

दूसरी बात यह है कि जो नान-मीजो लोग ऐजक्स में हैं बैसिकली वह लोग बिजनेसमैन, शोप कीपर्स और बर्नमेन्ट आफिसियल्स हैं, तो उन लोगों की सेफ्टी के लिये सरकार ने क्या कदम उठाये हैं ?

SHRI H. M. PATEL: So far as the family of Shri Chaudhary is concerned, every possible help will be given and it has already been decided upon by the Government. If more help is necessary, it can be considered.

In so far as the safety of non-Mizos in Aizwal and other parts of Mizoram is concerned, very strong security measures have been taken and it is also a fact that after these measures, there has been no loss of life of non-Mizos in Mizoram. There have, of course, been some deaths in so far as the security forces themselves are concerned. There have also been certain attempts on the life of Government security forces, but not of the ordinary citizens.

SHRI PURNANARAYAN SINHA: May I know from the hon. Minister whether there was an altercation between the officer, Shri Chaudhary and two Mizo youths at a place where he was staying and a lot of money was extracted from him by these youths according to the statement made by the servant who was present there and who understood the Mizo language. Has any investigation been made? And whatever may be the facts, is the Minister prepared to lay them on the Table of the House, so that the extent of danger to the non-Mizos is assessed and appropriate measures taken by the Government, to help the non-Mizos and particularly the residents of Assam who are residing in Mizoram?

SHRI H. M. PATEL: I have already said that every possible measure is being taken to ensure the safety of the non-Mizos, in Mizoram. About the other question, whether there was some altercation between Mr. Chaudhri and some Mizos just before the incident which led to his death, there is no such information available with us.

SHRI BEDABRATA BARUA: It appears to me that the Minister has understated the situation in Mizoram. What is happening is that there is a tremendous amount of attack on the non-Mizo population. Even the statement that foreign powers have not intervened, is belied by the report that there were weapons seized which contained Chinese markings. Has that matter been gone into? Is there any truth in the report that the Government has decided

to take over the administration of Mizoram and hand it over to the Army?

SHRI H. M. PATEL: No, Sir. There is no decision whatsoever and no need to take over the administration of Mizoram and hand it over to the Army. There is a properly elected Government which is confident of managing the affairs supported, of course, by adequate security forces. About the suggestion that there were some Chinese markings, it may well be so. After all, the Chinese were formerly supplying some arms. That I have already said; but those supplies have stopped.

Modification of Official Secrets Act, 1923

*46. PROF. P. G. MAVALANKAR:

SHRI G. Y. KRISHNAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Official Secrets Act, 1923 continues to be preserved and implemented in tact;

(b) if so, reasons for not affecting any amendments thereof;

(c) whether the present Government had appointed a Working Group in 1977 at the instance of the then Home Minister to explore the possibilities of the modification of the said 56-year old Act;

(d) if so, who were its members and when did they submit their report;

(e) the broad details of the recommendations of the said report; and

(f) whether Government have accepted or rejected the said Report and reasons for the same?

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): (a) to (f). The Official Secrets Act, 1923, with minor amendments enacted during the post-independence period, is still in force.

A Study Group consisting of Joint Secretaries of the Ministries of Law and Home Affairs and representatives of the Ministry of Defence and the Intelligence Bureau was set up in 1976, to review the provisions of the Act, so as to deal more effectively with espionage activities.

The Study Group submitted its report on 19-7-1978. It was sent to State Governments for their comments. Majority of them have furnished their comments on the report and these are currently under examination.

As the Government is yet to take a decision on the recommendations, it would not be in public interest to furnish the details of those recommendations.

The question whether the law adversely affects, in any manner, dissemination of non-classified information other than that which has a bearing on national security, is also being looked into in this context.

PROF. P. G. MAVALANKAR: Mr. Speaker, Sir, you will agree with me that the whole purpose of the Question Hour is to get more information; and through information, to control the Government. But if the question is not properly answered, where are we to go? I do not want to go into details. I want to seek even a Half-an-Hour discussion on this matter. The first point is: the Janata Party Government which is more than 2 years old, is committed to an open society, democracy and rule of law and it is legitimately and justifiably taking pride in the fact that it restored democracy. We are happy about it. Then how is it, and why is it, that this anachronistic Act of 1923 is there?

Mr. Speaker, Sir, you were a Judge at one time. The Indian Official Secrets Act of 1923 was at that time reviewed by the then Government of India here, saying that it had to be different from the British Act because the latter Act was more liberal, with Common Law Provision in it and, therefore it was not applicable to Indian conditions prevailing then. So, they brought in a new consolidated Act in 1923 to suit Indian conditions of pre-Independence India. Is it the intention of the Janata Government to keep, and continue to have the same imperial Act in democratic India? If anything, our people should be given the legitimate right of freedom of information. As a matter of fact, the question should have been: instead of Official Secrets Act, when are we going to have the Freedom of Information Act, as in the United States. It is a far-off cry. (interruptions) The question is so important and the whole purpose is defeated. The Minister says, in "(a) to (f)", "...with minor amendments enacted during the post-Independence period..." What are these minor amendments? When were these made? He says that the working group was set up in 1976. Accordingly the information available to us through newspapers, it was set up in 1977 at the instance of the then Home Minister, Shri Charan Singhji. Now he is telling us that it was set up in 1976 during the emergency. So, I want to ask at whose instance this working group was set up and what was the purpose for setting up of that thing; whether to withhold further information from the people or to give more information to the people?

SHRI H. M. PATEL: The hon. member is a great expert in complimenting the Government by the one hand and then taking back all those compliments by the other hand. If he really thinks that we are also weeded to the open government which we are, then at least, he should realise that there must be some solid reasons why we are not moving as fast as he may desire in regard to Official Secrets Act. (interruptions) I may be permitted to say a few extra words. The first question which the hon. Member had put was: whether it is a fact that the Official Secrets Act continues to be preserved and implemented intact. I said, it is still continuing. About the word 'continue to be preserved intact.' It is true, but in practice, there is really nothing that is punishable as secret. No action is taken against anybody except in regard to a matter which affects the 'zone of espionage'. Otherwise, by and large, information is made available. Now the point is that there may be certain documents which are classified and may not be available. But in regard to these, it is always put to these people to define them. There has been a Law Commission which considered it in order to simplify the whole procedure; and even what the Law Commission came up with was certainly not simple and they had actually made these things slightly more complicated. Now I would ask even my hon. friend if he can define it. After all, there will be some information which we shall have to keep secret for some time. It is always happening that for a certain period of time some information is kept secret. As you know, for instance, if you want to write a biography regarding certain events, you wait for 30 years before it is released to all scholars. In the same way, there will be currently certain information which will have to be kept secret. We are trying our best to see that the maximum information is kept categorised as non-classified and therefore can be made available. But how do you define what is classified information and what is non-classified information in such a way that it can be done in a simple manner by the ordinary clerk, etc.

It is not so easy; and this is our difficulty. That is why, it is taking some time. But I am hoping that within three months or so, we shall be able to take action on the recommendations which the working group has made. But even that working group's main concern has been how to prevent espionage.

MR. SPEAKER: You had not answer done question. He wanted to know when the working group was appointed.

SHRI H. M. PATEL: I said in 1976.

PROF. P. G. MAVALANKAR: At whose instance?

SHRI H. M. PATEL: In 1976, it must have been at the instance of the previous Home Minister, I suppose. I have no information at the moment, but certainly not at the instance of my predecessor.

PROF. P. G. MAVALANKAR: He said that within three months, he will take a decision: and to that extent, I am satisfied. Whether he will elaborate now on the last part of his answer: "whether the law adversely affects in any manner dissemination of non-classified information, etc. and it is also being looked into" in this context. What exactly is being looked into? Is he aware that only a couple of days back, in this very month, the Standing Committee of the All India Newspapers' Editors' Conference at Simla passed a unanimous resolution saying that this Act must be completely scrapped; and even they said: it is coming in the way of freedom of information to the newspapers and citizens. Therefore, will he give us an assurance, because he knows the British background, about this? There are instances where people like Mr. Anthony Wedgwood Benn of the British Labour Party was saying that even minutes of the Cabinet meetings must be made available to the Members of Parliament. Because, Parliament is run without knowing how it is being done. Therefore, will he please tell us what he is going to do in regard to making information freely available without giving any excuse of secrecy, which bureaucracy always takes recourse to?

SHRI H. M. PATEL: I think I can give him no such assurance, the assurance of the kind he is asking for. There will have to be some information which must be maintained confidential and secret for sometime by the government; it is in the public interest so to do but it will be our endeavour of course to see that the maximum possible amount of information is made available. When I said that it was being examined, it was in the context of seeing that maximum possible is made available. But the question is how to draw the line, where to draw the line to make it mechanical so that there will be no difficulty. Otherwise matters will have to be referred to senior officers and it will take time; it is justifiable if it takes time.

पुलिस में असंतोह

* 47. श्री सुरेन्द्र बिक्रम :

श्री भानु कुमार शास्त्री :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) पूरे देश में पुलिस कर्मचारियों में बढ़ते हुए असंतोह के क्या विशेष कारण हैं ;

(ख) इन भान्दोलनों से कौन-कौन से राज्य प्रभावित हुए हैं ;

(ग) क्या देशपर्यन्त पुलिस कर्मचारियों के मामले में एकरूपता लाने के लिये और उन्हें समान कार्य के लिये समान वेतन और सुविधायें देने हेतु कोई ठोस योजना बनाई जा रही है ; और

(घ) यदि हाँ, तो किस समय तक ?

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): (a) The main grievances of the Police personnel relate to the formation of police associations, resentment against political interference, increase in pay and status of the Constabulary, improvements in working conditions of the Constabulary, misuse of orderlies and inadequate housing facilities etc.

(b) The States affected mostly by the Police agitation were Punjab, Rajasthan, Orissa, Madhya Pradesh, Gujarat and J. & K.

(c) No, Sir. It is not possible to bring uniformity in the pay scales and other facilities of policemen in the country as these would depend on the resource position of each State. However, a national consensus was arrived at the Chief Minister's Conference held on 6th June, 1979 regarding some aspects of living and working conditions of the police forces in the country.

(d) While it is not possible to indicate the time by which these decisions are likely to be implemented, it may be stated that several states have already announced their decisions in respect of several major grievances. It is expected that all State Governments will take decisions expeditiously.

श्री सुरेन्द्र बिक्रम : अध्यक्ष महोदय, हमारे देश में चाहे वह सेंट्रल रिजर्व पुलिस हो या और दूसरी फोर्स हो, सरकार तब उनकी बातों को मानती है जब वह विद्रोह पर चले जाते हैं। मैं यह जानना चाहता हूँ कि 6 जून को जो मुख्य मंत्रियों की कान्फरेंस दिल्ली में हुई उस में क्या-क्या सहूलियतें और क्या-क्या बातें तय की गईं और उनका इम्प्लीमेंटेशन कब तक किया जायगा ?

SHRI H. M. PATEL: Decisions which were taken in that conference were: abolition of orderly system, right of association should be given to the police, more funds should be made available to housing so that within five years something like 75 per cent of their housing requirements can be met. The 7th finance commission had actually made finances available to enable states to bring up to 58 per cent