

MR. SPEAKER: Correction.

SHRI CHARANJIT CHANANA: Your party is a new party now; anyway, I have said this. The point was raised that the post of Chairman was vacant. The question of filling up the post of Chairman is being considered and I have already said this.

Investigation in Pipra Case

*356. **SHRI N. E. HORO:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the investigations in the case of atrocities in Scheduled Castes and Scheduled Tribes in Pipra village in Bihar have been completed; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

According to the information received from the State Government, the incident took place on the 25th February, 1980. The Police visited the place the next day on the 26th February. On the same day a case was instituted under section 302/147/148/436/307/120(b) of the Indian Penal Code and section 27 of the Arms Act against 39 persons named in the FIR and 300 unknown persons. The investigation in the case was completed and a chargesheet submitted to the court on 8th March, 1980. 62 accused persons either were arrested or surrendered before the court. They were committed to the Court of Sessions on the 18th March, 1980 and 4th April, 1980. One of the accused died a natural death in jail. The Sessions trial opened on 8th April, 1980 and charges have been framed by the court. On the request of the State Government, the High Court has earmarked an Additional Sessions Judge for day-to-day hearing of the case. The State Government have also appointed Special Police Prosecutors.

SHRI N. E. HORD: Will the hon. Minister tell this House whether in the First Information Report the name of an honourable member of this House finds a place as 'Accused'? Is it correct? I want to know whether he has been charge-sheated and whether he accompanied the Home Minister when he visited Pipri?

SHRI YOGENDRA MAKWANA: No Member of the House is mentioned in it. Nobody except myself and the Home Minister was there. When the Home Minister and I went there no other Member accompanied us to that place.

MR. SPEAKER: Mr. Paswan.

श्री राम विनायक पातखान अध्यक्ष जी, पिपरा में गोला बरक के माननीय सदस्य और गृह मंत्री भी गए हैं और मैं समझता हूँ कि जिन तरह में हरिजनों की हत्याएँ की गई, उनकी मारा सदन जानता है। लेकिन मुझे अफसोस है कि हरिजनों पर जब कहीं हत्याएँ होती हैं और जब दण्ड देने की बात आती है तो जो निर्दोष परीक्षकारी लोग हैं, जो किसी-न-किसी रूप में न्याय देना है, उन्हीं को सजा दी जाती है, इस सम्बन्ध में मैं सरकाराना जी से मिला था। अध्यक्ष जी से सरकाराना जी से बहुत चाहूँगा कि अगर वना हरिजन एडिशनल एस० पी० नहीं रहता है, तो पूरे गाँव में एक भी हरिजन नहीं बच पाता .

अध्यक्ष महोदय आप सरकार कीजिए।

श्री राम विनायक पातखान : इसीलिए उसी एडिशनल एस० पी० ने दो सप्ताह पहले कहा था कि इस तरह की घटना होने वाली है, लेकिन किसी हायर एथॉरिटी व ध्यान नहीं दिया। उसके बाद उसने अपने ही प्रलंबने पर जीप भेजी और मारी चीज की व्यवस्था की। जब दण्ड देने की बात आती है, तो उन्हीं आफिसर को दण्डित किया गया है, इस सम्बन्ध में गृह राज्य मंत्री जी से मिला था, उन्होंने कहा था दण्ड नहीं दिया जाएगा, लेकिन मैं माननीय गृह राज्य मंत्री से पूछना चाहता हूँ....

SHRI HARINATHA MISTRA: I rise on a point of order.

MR. SPEAKER: There is no point of order during Question Hour.

श्री राम बिलास पासवान : अध्यक्ष महोदय, मेरे दो प्रश्न हैं—पहला, नीचे से ऊपर तक जो सम्बन्धित पदाधिकारी थे, जिन को खबर दी गई थी कि घटना वहाँ घटने वाली है, उन को सस्पेंड क्यों नहीं किया गया और जब इतनी बड़ी घटना वहाँ घटी है, प्रधान मंत्री जी वहाँ बैठी हुई हैं, वे स्वयं वहाँ क्यों नहीं गईं ?

अध्यक्ष महोदय : यह कोई सवाल नहीं है।

श्री योगेन्द्र मकवाना : बात यह है कि जब इसकी एन्क्वायरी चल रही है और पूरा मामला कोर्ट में है, तो कैसे आफिसर को सस्पेंड करें ? जब तक डिटेल्ज न आये, उनका जुर्म साबित न हो, तब तक इस मामले में कुछ नहीं कर सकते।

MR. SPEAKER: He has put a question regarding the Additional S.P.

SHRI SHIVRAJ V. PATIL: Sir, I have a point of order.

MR. SPEAKER: Under what rule?

SHRI SHIVRAJ V. PATIL: A point of order is not with respect to the rules only. But there are conventions also.

MR. SPEAKER. Not allowed.

SHRI K.C. HALDAR: Sir, during Question hour no point of order can be raised.

MR. SPEAKER: Why are you taking my place? I know. I will do it.

SHRI SHIVRAJ V. PATIL: When I am raising a point of order...

MR. SPEAKER: You can raise after 12 O' clock. The Home Minister knows that matter.

SHRI SHIVRAJ V. PATIL: Sir I am stating my point of order.

MR. SPEAKER: Under what rule you want to raise a point of order?

SHRI SHIVRAJ V. PATIL: Sir, we are all concerned with this matter. I am raising my point of order....

MR. SPEAKER: Under what rule?

SHRI SHIVRAJ V. PATIL: I am stating my point of order.....

(Interruptions)

MR. SPEAKER: Under what rule? I will not allow. You should state that this is with respect to the infringement of a rule....

SHRI SHIVRAJ V. PATIL: I respectfully submit that points of order are not raised according to the rules only. There are conventions also. I only want to point out regarding a matter which is *sub-judice*. Let me make a submission. (Interruptions)

MR. SPEAKER: He will answer the matter under *sub-judice*. Why should you say about that? He should mention about that. (Interruptions)

MR. SPEAKER: I will not allow. No point of order during Question Hours is raised.

SHRI YOGENDRA MAKWANA: The case is in the court of law. The question put by the Hon'ble Member does not concern the main question. However, I promise that I will enquire into the matter and will take necessary step.

PROF. MADHU DANDAVATE: Sir, on the basis of my visit to Pipra, I would like to ask the Hon'ble Minister a specific question. On the day this ghastly incident took place. Is it not a fact that about 500 *goondas* came there to attack the Harijans? 14 Harijans were burnt to death. The atrocities went on from 10.0 O'clock in the night till 3.0 O'clock early in the morning and for the entire period not a single Policeman turned up there. Is it a fact or not?

SHRI YOGENDRA MAKWANA: Sir, it is a fact.... (Interruptions) Please hear what is the fact. This is a part of the statement. Fourteen persons were killed and several injured, that is also a fact. The Police, as soon as the complaint was lodged by the near by villages, rushed to the spot and took necessary action. However, we are also enquiring about the action taken by the police and the attitude of the police.