

दे कि इस संशोधन के पास हो जाने के बावजूद सरकार हरिजनों और आदिवासियों के बीच में कोई डिफरेंसेशन नहीं करेगी और एक पहलू को सामने रख कर कदम उठायेगी।

17.03 hrs.

STATEMENT RE : MURDER OF
EIGHT PERSONS IN 24 PARGANAS
DISTRICT OF WEST BENGAL ON
20TH NOVEMBER, 1970.

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND
MINISTER OF STATE, DEPARTMENTS
OF ELECTRONICS AND SCIENTIFIC
AND INDUSTRIAL RESEARCH (SHRI
K. C. PANT) : In the morning of 20th
November, the police authorities of the
24-Parganas District received information of some dead bodies having been seen within their jurisdiction.....

SHRI JYOTIRMOY BASU (Diamond Harbour) : On a point of order. I want to know whether you are accepting or rejecting the adjournment motion, notice of which was given by us on Saturday.

MR. SPEAKER : I must know what he says on that.

SHRI JYOTIRMOY BASU : Those who have been accused there have written this report. We are not interested in it.

MR. SPEAKER : Let the Minister be heard.

SHRI K. C. PANT : As I was saying, in the morning of 20th November, the police authorities of the 24 Parganas Dt. received information of some dead bodies having been seen within their jurisdiction. On a search being made, four dead bodies were found in the Andanga police station area, and another four in the Barasat police station area. All the dead bodies were of young men. Their hands were tied behind their backs. All of them were wearing trousers and shirts. The places where the dead bodies were found had no marks of struggle.

By the 22nd November, all the eight bodies had been identified. The victims are reported to belong to Dakshineswar and Ariadaha areas of the 24 Pargana district.

The experts of the Central Forensic Laboratory in Calcutta were instructed to provide all assistance to the investigation already in progress, and they started doing so yesterday. The Government of West Bengal had requested that the Central Bureau of Investigation should be associated with the investigation. The Director, Central Bureau of Investigation, is proceeding to Calcutta this evening to help in the investigation and also provide such assistance as may be required.

Government have taken a serious view of these gruesome murders and every effort will be made to apprehend the culprits and bring them to trial. Some accusations have been made that the police are responsible for these murders. There is nothing whatever to support these accusations.

The Government have been considering in consultation with the Governor of West Bengal since yesterday whether in addition to the necessary investigation under the Code of Criminal Procedure an inquiry should be instituted under the Commissions of Inquiry Act. Even though doubts have been expressed about the advisability of an inquiry under the Commissions of Inquiry Act while investigation under the Code of Criminal Procedure is in progress, Government have decided, in view of the fact that this is a case of multiple murders under mysterious circumstances, that a commission should be appointed and that a serving or retired High Court Judge selected on the advice of the Chief Justice of the Calcutta High Court should constitute the commission.

SHRI A. K. GOPALAN (Kasergod) : We have heard the reply of the Minister and I want to make a submission that there is a difference between discussing an adjournment motion and giving a reply by the Minister and then deciding about the admissibility of the motion. I have been in this House from 1952 onwards and on many occasions matters of urgent public importance, even of lesser importance than this matter, have come up before the House as

[Shri A. K. Gopalan]

adjournment motions. Here is a very important matter and we have only the answer of the Minister, but a discussion must be there on the basis of the adjournment motion. If you are not allowing the adjournment motion, then certainly, as a protest, we will have to retire from the House.

SHRI H. N. MUKERJEE (Calcutta North East) : I would like to submit, if I may, that the necessity for a discussion on the adjournment motion remains. It remains very stridently in spite of, and perhaps because of, the statement made by the Minister. We were not going to pronounce upon the guilt of 'X' or 'Y' or a team of people in regard to these atrocities. We wanted to discuss the situation of which these gruesome murders, made apparently diabolically and deliberately, are an illustration. We want to discuss the situation which exists, a situation which has been highlighted by this kind of gruesome incident.

Even today during the lunch interval I got a letter from Calcutta, it is in Bengali and I cannot read it out, which reports how a young boy of 22 was shot in South Calcutta, in Bhavanipur, and his younger brother who has nothing to do with politics is hiding and staying away, and the mother is writing and asking for protection for the family. This kind of thing is going on all the time in Bhavanipur in Calcutta city. This thing happened on the 8th November or some such date. It is here in the letter which I got in the lunch interval.

From all over the place, from different parts of West Bengal, letters and telegrams are coming to us in a stream. A situation has been created. So, these eight murders are only an illustration. Therefore, whatever happens in regard to the enquiry, judicial or quasi-judicial, heaven knows what, the country is fed up with all these machinations of delays and procrastination, what we want is that the situation in West Bengal should be discussed in this House, a situation which cannot be controlled, where there is no civil life, where, apart from civilized democratic life, even civil life has been endangered by this kind

of thing happening, and the Government can give no protection. And we hear cries of sorrow and grief from mothers and fathers in regard to the safety or otherwise of their children. That is the situation which we have to discuss in this House. Otherwise, the House will be abdicating its responsibility. The police terror has already started with the President being inveigled into giving his assent to that notorious peace of legislation.

The P. D. Act and all the rest of it has accentuated police terror. That is why we want this House must take the earliest possible opportunity to discuss the situation which has arisen.

SHRI JYOTIRMOY BASU : I wish to say something. The report read out by Mr. Pant is the report of those who were accused before us.

MR. SPEAKER : You have said enough in the morning.

SHRI JYOTIRMOY BASU : A Congressman-owned paper *Anrit Bazar Patrika* has itself revealed certain things. It says that the boys were arrested by the police and taken from the foot of the Saheed Minar to an unknown destination. It has been very clearly stated. In view of the above, there is no question of relying on the statement placed before the House. We want the adjournment motion and we want a ruling and decision, here and now. If you do not, we shall conclude that you are protecting the Government and we shall walk out in protest.

MR. SPEAKER : This is not the way of putting things in this House.

SHRI R. D. BHANDARE (Bombay Central) : The question is whether this opposition is interested in politics or justice, whether they want to make political capital out of it or want to serve humanity. When a Judicial Inquiry under a Judge has appointed to go into the inquiry matter, we should be satisfied. Later on, after the report of the enquiry presided over by the Judge is received, they may move the House again. ?

SHRI KRISHNA MENON (Midnapore): Mr. Speaker, I was anxious as many others were to here the hon. Minister speak. I am not going to discuss that statement. But we heard him say in the course of the statement that allegations had been made that the police committed this and he went on to say that there was no evidence of this. That is coming to a conclusion before that enquiry; and coming from the Minister, speaking in this House, this kind of a statement is prejudicial to the enquiry and reveals the mind of the Government. There must be other information and if the adjournment motion is allowed it will bring out the other points of view.

MR. SPEAKER : I have been waiting for the statement. I considered the statement that had been made. I find that there are two versions of facts; one version is disputed by the other. But when an adjournment motion comes before the House, we have to see what the facts are as they are established; we should also consider whether there is failure on the part of the Government. Where facts are disputed and where the failure of the Government not yet determined, I am sorry I cannot allow this adjournment motion....(Interruptions).

Shri A. K. Gopalan and some other hon. Members then left the House.

SHRI H. N. MUKERJEE : You referred to 'failure of administration'. Has there or has there not been failure of administration in this case where eight human bodies were found, left by the police....(Interruptions.)

MR. SPEAKER : Only a judicial enquiry will establish who the culprit was; everything will come out then.

SHRI H. N. MUKERJEE : Even Mr. Pant has not denied that eight dead bodies were found along the road. What will Mr. Vajpayee say if between Delhi and Meerut eight dead bodies were found ? Is our Parliament going to tell the people that Parliament does not care for the people of that area?....(Interruptions.)

DR. RAM SUBHAG SINGH (Buxar) : Sir I do not want to say anything regarding your ruling. You have already

given your ruling. But there is a failure of the Government in West Bengal, and that matter should be discussed sometime in the House.

MR. SPEAKER : I have given my ruling already.

SHRI H. N. MUKERJEE : Let the Minister say what is the factual position on the roadside....(Interruptions.)

MR. SPEAKER : So far it has not been determined.

SHRI H. N. MUKERJEE : Eight dead bodies—the position has not been determined? Indeterminate? Is that the kind of thing which is done? I am very sorry. Eight dead bodies are there, indeterminate dead bodies floating in the air. This is the way the Government there is behaving....(Interruptions.)

SHRI S. M. BANERJEE (Kanpur) : What do you mean by judicial enquiry?

MR. SPEAKER : Order, order. Shri Mrityunjay Prasad.

SHRI NATH PAI (Rajapur) : Sir, may I ask a question? It is a very small question. You were present on Friday, and you have stated that we discussed the issue of lawlessness in West Bengal threadbare. The Minister then claimed that he cannot accept my motion expressing grave concern at the developments in West Bengal because he said that the situation has improved. Is this the proof of improvement that we see today?....(Interruption)

SHRI BAL RAJ MADHOK (South Delhi) : The honeymoon is over.

SEVERAL HON. MEMBERS *Rose—*

SHRI J. B. KRIPALANI (Guna) : Sir, in the Treasury Benches they are laughing at this. This is a very serious matter. Some of our friends have walked out, and they are ridiculing them for walking out. It means that they do not attach any importance to the loss of precious lives. I also feel like going out if this is the way in which the ruling party behaves....(Interruption.)

MR. SPEAKER : Please sit down. I have been listening to everything. There are many versions of one fact, and when there is no determination as to who is at fault, who has failed, whether it is the Government or the people.... (Interruption)

SHRI J. B. KRIPALANI *Rose*—

MR. SPEAKER : Please sit down. Do not get excited. I considered that, as there is going to be some enquiry to determine the facts, there is no scope for admitting the Adjournment Motion. I am very sorry. That is why I refused it. Shri Mrityunjay Prasad.

17.18 hrs.

SCHEDULED CASTES AND
SCHEDULED TRIBES ORDERS
(AMENDMENT) BILL—*Contd.*

श्री मृत्युंजय प्रसाद (महाराजगंज) : अध्यक्ष महोदय, इस संबंध में मैं दो तीन बातें आप के सामने रखना चाहता हूँ। सब से पहले तो हमें यह निर्णय कर लेना है कि सरकार या सदन चाहता क्या है ? क्या हम दरअमल चाहते हैं कि अछूतों की और जन-जातियों की उन्नति पूरे तौर पर हो या नहीं चाहते ? अगर चाहते हैं तो सब से पहली बात तो यह थी कि उन की उन्नति के लिए कोई हम नापतोल रखते और जब किसी अनुसूचित जाति की यथेष्ट उन्नति हो जाती तो इस श्रेणी में से निकालने के भी कुछ लक्षण रखते कि कब ऐसी समुन्नत जातियाँ या समाज श्रेणी में से हटाए जा सकते हैं ? यानी कब कौन सी जाति, कौन सा समाज इस हद तक समुन्नत हो चुका है ऐसा माना जाए कि वह अपने आपसपास के और सब लोगों के बराबर हो गया है और अब कोई अंतर नहीं रहा इसलिए उन्हें श्रेणी कास्ट या अनुसूचित जाति कहने की अब आवश्यकता नहीं रह गया है ? जब तक इस का आप हिसाब नहीं रखते हैं तब तक यही होगा कि आप की अनुसूचि में बराबर बढ़ती ही होती चली जायगी और आज उस के लिए दीड़ घूष लगी हुई है कि कौन सी जाति का

नाम बढ़ाया जाय या कौन सी जाति उस में छूटी हुई है। अभी यह कहा गया कि बंगल में एक जाति होती है सुत्रधार जिसे वहाँ श्रेड्यूल कास्ट माना जाता है लेकिन दूसरी जगह उन हरिजन नहीं माना जाता है। जहाँ तक मेरा ख्याल है उस के समकक्ष जातियाँ बिहार और उत्तर प्रदेश में हैं जो अपने को शर्मा और विष्णु-कर्मा कह कर ब्राह्मण बन रही हैं। मुझे इस के साथ कोई झगड़ा नहीं है। मगर सूची में अपना नाम जुड़वाने के लिए क्यों यह लड़ाई हो रही है ? इसलिए कि आप ने कोई ऐसा हिसाब नहीं रखा है कि कब वह इस इस हद तक पहुँचे हुए माने जाएंगे कि अब वह काफी उन्नत हो चुके और किसी को उस श्रेणी में रखा जाय, इस का कोई क्राइटेरिया या स्पष्ट नियम आपने नहीं रखा है। जिस समय आप की प्रवर समिति बँठी थी, उस समय भी आपने, अर्थात् सरकार और सरकार की ओर से मंत्रियों ने बहुत सी बातें उस के सामने नहीं रखीं और जैसा कि मेरे मित्रों ने बताया, अगर व उस समय इन सब बातों को रख देते जो आज कह रहे हैं तो आज आप को 234 या जितने भी संशोधन आप लायें, हैं, उन के लाने की जरूरत न पड़ती, कम से कम इतनी अधिक संख्या में न लाना पड़ता। ऐसा मालूम होता है पिछले साढ़े तीन वर्षों में, जब, तक यह प्रवर समिति बँठी आप पर कोष्ठबद्धता लगा रही लेकिन उस के बाद ऐसी स्थिति आ गई कि कई तरफ से आप पर ऐसा दबाव पड़ा कि जुलाब के रूप में आप अनलिमिटेड प्रमंडगंट्स ले आये। इस का मतलब है, कि आप अधकच्चे विचारों से पीड़ित हैं और इस तरह से एक दम यहाँ पर अधकचरें विचारों को लाना चाहते हैं। यह ठीक नहीं है, कम से कम इतना कीजिये कि इस बिल पर आप अपनी पार्टी को पूरी स्वतन्त्रता दीजिये कि हर संशोधन के बारे में, हर बात के बारे में वह जैसे चाहे वैसे वोट दें, ऐसा न हो कि हमारे जो भी हरिजन या आदिवासी सदस्य यहाँ पर सरकारी दल के सदस्य हैं, वे आप के डर से अपनी सही भावना को प्रकट न कर सकें। इसलिये मेरी आप से प्रार्थना है कि इस बिल के लिये आप उन को