्न हैं जिन पर गृह मंत्री ने कोई प्रकाश नहीं डाला ?

SHRI Y. B. CHAVAN : I said I did not want to give any facts because when we are enquiring into the matter, it would be very unfortunate for me to give one side of it. When we have agreed that let this matter be enquired into and truth found out, it would be unwise for me to give one particular side of it. I deliberately did not go into it, because I did not want to take a position about it. I also would like to be convinced of the facts. Let the whole thing be considered by the High Court Judge. Let him give his verdict.

श्री अटल बिहारी बाजपेयी : यह तथ्य का सवाल है कि पटेल चौक पर सभा करने की इजाजत थी या नहीं थी। इसमें जूडिशियल इन्क्वायरी क्या करेगी ? आपने इजाजत दी थी या नहीं दी थी ? यह दावा किया गया है कि इजाजत थी।

श्री रवि राय : सभा चल रही थी। ... (व्यवधान)...

श्री जगन्नाथराव जोशी : (भोपाल) : पुलिस कमिश्नर को जार्ज फरनेन्डीज के साथ कन्टैक्ट करने के लिए कहा गया था तो वह क्या तय हुआ था ?

SHRI Y. B. CHAVAN : The Deputy Commissioner went there to persuade Shri Fernandes not to have the meeting there. But Shri Fernandes insisted on that. I am told this morning, the Deputy Commissioner conveyed it to him that that meeting cannot be allowed to be held.

श्री राम सेबक यादव : (बाराबंकी) : उनको जानकारी दी गई थी कि सभा कर सकते हैं। वहां पर तीन घंटे पहले से मंच बनाने और लाउड स्पीकर लगाने की व्यवस्था चल रही थी और अगर इजाजत न होती तो वह सारी व्यवस्था कैसे चली होती ? हम लोगों की तरफ से यह था कि दफा 144 तोड़ी नहीं जायेगी, शांतिमय तरीके से सारा कार्य होगा। वहां पर जो मंच की व्यवस्था और लाउड स्पीकर की व्यवस्था तीन घंटे पहले से हो रही थी उसका साफ मतलब है कि परमिशन थी वरना पुलिस पहले से ही हटा देती। (व्यवधान) ...

श्री रवि राय : एक घंटा सभा भी चल चुकी थी। ... (व्यवधान) ...

SHRI Y. B. CHAVAN : The point is, even though the meeting might have been held without permission,—I will have to go into arguments; I do not want to enter into arguments—as long as the meeting was going on, the police did not intervene. Then something happened later on which required the police to intervene. This is what happened, it seems. I do not want to go into the facts. Let the whole thing be looked into by the judge.

SHRI PILOO MODY : I want a reply to my question about section 144.

SHRI Y. B. CHAVAN : I have said it before and I will repeat it. On that day there was no section 144.

SHRI PILOO MODY : What about the day before and the day after ? What about six months before and six months after ? Why was it lifted on that day ?

SHRI Y. B. CHAVAN : It was not lifted, because there was no section 144 before that. It started from the next day. It was a fact. What can I do about it ?

SHRI PILOO MODY : So, you have said, there was no section 144 before it and it started the day after that.

SHRI H. N. MUKERJEE : I wanted to find out from the Home Minister that since the judicial inquiry is, for whatever it is worth, necessarily a procrastinating affair—I am not reflecting on the inquiry; it is something which everybody wants—apart from that, in the mean time some

[Shri H. N. Mukerjee]

interim measures are called for, administrative measures. The *prima facie* case of the injury suffered by the Members of Parliament is there for everybody to see. Certain interim administrative measures are called for. Now he has ruled out the question of the suspension of any of the officers. He has not mentioned any of the administrative steps he has in view; has taken shelter behind the procrastinating judicial inquiry.

SHRI Y. B. CHAVAN : I did not reject it. I said that this is a matter which has to be gone into. I cannot answer this question immediately. I certainly promise that I will go into the case of other administrative measures.

SHRI MANUBHAI PATEL (Dabhoi) : The hon. Minister in this reply stated that on that particular day when the meeting was held there was no section 144. But for the last three years since the time of the cow agitation that section is always there and meetings are banned. Therefore, how is it that on that particular day it was not there when previously it was there?

SHRI Y. B. CHAVAN : I would like to explain the position. I think it was in November 1966 that we started this practice. I know I made an announcement in the House and I remember that I had to face a very angry house also. I will try to explain it. Whenever the Parliament session is called a couple of days before that, section 144 is imposed. It is left to the discretion of the district magistrate. In that particular case, it was imposed from the next day.

SHRI K. K. NAYAR (Bhraich) : I want to ask one question of the Home Minister. He has declined to order the suspension of the officers. He may be right. But I would request him to give this clarification whether during the judicial inquiry, which is to follow, the officers whose conduct would be under inquiry would be shifted from their positions of vantage so that they may not be able to influence the course of the inquiry. This is relevant question

SHRI M. L. SONDHAI : I want to know whether section 144 which is promulgated applies to Parliament compound also. Secondly, will he lay a copy of the order on the Table right now? This is a specific question which requires a specific answer and not an exercise in evasion.

SHRI Y. B. CHAVAN : There is no question of exercise in evasion because it is a public document and if the hon. Member wants to see it, I can certainly supply a copy of it. It is publicly notified. It is issued by the local officers; it is not issued by the government. I will certainly look into the other points he has raised.

DR. RAM SUBHAG SINGH : The police have mercilessly beaten half a dozen of our colleagues and this has happened on the Rashtriya Saptah Day is a pointer to the direction where the country is being led by the Prime Minister. Just now the Prime Minister failed to disclose anything about the incident. Even the Home Minister, though he spoke more than the Prime Minister, has failed to disclose the cause of the lathi charge on the plea that they are going to set up a judiciary inquiry. But what is there to be inquired into? Both of them have told this House that they saw the injuries inflicted upon Shri Madhu Limaye, Shri Raj Narain, Shri George Fernandes, Shri Molahu Prasad, Shri Patil, Shri Karpuri Thakur and others.

You also heard—a Member of Shri Joshi's calibre pointed out—that Ramanika Gupta, who was a candidate for election to the State Legislature, was dragged in the street. If this was the fate of a person who was a candidate for election to the State Legislative Assembly, you can imagine what would happen to the lot of other processionists.

Speaker after speaker—18 Members have participated—all expressed their anger and horror at this incident. Just now, Acharya Kripalani pointed out the incident that took place in November. It had been the practice of the original Congress Party to hold a meeting on the 14th November each year to celebrate the birthday of Pandit Jawaharlal Nehru. This year also the Prime Minister's party held a meeting on that day. As you know, two days later the Parliament session commenced. But because they had to bring out a procession from 15 Windsor Place to greet the Prime Minister and to give her an ovation, they lifted section 144.

What is the position of this Parliament? Previously, People were allowed to enter the Outer Lobby. Later on it was closed and they were allowed to enter the Central Hall. Later on that also was closed and now the position is that people are not allowed to come this side of Patel Square.

Even on the question whether permission was given or not, the Home Minister is not specific. Whatever he said means that permission was given. He was trying to make out a point that one of the police officers went there to persuade George Fernandes not to hold that meeting. But had there been no permission, he would have straightway arrested him. What was the good of negotiating with him? Even if, I concede, there was section 144, how did the police of Delhi allow the procession to reach there? They should have arrested them on the other side of Patel Square. Why did they allow them to enter the Patel Square and hold the meeting?

Dr. Nayar pointed out the Jalianwalla Bagh. General O'Dyer had ordered firing on the peaceful meeting in Amritsar. The same thing has been done during this National Week by Shrimati Gandhi in Patel Square.

This shedding of crocodile tears in the name of judicial inquiry is something which I fail to understand. You can go and see the injuries that have been inflicted on their bodies. Raj Narain's legs are so sore because he was beaten; his feet were crushed and I do not know what will happen to him. Similar is the condition of George Fernandes. I want the Prime Minister to place before the House the facts about the condition of George Fernandes or Madhu Limaye at the moment. They come and try to console the House but they are not in a position to say that. As Shri Joshi said, there is a two-inch cut. What is the description of that wound? Can you say that here? If not, what is the hesitation in taking suitable action? Who is responsible for that action?

It is your policy which is responsible for that action. I do not think any officer, magistrate or police officer, can resort to lathi charge unless and until he has been induced by the Prime Minister and her Government to do so. They want to eliminate their political opponents. I charge them that they have induced their officers to resort to lathi charges. They have got them beaten so brutally and mercilessly that now they are in hospital. Therefore the responsibility is direct. It is undiluted; it is decisive; it rests squarely on the head of the Prime Minister and of all these hirelings who are supporting her. It is due to your policy. You got the Bengal drama. Shri Jyoti Basu was

shot at the Patna station. Who would have dared the fire shot at Shri Jyoti Basu? Here, you are resorting to lathi-charge within the precincts of the Parliament House and there—it is your Central Government undertaking—within the precincts of the Patna railway station, Shri Jyoti Basu was shot at. What was your police doing there? Here, they attacked Shri Madhu Limaye, Shri George Fernandes and others. Your police was incompetent to apprehend the culprit there. They have utterly failed there and you have utterly failed here. Therefore, I charge you that you have totally polluted the atmosphere in this country and brought this disgrace to the political life of this country. It is all due to your wrong actions.

You have trodden over the rights and privileges of the Members of Parliament. As has been pointed out, the Members were coming to present the petition on behalf of the people who are suffering and who are facing the pinch of the soaring prices due to the Budget proposals made by the Prime Minister. If that is not the freedom one can enjoy, that a Member of Parliament can enjoy, what is going to happen to this country? If you go on trampling the rights and privileges of the Members of Parliament and the people of India, you will not be allowed to sit here.

Again, the Home Minister said that, as the Home Minister, he was prepared to tender an apology. But as a Member—he is free just like any other Member—I welcome his direct statement. But it is your policy that is responsible. You had told the Executive, as the Home Minister—I was there in the Executive; you have no policy of your own—at that time that you are pursuing the policy of the Prime Minister. That is a hopeless policy, a bankrupt policy and, I think, that policy must be given up.

You must remove order under Section 144 from the precincts of the Parliament House because freedom has been tampered with by the imposition of this order under Section 144 around the Parliament House.

A judicial inquiry is meaningless. The Government must resign. I press for that. Though, of course, as a personal appeal, I am prepared to accept but, as the Home Minister's appeal, I am prepared to kick and, therefore, I press my adjournment motion.

MR. DEPUTY-SPEAKER : Now
the lobbies have been cleared.

The question is :

"That the House do now adjourn."

The Lok Sabha divided :

Division No. 22]

[18.59 hrs.

AYES

Agadi, Shri S. A.
Amin, Shri R. K.
Anbazhagan, Shri
Anirudhan, Shri K.
Atam Das, Shri
Banerjee, Shri S. M.
Bansh Narain Singh, Shri
Brij Bhushan Lal, Shri
Brij Raj Singh-Kotah, Shri
Chakrapani, Shri C. K.
Chauhan, Shri Bharat Singh
Dandekar, Shri N.
Dar, Shri Abdul Ghani
Das, Shri N. T.
Daschowdhury, Shri B. K.
Dass, Shri C.
Deb, Shri D. N.
Deo, Shri K. P. Singh
Deo, Shri P. K.
Deo, Shri R. R. Singh
Desai, Shri C. C.
Desai, Shri Morarji
Devgun, Shri Hardayal
Dhrangadhra, Shri Sriraj Meghrajji
Gayatri Devi, Shrimati
Gopalan, Shri P.
Gowd, Shri Gadilingana
Gowder, Shri Nanja
Goyal, Shri Shri Chand
Guha, Shri Samar
Gupta, Shri Kanwar Lal
Gupta, Shri Ram Kishan
Himatsingka, Shri
Jai, Singh, Shri
Jha, Shri Shiva Chandra
Joshi, Shri Jagannath Rao
Kameshwer Singh, Shri
Kandappan, Shri S.
Karni Singh, Dr.
Katham, Shri B. N.

Khan, Shri Ghayoor Ali
Kothari, Shri S. S.
Kripalani, Shri J. B.
Kripalani, Shrimati Sucheta
Krishna, Shri S. M.
Kushwah, Shri Yashwant Singh
Madhok, Shri Bal Raj
Mehta, Sri Ashoka
Menon, Shri Vishwanatha
Mirza, Shri Bakar Ali
Misra, Shri Janeshwar
Mody, Shri Piloo
Mohamed Imam, Shri J.
Mohinder Kaur, Shrimati
Molahu Prasad, Shri
Mondal, Shri Jugal
Mrityunjay Prasad, Shri
Mukerjee, Shri H. N.
Mukerjee, Shrimati Sharda
Murti, Shri M. S.
Naghnoor, Shri M. N.
Naidu, Shri Chengalraya
Naik, Shri G. C.
Nayanar, Shri E. K.
Nayar, Shri K. K.
Nayar, Shrimati Shakuntala
Nayar, Dr. Sushila
Nihal Singh Shri
Nirlep Kaur, Shrimati
Parmar, Shri Bhaljibhai
Paswan, Shri Kedar
Patel, Shri Baburao
Patel, Shri J. H.
Patel, Shri Manubhai
Patel Shri N. N.
Poonacha, Shri C. M.
Ram Subhag Singh, Dr.
Ramamoorthy, Shri S. P.
Ramji Ram, Shri
Rampur, Shri Mahadevappa
Ranga, Shri
Ranjeet Singh, Shri
Rao, Shri V. Narasimha
Ray, Shri Rabi
Reddy, Shri R. D.
Saboo, Shri Shri Gopal
Sanji Rupji, Shri
Satya Narain Singh, Shri

Sen, Shri P. G.
 Sethuraman, Shri N.
 Sezhiyan, Shri
 Shah, Shri Shantilal
 Shah, Shri T. P.
 Shah, Shri Virendrakumar
 Shalwale, Shri Ram Gopal
 Sharma, Shri Beni Shanker
 Sharma, Shri Narayan Swaroop
 Sharma, Shri Ram Avtar
 Sharma, Shri Yajna Datt
 Shastri, Shri Prakash Vir
 Sheo Narain, Shri
 Sinha, Shrimati Tarkeshwari
 Somani, Shri N. K.
 Sondhi, Shri M. L.
 Supakar, Shri Sradhakar
 Tapuriah, Shri S. K.
 Tyagi, Shri Om Prakash
 Vajpayee, Shri Atal Bihari
 Veerappa, Shri Ramachandra
 Venkatasubbaiah, Shri P.
 Vidyarathi, Shri Ram Swarup
 Viswanathan, Shri G.
 Yadav, Shri Ram Sewak

NOTES

Achal Singh, Shri
 Aga, Shri Ahmed
 Ahmed, Shri F. A.
 Ankineedu, Shri
 Asghar Husain, Shri
 Azad, Shri Bhagwat Jha
 Badrudduja, Shri
 Bajpai, Shri Vidya Dhar
 Barua, Shri Bedabrata
 Barua, Shri R.
 Barupal, Shri P. L.
 Basu, Dr. Maitreyee
 Besra, Shri S. C.
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Bist, Shri J. B. S.
 Bohra, Shri Onkarlal
 Burman, Shri Kirit Bikram Deb
 Buta Singh, Shri

Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chandrika Prasad, Shri
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Dalbir Singh, Shri
 Damani, Shri S. R.
 Deshmukh, Shri K. G.
 Devinder Singh, Shri
 Dhuleshwar Meena, Shri
 Dinesh Singh, Shri
 Dwivedi, Shri Nageshwar
 Ering, Shri D.
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gautam, Shri C. D.
 Gavit, Shri Tukaram
 Ghosh, Shri P. K.
 Ghosh, Shri Parimal
 Girja Kumari, Shrimati
 Govind Das, Dr.
 Gupta, Shri Lakhan Lal
 Hajarnawis, Shri
 Hanumanthaiya, Shri
 Heerji Bhai, Shri
 Iqbal Singh, Shri
 Jadhav, Shri V. N.
 Jagjiwan Ram, Shri
 Jamir, Shri S. C.
 Jamna Lal, Shri
 Kamble, Shri
 Kamala Kumari, Kumari
 Karan Singh, Dr.
 Kavade, Shri B. R.
 Kesri, Shri Sitaram
 Khadilkar, Shri R. K.
 Khanna, Shri P. K.
 Kinder Lal, Shri
 Kisku, Shri A. K.
 Kotoki, Shri Liladhar
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.

Lutfal Haque, Shri
 Mahadeva Prasad, Dr.
 Maharaj Singh, Shri
 Mahishi, Dr. Sarojini
 Malhotra, Shri Inder J.
 Mandal, Dr. P.
 Mane, Shri Shankarrao
 Marandi, Shri
 Menon, Shri Govinda
 Mishra, Shri G. S.
 Mohsin, Shri
 Muhammad Ismail, Shri M.
 Muhammad Sheriff, Shri
 Nahata, Shri Amrit
 Nanda, Shri
 Oraon, Shri Kartik
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri Manibhai J.
 Patil, Shri Deorao
 Prasad, Shri Y.A.
 Qureshi Shri mohd. Shaffi
 Radhabai, Shrimati B.
 Raghu Ramaiah, Shri
 Raj Deo Singh, Shri
 Rajni Devi, Shrimati
 Ram, Shri T.
 Ram Dhan, Shri
 Ram Sewak, Shri
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhir Singh Shri
 Rao, Shri Jaganath
 Rao, Dr. K. L.
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Rao, Dr. V.K.R.V.
 Roy Shri Bishwanath
 Sadhu Ram, Shri

Saha, Dr. S. K.
 Saigal, Shri A. S.
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sanghi Shri N. K.
 Savitri Shyam, Shrimati
 Sen, Shri A. K.
 Sen, Shri Dwaipayana
 Sethi, Shri P. C.
 Shambhu Nath, Shri
 Sharma, Shri Madhoram
 Sharma, Shri Naval Kishore
 Shashi Bhushan, Shri
 Shastri, Shri Ramanand
 Shastri, Shri Sheopujan
 Sher Singh, Shri
 Shinde Shri Annasahib
 Shukla, Shri S. N.
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Siddheshwar, Prasad, Shri
 Sinha, Shri Satya Narayan
 Solanki, Shri P. N.
 Sonar, Dr. A. G.
 Sonavane, Shri
 Sudarsanam, Shri M.
 Sunder Lal Shri
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Swaran Singh, Shri
 Tiwary, Shri K. N.
 Ulaka, Shri Ramachandra
 Venkatswamy, Shri G.
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Virbhadra Singh Shri
 Vyas, Shri Ramesh Chandra
 Yadab, Shri N. P.
 Yadav, Shri Chandra Jeet

MR. DEPUTY SPEAKER : The result*
 of the division is : Ayes—113 : Noes—152

The motion was negatived

SOME HON. MEMBERS : Shame,
 Shame.

*The following members also recorded their votes :

AYES : Sarvashri Ramchandra J. Amin and S. M. Joshi and Shrimati Padmavati Devi.
 NOES : Sarvshri Jagannath Pahadia and Swami Brahamanandji and Shrimati
 Laxmi Bai.

Shri RANGA : We are walking out in protest.

Shri Ranga and some other Members then left the House.

MR. DEPUTY SPEAKER : Shri Jagjiwan Ram.

19 hrs.

STATEMENT RE. RABI PRICE POLICY

THE MINISTER OF FOOD AND AGRICULTURE (SHRI JAGJIWAN RAM) : The Government, after considering the recommendations of the Agricultural Prices Commission on Price policy for Rabi Foodgrains for 1970-71 marketing season; and the views expressed by the Chief Ministers of Rabi States at a Conference held on 22nd March, 1970, have taken the following decisions for 1970-71 season :—

- (1) That all possible efforts will be made to achieve the procurement target of 3.7 million tonnes of wheat recommended by the Agricultural Prices Commission;
- (2) That the procurement prices of wheat fixed for 1969-70 season will be maintained in 1970-71 also;
- (3) That the issue price of red (indigenous and Mexican) and imported varieties of wheat will be maintained at the existing level of Rs. 78 per quintal. The issue price of amber-coloured indigenous varieties will be Rs. 84 per quintal.
- (4) That the entire country (excepting the statutorily rationed areas of West Bengal and Maharashtra) will be made one zone for wheat.

All the decisions are being implemented immediately, except for the increase in the issue price of amber-coloured indigenous variety of wheat. The increase in the issue price of amber-coloured indigenous varieties of wheat will be given effect to from 1st May, 1970 or thereabout.

19.01 hrs.

STATEMENT RE : CONTINUANCE OF THREE MINISTERS WHO HAVE CEASED TO BE MEMBERS OF RAJYA SABHA

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Sir, three Ministers, Dr. (Shrimati) Phulrenu Guha, Dr. S. Chandrasekhar and Shrimati Jahanara Jaipal Singh ceased to be members of the Rajya Sabha as from 3rd April, the period for which they had been elected having expired. The Prime Minister has asked them to continue in office for some more time. Accordingly they are continuing as Ministers.

Question has been raised whether it is constitutional. Clause (5) of Article 75 of the Constitution provides :

“A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease to be a Minister”

In the light of this provision in the Constitution, there is nothing unconstitutional or improper in these Ministers continuing in office. This opinion has been confirmed by the Attorney General also.

SHRI SHRI CHAND GOYAL (Chandigarh) : I have sent you a letter that I would like to ask a few questions from the hon. Minister on this point.

MR. DEPUTY-SPEAKER : No, Please I would like to draw your attention to Rule 372 which bars any question at the time the Minister makes a statement.

Dr. Ram Subhag Sing—absent.

Mr. Narayana Rao.

MOTIONS REGARDING JOINT COMMITTEES

(i) OFFICE OF PROFIT

SHRI K. NARAYANA RAO (Bobbili) I move :

“That this House do recommend to Rajya Sabha that Rajya Sabha do elect one member of Rajya Sabha according to the principle of proportional representation by means of the single transferable vote, to the Joint committee on Offices of Profit in the vacancy caused