

PUNJAB VIDHAN SABHA

REPORT

OF

THE AD HOC COMMITTEE

APPOINTED

To enquire into the matter relating to the entry
of Police/outside rs in the House on the
18th March, 1968

(Fifth Vidhan Sabha)

(1969-70)



PUNJAB VIDHAN SABHA SECRETARIAT, CHANDIGARH

March, 1970

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**COMPOSITION OF THE COMMITTEE
(1969-70)**

1	Brigadier Bikarmajit Singh Bajwa, Deputy Speaker	Chairman
*2	Sardar Gurmit Singh	.. Member
**3	Major Harinder Singh	.. Member
4	Comrade Satya Pal Dang	.. Member
5	Sardar Shashpal Singh	.. Member

*Sardar Gurmit Singh resigned with effect from the 1st September, 1969, on his appointment as Chief Parliamentary Secretary.

**Major Harinder Singh resigned with effect from the 13th August, 1969, on grounds of ill health.

REPORT

I. INTRODUCTION AND PROCEDURE

1. I, the Chairman of the Ad-hoc Committee appointed to enquire into the matter relating to the entry of police/outsideers in the House on the 18th March, 1968, having been authorised by the Committee in this behalf present this Report to the Vidhan Sabha.

2. The Punjab Vidhan Sabha at its sitting held on the 25th April, 1969, appointed this Committee on the following motion moved by Sardar Balwant Singh, M.L.A. (now Minister):-

'That notwithstanding the provisions of the Rules relating to the Committee of Privileges an Ad-hoc Committee consisting of the following members of this House be appointed to enquire into the matter relating to the entry of police/outsideers in the House on the 18th March, 1968, and beating of certain M.L.A.s with instructions to report to the House within four months as to what action should be taken against the Police officials/outsideers involved in the matter and to check the recurrence of such incidents :—

1. Brig. Bikarmajit Singh Bajwa, Deputy Speaker .. *Chairman*
2. Major Harinder Singh, M.L.A. (Leader of the Opposition)
3. Comrade Satya Pal Dang, M.L.A.
4. Sardar Gurmit Singh, M.L.A. ; and
5. Sardar Shashpal Singh, M.L.A.

The Rules relating to Committees as far as possible shall apply to this Ad-hoc Committee.'

3. The Committee held 17 sittings, i.e., on the 28th May, 24th June, 24th and 25th July (two sittings), 7th and 8th August (two sittings), 15th (two sittings), 16th and 27th September, 10th October and 16th and 17th December, 1969, 20th January and 17th March, 1970 to consider this matter. The Committee finalised its report at its meeting held on the 17th March, 1970.

4. A brief record of the proceedings of each sitting has been kept separately in the Punjab Vidhan Sabha Secretariat.

II. FACTS OF THE CASE

5. Sardar Balwant Singh, M.L.A., gave notice of a motion on the 24th April, 1969, for the appointment of a Committee to enquire into the matter relating to the entry of police/outsideers in the House on the 18th March, 1968. The Punjab Vidhan Sabha at its sitting held on the 25th April, 1969, appointed this Committee, with instructions to report to the House within four months as to what action should be taken against the police officials/outsideers involved in the matter and to check the recurrence of such incidents.

6. The Ad-hoc Committee at its sitting held on the 8th August, 1969, decided that the Committee were of the view that the work entrusted to them could not be finished within the stipulated period and that since the House was not in session, the Hon'ble Speaker might be approached to grant extension of time for the submission of the Report of the Committee by three months, i.e., up to the 24th November, 1969. The Hon'ble Speaker granted extension of time asked for by the Committee and made a report to the House in this respect on the 29th October, 1969. At its meeting held on the 10th October, 1969, the Committee decided to approach the House for extension of time up to the 31st March, 1970, as the Committee felt that it would not be able to complete its report up to the 24th November, 1969. Accordingly a preliminary report (Appendix I) was presented to the House on the 29th October, 1969, and the House, on a motion moved by the Chairman of the Ad-hoc Committee, extended the time for making of the report till the 31st March, 1970.

7. The Ad-hoc Committee at its sitting held on the 28th May, 1969, framed a questionnaire (Appendix II) and directed that this be circulated to all the then members of the Punjab Vidhan Sabha (Fourth Vidhan Sabha) who were present in the House on the 18th March, 1968. The questionnaire was accordingly sent to 92 members and the replies were received from only two members. On the 24th June, 1969, the Committee decided to send the questionnaire again to all those members from whom acknowledgement receipts had been received with a D.O. letter from the Chairman. It was sent to 72 members of the Fourth Vidhan Sabha and replies to the questionnaire were received from 8 more members. The Committee considered all the replies at its sitting held on the 24th July, 1969. On the 7th August, 1969, the reply to questionnaire from Comrade Hardit Singh Bhathal was received and it was considered by the Committee on the 8th August, 1969.

8. On the 24th June, 24th and 25th July, 8th August and 16th and 27th September, 1969, the Committee decided to call the following persons to give evidence before the Committee :—

24th June, 1969

1. Sardar Gurcharan Singh, Ex-M.L.A.
2. Sardar Gurnam Singh, Chief Minister.
3. Shri A. Vishwanathan, Ex-M.L.A.
4. Sardar Joginder Singh Mann, Ex-Speaker.
5. Dr. Baldev Parkash, Ex-M.L.A.
6. Shri Manmohan Kalia, M.L.A.
7. Shri Balramji Dass Tandon, M.L.A.
8. Shri Lal Chand Suberwal, Ex-M.L.A.
9. Dr. Jagjit Singh, Ex-M.L.A.
10. Shri B.S. Danewalia, Commandant General, Home Guards.
11. Sardar Gurbachan Singh (Sunam), M.L.A.
12. Shri H.B. Lall, the then Chief Secretary.

13. Sardar Baldev Singh, Ex-Deputy Speaker.
14. Kanwar Shamsher Singh, Inspector-General of Police.
15. Sardar Hardev Singh Chhina, Home Secretary.
16. Sardar Partap Singh, D.S.P.
17. Maj. Genl. Rajinder Singh Sparrow, Ex-M.L.A.
18. Shri G.L. Kaul, A.I.O., Punjab Vidhan Sabha.

The 25th July, 1969

1. Shri Dev Raj Puri of Hind Samachar.
2. Shri A.S. Prashar of P.T.I.
3. Shri Dalbir Singh of Patriot.
4. Shri Rajinder Kumar of Pradeep.
5. Shri M. L. Rastogi of Times of India.
6. Shri Sukhdev Singh of I.P.A. and Blitz.
7. Shri P. C. Kashyap of All India Radio.
8. Shri V. D. Chopra of Patriot and Link.
9. Shri Harish Bhanot of Hindustan Times.
10. Shri D. P. Kumar of Statesman.
11. Shri Shiv Dyal of Milap.
12. Shri Sudershan Bhatia of U.N.I.
13. Shri B. K. Marwah of U.N.I.
14. Sardar Hardit Singh Pooqli, M.L.A.
15. Chaudhri Darshan Singh, Ex-M.L.A.
16. Chaudhri Shiv Chand, Ex-M.L.A.
17. Comrade Jangir Singh Joga, Ex-M.L.A.
18. Sardar Satnam Singh Bajwa, M.L.A.
19. Sardar Jagdev Singh, M.L.A.
20. Sardar Dasoundha Singh, Ex-M.L.A.
21. Sardar Harbhagwan Singh, Ex-M.L.A.
22. Sardar Hazara Singh Gill, Ex-M.L.A.

23. Sardar Amar Singh Dosanjh, Ex-M.L.A.
24. Dr. Bhagat Singh, M.L.A.
25. Shri A.S. Midha, Additional I.G. Police, C.I.D.

The 8th August, 1969

1. Shri Balinder Singh, Deputy Commissioner, Jullundur.
2. Shri R. S. Phoolka, Principal Secretary to Chief Minister.
3. Comrade Hardit Singh Bhathal, M.L.A.

The 16th September, 1969

1. Sardar Gurbhagat Singh, S.S.P., Ludhiana.
2. Shri Krishen Swaroop, Secretary, Punjab Vidhan Sabha.

The 27th September, 1969

- *1. Shri Krishen Swaroop, Secretary, Punjab Vidhan Sabha.

9. The Committee examined the following witnesses on the dates mentioned against their names :—

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|--|---|------------------|
| <ol style="list-style-type: none"> 1. Maj. General Rajinder Singh Sparrow,
Ex-M.L.A. 2. Sardar Gurnam Singh, Chief Minister | } | 25th July, 1969 |
| <ol style="list-style-type: none"> 3. Sardar Jagdev Singh, State Minister. 4. Sardar Dasoundha Singh, Ex-M.L.A. 5. Sardar Jangir Singh Joga, Ex-M.L.A. 6. Sardar Gurbachan Singh Sunam, M.L.A. 7. Shri H. B. Lall, Financial Commissioner, Punjab,
Revenue. 8. Kanwar Shamsher Singh, I.G. Police 9. Sardar Hardev Singh Chhina, Home Secretary 10. Shri A. S. Midha, Additional I.G., C.I.D. 11. Shri Partap Singh, D.S.P. 12. Shri B.S. Danewalia, Commandant Genl. Home
Guards. | } | 8th August, 1969 |

*The Committee decided both on 16th and 27th September to examine the Secretary, Punjab Vidhan Sabha.

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| 13. Sardar Amar Singh, Dosanjh, Ex-M.L.A. | } | 15th September, 1969 |
| 14. Shri Rajinder Kumar of Pradeep | | |
| 15. Shri R. S. Phoolka, Principal Secretary to Chief Minister. | | |
| 16. Shri Manmohan Kalia, M.L.A. | | |
| 17. Jathedar Hardit Singh Poohli, M.L.A. | | |
| 18. Jathedar Hardit Singh Bhathal, M.L.A. | | |
| 19. Shri Shiv Chand, Ex-M.L.A. | } | 16th September, 1969 |
| 20. Dr. Bhagat Singh, Social Welfare Minister | | |
| 21. Shri G.L. Kaul, A.I.O., Punjab Vidhan Sabha | | |
| 22. Sardar Satnam Singh Bajwa, State Minister. | | |
| 23. Shri Balramji Dass Tandon, Industries Minister. | } | 27th September, 1969 |
| 24. Lt. Col. Joginder Singh Mann, Ex-Speaker | | |
| 25. Sardar Baldev Singh, Ex-Deputy Speaker | | |
| 26. Shri Gurbhagat Singh Gill, Senior Superintendent of Police, Ludhiana. | } | 10th October, 1969 |
| 27. Shri A.S. Midha, Additional I.G. Police, C.I.D. (Recalled) | | |
| 28. Shri Krishen Swaroop, Secretary, Punjab Vidhan Sabha. | | |

10. The Committee decided not to examine the following witnesses on the dates mentioned against each and, therefore, dropped their names :—

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| 1. Dr. Baldev Parkash, Ex-M.L.A. | 25th July, 1969 | |
| 2. Shri A. Vishwanathan, Ex-M.L.A. | } | |
| 3. Sardar Gurcharan Singh (Nihalsinghwal), Ex-M.L.A. | | |
| 4. Sardar Harbhagwan Singh, Ex-M.L.A. | | |
| 5. Shri Dev Raj Puri of Hind Samachar | | |
| 6. Shri A. S. Prashar of P.T.I. | | |
| 7. Shri Dalbir Singh of Patriot. | | |
| 8. Shri M. L. Rastogi, Times of India. | | |
| 9. Shri Sukhdev Singh of I.P.A. and Blitz | | 16th September, 1969 |
| 10. Shri P. C. Kashyap of All-India Radio. | | |
| 11. Shri V. D. Chopra of Patriot and Link. | | |
| 12. Shri Harish Bhanot of Hindustan Times. | | |

13. Shri D. P. Kumar of Statesman.
14. Shri Shiv Dyal of Milap.
15. Shri Sudershan Bhatia of U.N.I.
16. Shri B.K. Marwaha of U.N.I.
17. Shri Balinder Singh, D.C., Jullundur.
18. Shri Hazara Singh Gill, Ex-M.L.A.
19. Shri Lal Chand Suberwal, Ex-M.L.A.
20. Dr. Jagjit Singh, Ex-M.L.A.
21. Ch. Darshan Singh, Ex-M.L.A.

One of the witnesses examined by the Committee was Shri B. S. Danewalia at present Commandant General, Home Guards and Director, Civil Defence, Punjab. Before tendering his evidence he raised a number of preliminary objections and filed the same in writing. As a number of witnesses had already been examined, the Committee at that time decided to go into these preliminary objections after recording of the evidence had been completed. It is, therefore, now necessary to discuss and decide about the preliminary objections raised by Shri Danewalia before the main issues which had been referred to this Committee are taken up.

One of the objections raised by Shri Danewalia was about Sarvshri Satya Pal Dang and Gurmit Singh being members of this Committee. Shri Gurmit Singh is no longer a member of this Committee as he resigned on 1st September, 1969 after he had assumed the charge of the office of Chief Parliamentary Secretary. It is, therefore, not necessary to discuss anything now in that connection. With regard to Shri Satya Pal Dang, Shri Danewalia's first contention was that Shri Dang had filed writ petition No. 1226 of 1968 in the High Court of Punjab and Haryana challenging the validity of the Punjab Appropriation Act (No. 1) of 1968 and the Punjab Appropriation Act (No. 2) of 1968 and that in the affidavit filed in connection with this writ petition he had referred to a telegram sent by the then Speaker to the President of India, the Prime Minister and the Governor of Punjab in which he had alleged that 100 policemen and goondas had entered in the Assembly Chamber at the bidding of the then Chief Minister after he (the then Speaker) had adjourned the House etc.

The Second objection in relation to Shri Dang being on the Committee was that Shri Dang was one of the signatories to the Memorandum presented to the President of India on 20th March, 1968 in which precisely the same allegations were made which were the subject-matter of the writ petition mentioned earlier and that he was also one of the signatories to the Memorandum presented to the President of India in June, 1968 in which it was alleged that the appointment of Shri B. S. Danewalia as D.I.G./C.I.D. in place of Shri A. S. Midha was improper and *mala-fide*.

In view of these objections Shri Dang offered to disassociate himself from this Committee and its remaining work of evaluating the evidence and giving its findings, but this was not agreed to by the Committee/Chairman because it was felt that there was no force in the objections referred to above on the following grounds. Firstly, Shri Dang, was not present in the Assembly on the 18th March, 1968 and, therefore, he was not an eye witness to the events that took place on that day. In his writ petition he had only made a reference to the telegram

sent by the Speaker and quoted the same. Any reference which he might have made to the appointment of Shri Danewalia in place of Shri Midha as D.I.G./C.I.D can possibly have no bearing on the working of the Committee. Secondly, in accordance with the terms of reference, the Committee has not been appointed to enquire into the charges against any specific person. It is a Committee which will do preliminary fact finding work as to whether the police/outsideers really entered the Assembly Chamber on the 18th March, 1968 and beat up some M.L.As. and, if so, who was responsible for it. If necessary, it would of course, make recommendations also as to what action should be taken against the persons involved in the matter and to check the recurrence of such incidents but any recommendations that it might make would be gone into by the Vidhan Sabha itself. Thirdly, if the argument of Shri Danewalia is to be accepted then no Committee of the House consisting of its Members would be able to go into any matter which might be considered as contempt of the House and which might have been committed in the House itself. That is why when the House appointed this Committee, it did not consider it improper to include in it some of those Members who were personally present in the House when the alleged events are reported to have taken place i.e. on the 18th March, 1968. Shri Gurmit Singh was one such Member though he later on resigned on different ground altogether.

Another objection raised by Shri Danewalia was that the Speaker could appoint a Privileges Committee under Rule 274 of the Rules of Procedure but he did not do so when a demand for such a Committee was made in the House on the ground that the matter was an old one and not covered by the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly. Having refused to appoint such a Privileges Committee under Rule 274 to deal with this matter, the Speaker, according to Shri Danewalia, could not constitute an *Ad hoc* Committee for that very purpose superseding the Rules of Business of the Punjab Assembly.

Shri Danewalia is wrong when he says that this Committee was appointed by the Speaker. It was in fact appointed by the House. By implication Shri Danewalia had also said that even the House had no power to appoint such a Committee. We do not agree with this contention of his. Moreover, this very matter was debated in the House itself and this contention raised by some Members was not accepted by the House.

The Committee does not see any force in another contention of Shri Danewalia that the appointment of the Committee is against the principles of natural justice or that the matter could not be debated in the House because it was a subject matter of judicial litigation on which the highest court of the land had pronounced its verdict. According to Shri Danewalia that would also be contempt of court.

Obviously Shri Danewalia was referring to the Judgement of the Supreme Court in connection with the two Writ Petitions which challenged the legality and validity of Punjab Appropriation Act (No. 1), 1968 and the Punjab Appropriation Act (No. 2), 1968. The Committee has gone through this judgement and not to speak of a finding on this question, there does not occur even a reference to the matter entrusted to the Committee. There is, therefore, no force in the contention of Shri Danewalia that the Supreme Court decision meant that allegations about police entry were impliedly rejected. Shri Danewalia also contended that since the discussion had already taken place in the Assembly and the Memorandum submitted to the President during the Budget Session, it could not be re-agitated. There is no force at all in this argument. Some Members may have referred to the matter in various discussions during the Budget Session but no conclusion was drawn by the Assembly. If the Assembly had drawn any definite conclusion in the matter, it would not have appointed this Committee.

Still another objection raised by Shri Danewalia was that Shri Lal Chand Suberwal registered a case in connection with the same happenings and the same was filed as untraced and that this finding of the Police was accepted by the Magistrate. Since the case was filed as untraced it can be re-opened even by an appropriate judicial court. Certainly it is not a bar to this Committee going into the matter and making its recommendations to the Punjab Vidhan Sabha. Having come to the conclusion that there is no force in the preliminary objections raised by Shri Danewalia that the Committee is illegal, we now proceed with the matter referred to us by the Vidhan Sabha. The Committee has first to give its finding as to what the real facts are about the alleged entry of the police/outsiders in the House on the 18th March, 1968.

The Session began on that day (18th March, 1968) at 2.00 P.M. and was adjourned by the Speaker in accordance with his earlier ruling dated 7th March, 1968 for 2 months from that date. This was at about 5.05 P.M. as per official Report of the proceedings. It is quite clear from the evidence that after the Speaker gave his decision and left the House, Members continued to remain there. Almost all the witnesses agreed that some time passed before the Deputy Speaker declared that the Speaker had no authority to adjourn the House in view of the ordinance promulgated by the Governor and that any such adjournment ordered by the Speaker was, therefore, illegal and void and that the House would resume the consideration of the business before it. It seems from the evidence that it was at about 6-15 p.m. that the Deputy Speaker made the above announcement and called upon the Chief Minister to move the motion.

We shall first examine the position in relation to the period between 2.00 p.m. and 5.05 p.m. The evidence leaves absolutely no doubt in our minds that before the Session commenced a certain number of persons belonging to the Police/C.I.D. had entered the Chamber and had taken sitting positions behind the last row of the seats of the Members. There is hardly any witness who deposed that no Policemen were present inside the Chamber. Even the Officers who appeared as witnesses including those who chose to be evasive on certain vital points concerning responsibility etc., admitted the presence of policemen/outsiders in the House when the sitting commenced. The evidence is unanimous that no trouble took place during this period, that there was no scuffle of any kind whatsoever and that there was no question of any M.L.A. having been beaten by any one. A large number of witnesses deposed that the presence of these people (policemen/outsiders) was pointed out by certain Members through Points of Order, that the Speaker first took the position that there were only members of the Watch and Ward staff inside the House, but then ordered them to go out of House. As to the number of these people, the evidence is conflicting. The number given by various witnesses varies from 7-8 to 34. We have come to the conclusion that the correct number was 10 or 11, as given by quite a few witnesses. Shri Partap Singh D.S.P. in his statement deposed that he had got passes for 34 police people including himself through Mrs. Pritam Kaur Dhillon, D.S.P./C.I.D. and that he had himself led all these people into the Chamber before the Session commenced and that objection taken was with regard to only 7 persons who were sitting behind the Members' seats but not with regard to others who according to Shri Partap Singh were in standing position.

Shri Partap Singh further deposed that after the Speaker ordered the police people to go out, only those who were in sitting position went out and all the others remained inside the House. He further stated that he himself went out and after pulling up those 7 persons who had gone out, for having sat behind the seats, he came back into the Assembly Chamber.

The Committee has carefully weighed all the evidence in this respect and has absolutely no doubt in its mind that Shri Partap Singh made a false

statement. Evidence as well as official record of the proceedings makes it amply clear that the objection taken was in regard to the strangers. Members pointed out that these strangers were policemen. It is incredible that the Members would raise objection only to those policemen who were sitting behind the seats and not to those who were standing. It is also incorrect that the Speaker ordered only those who were sitting to go out. He, in fact, asked the regular staff to stay and others to go out. The real fact seems to be that there were only 11 or 12 policemen/outsideers and all of them were sitting behind the seats and all of them did go out.

We now come to the period during which most of the Members continued to remain in the House, after the Speaker had left after adjourning the House and before the Deputy Speaker declared the action of the Speaker null and void and asked the House to resume the business.

Evidence is overwhelming that before the Deputy Speaker could occupy the Chair and preside over the sitting from there a large number of policemen had entered the Chamber and they had taken part in the scuffle, particularly at the dais to get the Chair, which had been occupied by a Member of the Opposition, vacated. Evidence is, however, conflicting as to whether police made entry into the Chamber before the Deputy Speaker declared the decision of the Speaker invalid from seat No. 15 or after it. According to Major General Rajinder Singh Sparrow, the police entered the Chamber before the Deputy Speaker came in and the main scuffle and fight too took place before that though some scuffle was going on when the Deputy Speaker came in. Some other witnesses too supported General Rajinder Singh in that respect. Quite a few witnesses were not explicit on this point. Shri Manmohan Kalia stated that the Police entered after the Chief Minister had requested the Deputy Speaker to start the proceedings again. It seems to us that the police people in quite a large number had entered the Chamber even before the Deputy Speaker resumed the proceedings from seat No. 15 and called upon the Chief Minister to move the motion. From the evidence it also appears likely that the fighting at the dais too had started before but it definitely continued even after that.

The contention of Shri Partap Singh D.S.P. that no police people entered the Assembly at any stage except those who had entered 'in the very beginning i.e., before 2.00 p.m. and had remained there even after the order of the Speaker is obviously not correct. As regards the period after the Deputy Speaker resumed the proceedings in the House at about 6-15 p.m., we have already given our findings that the police was already there and some fight continued even after that. The evidence is also clear that even after the scuffle and fight came to an end the police did not clear out. The police in fact remained there till the very end, i.e., till the Budget had been passed and the Deputy Speaker adjourned the House.

Having given our findings about the question of police entry we now come to the question as to whether certain M.L.As were beaten. It is necessary to deal with this point in detail. Of course, it is not necessary to refer to the evidence of those witnesses who said that they were not present at the time when the scuffle took place or of those who deposed on the basis of hearsay.

General Rajinder Singh Sparrow stated in his evidence as under:—

“ਉਹ ਵਾਕਿਆ ਇਹ ਸੀ ਕਿ ਦੋਨੋਂ ਪਾਸਿਉਂ ਮੈਂਬਰ ਇਹ ਕੋਸ਼ਿਸ਼ ਕਰ ਰਹੇ ਸਨ ਕਿ ਸਪੀਕਰ ਦੀ ਕੁਰਸੀ ਤੇ ਪਹੁੰਚ ਜਾਣ। ਪਹਿਲਾਂ ਤਾਂ ਇਹ ਕੋਸ਼ਿਸ਼ ਹਾਸਾ ਨੱਠਾ ਬਣੀ ਰਹੀ ਪਰ ਛੇਤੀ ਹੀ ਇਸ ਵਾਸਤੇ ਲੜਾਈ ਹੋਣ ਲਗ ਪਈ। ਇਤਨੇ ਨੂੰ ਜਿਥੇ ਮਹਾਤਮਾ ਗਾਂਧੀ ਦੀ ਤਸਵੀਰ ਹੈ ਉਥੋਂ ਸ਼ੋਰ ਉਠਿਆ ਕਿ ਪੁਲੀਸ ਵਾਲੇ ਇਧਰੋਂ ਵੀ ਆ ਗਏ ਹਨ। ਉਨ੍ਹਾਂ ਦੀ ਗਿਣਤੀ 20 ਦੇ ਕਰੀਬ ਸੀ। ਫੇਰ ਪੁਲੀਸ ਵਾਲੇ ਤੇ ਐਮ.ਐਲ.ਏਜ਼ ਨੂੰ ਗੁਥਮ ਗੁਥਾ ਹੁੰਦਾ ਵੀ ਵੇਖਿਆ। ਕੁਝ ਐਮ.ਐਲ.ਏਜ਼ ਨੂੰ ਉਥੋਂ ਪਕੇ ਮਾਰ ਕੇ ਬਲੇ ਸਿਟ ਦਿਤਾ।”

Further Shri Sparrow said :—

“... So I have no doubt, as being an eye-witness to this scene, that the police wanted to install some one into the Speaker's Chair, which the Deputy Speaker could not otherwise occupy to start with. In relation to scuffling that took place on the Speaker's dais, about 5 or 6 M.L.As. from the Treasury Benches and about the same number from the Opposition side took part. The names of the M.L.As., who were scuffling, which I can recall, are Sarvshri Gurbachan Singh Sunam, Satnam Singh Bajwa and Amar Singh Dosanjh.”

Sardar Jagdev Singh, Minister of State said that the Opposition M.L.As. on the dais objected to the police coming there and the police people grappled with “our Members”. He further stated:—

“ਉਥੇ ਪੁਲਿਸ ਦੇ ਆਦਮੀ ਸਾਡੇ ਮੈਂਬਰਾਂ ਨਾਲ ਗੁੱਬਮ-ਗੁੱਬਾ ਹੋਏ। ਫਿਰ ਮੈਂ ਵੀ ਉਥੇ ਚਲਾ ਗਿਆ। ਸਪੀਕਰ ਸਾਹਿਬ ਵਾਲਾ ਦਰਵਾਜ਼ਾ ਬੰਦ ਸੀ। ਉਹ ਦਰਵਾਜ਼ਾ ਕਿਸੇ ਪੁਲਿਸ ਵਾਲੇ ਨੇ ਖੋਲ੍ਹਿਆ ਅਤੇ ਜਿਹੜੀ ਪੁਲਿਸ ਦਰਵਾਜ਼ੇ ਤੋਂ ਬਾਹਰ ਸੀ ਉਹ ਵੀ ਉਸ ਵਕਤ ਅੰਦਰ ਆ ਗਈ। ਪੁਲਿਸ ਵਾਲੇ ਨੇ ਮੈਨੂੰ ਪਿਛੋਂ ਜੱਫੀ ਮਾਰ ਕੇ, ਲੱਤਾਂ ਤੋਂ ਫੜ ਕੇ ਚੀਫ ਮਨਿਸਟਰ ਸਾਹਿਬ ਦੇ ਸੈਕਟਰੀ ਦੇ ਕਮਰੇ ਵਿਚ ਘੜੀਸ ਕੇ ਲੈ ਗਈ। ਉਸ ਕਮਰੇ ਦੇ ਵਿਚ ਮੈਨੂੰ ਬੰਦ ਕਰ ਦਿਤਾ ਗਿਆ। ਜਿਸ ਵਕਤ ਮੈਨੂੰ ਜੱਫਾ ਮਾਰਿਆ ਗਿਆ ਅਤੇ ਮੈਨੂੰ ਚੁਕਣ ਦੀ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ ਗਈ ਉਸ ਵਕਤ ਮੈਂ ਆਪਣੇ ਆਪ ਨੂੰ ਫੁਡਾਉਣ ਦੀ ਕੋਸ਼ਿਸ਼ ਕਰਦਾ ਰਿਹਾ ਪਰ ਉਨ੍ਹਾਂ ਨਹੀਂ ਛੱਡਿਆ। ਸਭ ਤੋਂ ਜ਼ਿਆਦਾ ਦੁਖ ਇਸ ਗਲ ਦਾ ਹੈ ਕਿ ਪੁਲਿਸ ਨੇ ਡਾਇਸ ਦੇ ਉਤੇ ਆ ਕੇ ਸੀਨਾ ਜ਼ੋਰੀ ਕੀਤੀ। ਇਹ ਵਾਕਿਆ ਕੋਈ ਢਾਈ ਵਜੇ ਦਾ ਹੈ। ਸਪੀਕਰ ਸਾਹਿਬ 2 ਵਜੇ ਚਲੇ ਗਏ ਸਨ। ਮੈਨੂੰ 6 ਵਜੇ ਤੋਂ ਬਾਅਦ ਉਸ ਕਮਰੇ ਵਿਚੋਂ ਕਢਿਆ ਗਿਆ। ਡਿਪਟੀ ਸਪੀਕਰ ਸਾਹਿਬ, ਦੇ ਰਾਹੀਂ ਚਲਾਈ ਗਈ ਕਾਰਵਾਈ ਦਾ ਮੈਨੂੰ ਨਹੀਂ ਪਤਾ। ਕਿਉਂਕਿ ਮੈਂ ਉਸ ਵਕਤ ਹਾਊਸ ਵਿਚ ਹਾਜ਼ਰ ਨਹੀਂ ਸੀ। ਉਸ ਕਮਰੇ ਦੇ ਵਿਚੋਂ ਨਿਕਲਦਿਆਂ ਹੀ ਪੁਲਿਸ ਦੀ ਹਿਫਾਜ਼ਤ ਵਿਚ ਮੈਨੂੰ ਹੋਸਟਲ ਪਹੁੰਚਾਇਆ ਗਿਆ। ਸਾਡੀ ਹਿਫਾਜ਼ਤ ਲਈ ਉਥੇ ਪੁਲਿਸ ਦਾ ਪਹਿਰਾ ਰਿਹਾ। ਸਾਨੂੰ ਹਿਫਾਜ਼ਤ ਦੇਣ ਲਈ ਪੁਲਿਸ ਚੈਂਡੀਗੜ੍ਹ ਯੂਨੀਅਨ ਟੈਰੇਟਰੀ ਦੀ ਸੀ।”

It may be stated here that Shri Jagdev Singh had given time of the start of the session as 9.00 A.M. instead of 2.00 P.M. In fact he was quite emphatic about it. This was of course wrong. The Committee, however, think that this was only a slip and that this is no reason why his entire evidence should be disbelieved.

Shri Dasoundha Singh Ex-M.L.A. had deposed as under :—

“ਇਸੇ ਦੌਰਾਨ ਦੇ ਵਿਚ ਹੀ ਸਪੀਕਰ ਸਾਹਿਬ ਦਾ ਉਹ ਦਰਵਾਜ਼ਾ ਜਿਸ ਰਸਤੇ ਤੋਂ ਸਪੀਕਰ ਸਾਹਿਬ ਡਾਇਸ ਤੇ ਆਉਂਦੇ ਸਨ, ਉਸ ਰਸਤੇ ਤੋਂ ਪੁਲਿਸ ਅੰਦਰ ਦਾਖਲ ਹੋਈ। ਇਸ ਤੋਂ ਅਸੀਂ ਜ਼ਰ ਪਾ ਦਿਤਾ ਕਿ ਪੁਲਿਸ ਕਿਉਂ ਇਸ ਰਸਤੇ ਤੋਂ ਅੰਦਰ ਆਈ ਹੈ। ਮੈਂ ਆਪ ਉਨ੍ਹਾਂ ਨੂੰ ਰੋਕਣ ਦੇ ਵਾਸਤੇ ਗਿਆ ਤਾਂ ਪੁਲਿਸ ਵਾਲਿਆਂ ਨੇ ਮੈਨੂੰ ਘੇਰ ਕੇ ਚੁਕ ਲਿਆ ਤੇ ਬਾਹਰ ਇਕ ਗੈਲਰੀ ਵਿਚ ਲੈ ਆਏ। ਮੈਂ ਆਪਣੇ ਸੱਜੇ ਹੱਥ ਦੇ ਨਾਲ ਹੈਲਿੰਗ ਨੂੰ ਹੱਥ ਪਾਲਿਆ। ਹੱਥ ਫੁਡਾਣ ਲਈ ਪੁਲਿਸ ਨੇ ਮੇਰੇ ਹੱਥ ਤੇ ਸੱਟਾਂ ਮਾਰੀਆਂ। ਜਿਸ ਵੇਲੇ ਦਰਵਾਜ਼ੇ ਤੋਂ ਬਾਹਰ ਮੈਨੂੰ ਕਢਿਆ ਗਿਆ ਤਾਂ ਜਿਹੜਾ ਅਗਲਾ ਬੰਮਾ ਹੈ ਮੈਂ ਉਸ ਨੂੰ ਜੱਫੀ ਪਾਲਈ। ਮੇਰੀ ਪਿਠ ਦੇ ਵਿਚ ਮੈਨੂੰ ਮਾਰ ਮਾਰ ਕੇ ਮੇਰੀ ਉਹ ਜੱਫੀ ਫੁਡਾਈ ਗਈ। ਇਸ ਵਕਤ ਜਿਹੜਾ ਰੌਲਾ ਹਾਊਸ ਵਿਚ ਪੈ ਰਿਹਾ ਸੀ ਉਹ ਮੈਨੂੰ ਸੁਣਾਈ ਦਿੰਦਾ ਸੀ। ਕਿਉਂਕਿ ਮੇਰੀ ਅਜੇ

ਵੀ ਮਾਰ ਕੁਟਾਈ ਹੁੰਦੀ ਸੀ। ਮੈਂ ਉਨ੍ਹਾਂ ਪੁਲਿਸ ਦੇ ਬੰਦਿਆਂ ਨੂੰ ਕਿਹਾ ਕਿ ਅਗਰ ਤੁਹਾਨੂੰ ਚੀਫ ਮਨਿਸਟਰ ਗਿਲ ਸਾਹਿਬ ਦਾ ਹੁਕਮ ਹੈ ਤਾਂ ਮੈਂਨੂੰ ਜੇਲ੍ਹ ਵਿਚ ਭੇਜ ਸਕਦੇ ਹੋ ਪਰ ਮੇਰੀ ਮਾਰ ਕੁਟਾਈ ਨਾ ਕਰੋ। ਉਸ ਵਕਤ ਮੈਂਨੂੰ ਇਸ ਤਰ੍ਹਾਂ ਮਾਲੂਮ ਹੋਇਆ ਕਿ ਮੇਰਾ ਦਮ ਘੁਟਣ ਲਗਾ ਹੈ, ਮੈਂਨੂੰ ਪਾਣੀ ਦੀ ਬਹੁਤ ਪਿਆਸ ਲਗੀ ਤੇ ਮੈਂ ਪਾਣੀ ਮੰਗਿਆ। ਮੈਂਨੂੰ ਉਸ ਤੋਂ ਬਾਦ ਕੰਟੀਨ ਵਲ ਲਿਆਂਦਾ ਗਿਆ ਅੰਰ ਉਥੇ ਮੈਂਨੂੰ ਪਾਣੀ ਪੀਣ ਲਈ ਮਿਲਿਆ। ਬਾਕੀ ਦੇ ਪੁਲਿਸ ਕਰਮਚਾਰੀ ਹੌਲੀ ਹੌਲੀ ਮੇਰੇ ਕੋਲੋਂ ਚਲੇ ਗਏ ਅੰਰ ਸਿਰਫ ਦੋ ਬੰਦੇ ਮੇਰੇ ਕੋਲ ਰਹਿ ਗਏ। ਮੈਂਨੂੰ ਕੰਟੀਨ ਦੇ ਵਿਚ ਹੀ ਬਿਠਾਈ ਰਖਿਆ। ਮੇਰੇ ਕੋਲ ਜਿਹੜੇ ਪੁਲਿਸ ਦੇ ਅਫ਼ਸਰ ਸੀ ਉਨ੍ਹਾਂ ਵਿਚੋਂ ਇਕ ਹਿੰਦੂ ਸੀ ਅੰਰ ਇਕ ਸਿੱਖ ਸੀ। ਜਿਸ ਵੇਲੇ ਹੋਰ ਐਮ. ਐਲ. ਏ. ਹਾਊਸ ਤੋਂ ਬਾਹਰ ਆ ਗਏ ਉਸ ਵੇਲੇ ਉਨ੍ਹਾਂ ਨੇ ਮੈਂਨੂੰ ਛੱਡ ਦਿਤਾ।"

Comrade Jangir Singh Joga, Ex-M.L.A. deposed that he saw with his own eyes Sardar Gurbachan Singh, M.L.A. and Sardar Harbhagwan Singh, M.L.A. being beaten (by the police). Comrade Joga further stated that Shri Balramji Das Tandon also received some blows when he went to the dais to prevent the fight.

Further Shri Joga stated that he saw Shri Jagdev Singh, M.L.A. and Sardar Dasoundha Singh, M.L.A. being dragged out of the House by the Police via Speaker's entrance.

Sardar Gurbachan Singh Sunam Ex-M.L.A. stated in evidence as follows :

"ਫਿਰ ਪੁਲਿਸ ਨੇ ਮਹਾਤਮਾਂ ਗਾਂਧੀ ਦੀ ਫੋਟੋ ਹੇਠੋਂ ਉਪਰ ਨੂੰ ਚੜ੍ਹਨਾ ਸ਼ੁਰੂ ਕੀਤਾ। ਮੈਂ ਦੋ ਦਫ਼ਾ ਧੱਕੇ ਮਾਰ ਕੇ ਉਨ੍ਹਾਂ ਨੂੰ ਪਿਛੇ ਸੁਟਿਆ। ਉਨ੍ਹਾਂ ਨੇ ਸਾਨੂੰ ਫੜਨ ਦੀ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ। ਐਸ. ਐਚ. ਓ. ਬਹਿਲਾ ਵਾਲੇ ਨੇ ਮੁਹਰੇ ਦੀ ਚੜ੍ਹਨਾ ਸ਼ੁਰੂ ਕੀਤਾ ਅਤੇ ਮੈਂਨੂੰ ਫੜਨ ਦੀ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ। ਜਦੋਂ ਅਸੀਂ ਮੁਹਰੇ ਤਕੜੇ ਹੋ ਗਏ ਤਾਂ ਫਿਰ ਉਹ ਨੀਚੇ ਆ ਗਏ। ਜਦ ਪੁਲਿਸ ਦੋਨਾ ਪਾਸੇ ਦੀ ਕਾਰਵਾਈ ਵਿਚ ਕਾਮਯਾਬ ਨਾ ਹੋ ਸਕੀ ਤਾਂ ਸਪੀਕਰ ਸਾਹਿਬ ਦਾ ਜਿਹੜਾ ਮਗਰਲਾ ਗੇਟ ਹੈ ਉਥੇ ਦੀ 10-15 ਪੁਲਿਸ ਵਾਲਿਆਂ ਨੇ ਧੱਕੇ ਮਾਰੇ। ਧੱਕੇ ਮਾਰਨ ਕਰਕੇ ਉਸ ਗੇਟ ਦੀ ਕੁੰਡੀ ਟੁੱਟ ਗਈ। ਇਹ ਰੋਲਾ ਰੱਪਾ ਹੁੰਦਾ ਹੀ ਪਿਆ ਸੀ ਕਿ ਸਾਡੇ ਜਥੇਦਾਰ ਦਸੌਂਦਾ ਸਿੰਘ ਅਤੇ ਸਰਦਾਰ ਜਗਦੇਵ ਸਿੰਘ ਡਾਇਸ ਤੇ ਆ ਗਏ। ਸ੍ਰੀ ਲਾਲ ਚੰਦ ਸਬਰਵਾਲ ਜੋ ਕਿ ਜਨਸੰਘ ਦੇ ਮੈਂਬਰ ਹਨ, ਨੇ ਮੁਹਰੇ ਪਾਸੇ ਦੀ ਡਾਇਸ ਤੇ ਚੜ੍ਹਨ ਦੀ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ, ਲੋਕਿਨ ਪੁਲਿਸ ਵਾਲਿਆਂ ਨੇ ਉਨ੍ਹਾਂ ਨੂੰ ਚੜ੍ਹਨ ਨਹੀਂ ਦਿਤਾ। ਸ੍ਰੀ ਛੱਜੂ ਰਾਮ ਜੋ ਕਿ ਪਠਾਨਕੋਟ ਤੋਂ ਐਮ. ਐਲ. ਏ. ਚੁਣਕੇ ਆਏ ਸਨ, ਨੂੰ ਵੀ ਪੁਲਿਸ ਵਾਲਿਆਂ ਨੇ ਕੁੱਟਿਆ। ਉਸ ਤੋਂ ਬਾਅਦ ਸਰਦਾਰ ਜਗਦੇਵ ਸਿੰਘ ਅਤੇ ਜਥੇਦਾਰ ਦਸੌਂਦਾ ਸਿੰਘ ਨੂੰ ਬਾਹਰ ਚੁੱਕ ਕੇ ਲੈ ਗਏ। ਮੈਂ ਉਸ ਕੁਰਸੀ ਤੋਂ ਖੱਬੇ ਹੱਥ ਦੀ ਛਾਲ ਮਾਰਕੇ ਆਪ ਦੀ ਜਾਨ ਬਚਾਈ। ਫਿਰ ਉਥੇ ਹੋਰ ਭਾਈ ਪੁਲਿਸ ਆ ਗਈ। ਪੁਲਿਸ ਦੀ ਮੱਦਦ ਦੇ ਨਾਲ ਡਿਪਟੀ ਸਪੀਕਰ ਨੂੰ ਸਪੀਕਰ ਦੀ ਕੁਰਸੀ ਤੇ ਬਠਾਇਆ।"

Shri H. B. Lall the then Chief Secretary deposed that he—

"came back to the House when the House was recalled by the Deputy Speaker" and that he "noted that a scuffle was going on between the Members among themselves as well as with some outsiders".

Kanwar Shamsher Singh the Inspector-General of Police deposed as under :—

"There was a scuffle on the dais on that day. I cannot say whether only M.L.As. were involved in that scuffle or some out-siders also participated in that. Some Members had occupied the Speaker's Chair. I could assume that the Deputy Speaker must have ordered somebody to get the Chair vacated. Although I cannot name any body I do think that some security people whose services had been placed at the disposal of the Vidhan Sabha Secretariat and who were under their command, were involved in this scuffle."

Kanwar Shamsber Singh later on corrected this portion of his evidence to read as under :—

“There was a scuffle on the dais on that day. I cannot say whether only M.L.As. were involved in that scuffle or some watch and ward men were also involved. Some Members had occupied the Speaker's Chair, I understand the Deputy Speaker had ordered for vacation of the Chair. Although I cannot name anybody, some security men, whose services had been placed at the disposal of the Vidhan Sabha Secretariat and who were under their command, were also seen on the dais.”

This correction was made when a copy of his statement was sent to him for correction, if any. The Committee is of the definite view that Kanwar Shamsber Singh did state before the Committee that some security people on the dais were involved in the scuffle.

Shri Hardev Singh Chhina the then Home Secretary deposed as under :—

“Scuffle inside the Chamber took place after the Speaker adjourned the House and left. When this scuffle took place between the M.L.As., some others were also present. Presumably these belonged to the Watch and Ward staff. Most of the scuffle was between the M.L.As. themselves. However, when the scuffle took place on the dais in connection with the occupation of Speaker's Chair, some outsiders were also involved in this scuffle. I would not say that they actually took part in the scuffle but they were pushed about, though I cannot say by whom. One actually fell down and turban of another came down. Everything that was happening near or behind the Speaker's Chair was not visible to me from my seat.”

According to Shri Partap Singh, D.S.P., the police people who went up the dais only separated the legislators who were grappling with each other and that the police did not take away any M.L.A. from there by pushing or by carrying him away. He further added that the grappling Members were separated by police and then he voluntarily left the dais. His exact statement in this connection is as under :—

‘ਡਿਪਟੀ ਸਪੀਕਰ ਸਾਹਿਬ ਨੇ ਉੱਚੀ ਆਵਾਜ਼ ਵਿਚ ਕਿਹਾ ਵਾਚ ਐਂਡ ਵਾਰਡ ਸਟਾਫ਼ ਕੁਰਸੀ ਖਾਲੀ ਕਰਾਓ। ਜਿਸ ਵਕਤ ਡਿਪਟੀ ਸਪੀਕਰ ਸਾਹਿਬ ਨੇ ਹੁਕਮ ਦਿਤਾ ਕਿ ਡਾਇਸ ਖਾਲੀ ਕਰਾਓ ਤਾਂ ਮੈਂ ਉੱਥੇ ਜਿਹੜੇ ਮੇਰੇ 10-15 ਆਦਮੀ ਸਨ ਉਨ੍ਹਾਂ ਨੂੰ ਡਾਇਰੈਕਟ ਕੀਤਾ। ਉਨ੍ਹਾਂ ਦੇ ਵਿਚੋਂ ਕੁਝ ਆਦਮੀ ਪੌੜੀ ਦੇ ਰਸਤੇ ਉੱਪਰ ਗਏ। ਕੁਝ ਇਕ ਲੈਂਡਰ, ਮੈਨੂੰ ਪਤਾ ਨਹੀਂ ਕੌਣ ਲਿਆਇਆ, ਅਫਸਰ ਗੈਲਰੀ ਦੇ ਪਿਛਲੇ ਪਾਸੇ ਜਿਥੇ ਮਹਾਤਮਾ ਗਾਂਧੀ ਜੀ ਦੀ ਤਸਵੀਰ ਲਗੀ ਹੋਈ ਹੈ ਉਸ ਦੇ ਕੋਲ ਕਰਕੇ ਲਾਈ ਅੰਗ ਉਸ ਦੀ ਜ਼ਰੀਏ ਚੜ੍ਹੇ ਤੇ ਕੁਝ ਜਿਹੜਾ ਗਵਰਨਰ ਸਾਹਿਬ ਦੇ ਬਾਕਸ ਨੂੰ ਦਰਵਾਜ਼ਾ ਜਾਂਦਾ ਹੈ ਜਾਂ ਸਪੀਕਰ ਸਾਹਿਬ ਦੇ ਦਰਵਾਜ਼ੇ ਨੂੰ ਰਸਤਾ ਜਾਂਦਾ ਹੈ, ਉਥੋਂ ਦੀ ਆਏ। ਤੇ ਉਹਨਾਂ ਮੈਂਬਰਾਂ ਨੂੰ ਜਿਹੜੇ ਆਪਸ ਵਿਚ ਗੁੱਥਮ ਗੁਥਾ ਹੋਏ ਹੋਏ ਸੀ, ਅਲੱਗ ਕੀਤਾ। ਅਸਾਂ ਕਿਸੇ ਮੈਂਬਰ ਨੂੰ ਜ਼ਬਰਦਸਤੀ ਧਕੇਲ ਕੇ ਜਾਂ ਉਠਾ ਕੇ ਉਥੋਂ ਨਹੀਂ ਖਿੜਿਆ। ਮੈਂਬਰ ਗੁਥਮ ਗੁਥਾ ਹੋਏ ਹਟਾ ਦਿਤੇ ਗਏ ਤੇ ਉਹ ਆਪਣੇ ਆਪ ਹੀ ਫਿਰ ਉਥੋਂ ਚਲੇ ਗਏ।’

Shri Danewalia deposed before the Committee as under :—

“we both went back into the Chamber just a little before the Deputy Speaker came to the Chamber. After the arrival of the Deputy Speaker, a scuffle started between the Congress and the Treasury Benches on the one hand and the Opposition on the other. This scuffle took place on the dais. I cannot make a guess as to the number who were actually on the dais.

x x x x x x
x x x x x

I cannot say if any of the persons who had been placed at the disposal of Speaker for Watch and Ward duties and who were at the dais actually participated or not. I did not see any M.L.A. being beaten or dragged by those persons who had been placed at the disposal of the Speaker by the police Department. I cannot say how many such people lent by the police were inside the Chamber.”

Sardar Amar Singh Dosanjh, who at that time belonged to the Treasury Benches and who himself had gone up to the dais stated that police too was there and was helping the M.L.As. belonging to the Treasury Benches against the Opposition M.L.As. He does not say anything about any M.L.A. having been beaten.

Shri Man mohan Kalia stated that the strangers who had entered the Chamber went up to the dais with the help of a ladder and some came there from behind the portrait of Gandhiji. He further deposed that they man-handled the M.L.As. there. Shri Kalia had spotted out one Sub-Inspector amongst them, but he could not remember his name.

Sardar Hardit Singh Poohli, M.L.A.. deposed as follows :—

“5-6 ਚਿਟ ਕਪੜੀਏ ਜਿਹੜੇ ਕਿ ਅਜਨਬੀ ਸਨ ਉਸ ਵੇਲੇ ਸਦਨ ਵਿਚ ਹਾਜ਼ਰ ਸਨ । ਉਹ ਡਾਇਸ ਉਤੇ ਚੜ੍ਹ ਕੇ ਉਨ੍ਹਾਂ ਕੁਰਸੀਆਂ ਤੇ ਬੈਠੇ ਲੋਕਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਪੌੜੀਆਂ ਰਾਹੀਂ ਜਿਹੜੀਆਂ ਸਦਨ ਤੋਂ ਸਪੀਕਰ ਸਾਹਿਬ ਦੀ ਕੁਰਸੀ ਨੂੰ ਜਾਂਦੀਆਂ ਹਨ ਹੇਠਾਂ ਨੂੰ ਖੱਕ ਰਹੇ ਸਨ । ਇਨ੍ਹਾਂ ਹੀ ਪੌੜੀਆਂ ਤੇ ਮੈਂ ਸਰਦਾਰ ਜਗਦੇਵ ਸਿੰਘ ਨੂੰ ਵੇਖਿਆ ਕਿ 3-4 ਅਜਨਬੀ ਉਸ ਨੂੰ ਖਿਚ ਕੇ ਬਾਹਰ ਨੂੰ ਧੁ ਕੇ ਲੈ ਗਏ । ਦੋ ਤਿੰਨ ਅਜਨਬੀ ਸਰਦਾਰ ਦਸੌਂਦਾ ਸਿੰਘ, ਐਮ. ਐਲ. ਏ. ਨੂੰ ਬਾਹਰ ਧਰੂ ਕੇ ਲੈ ਗਏ । ਇਸੇ ਤਰ੍ਹਾਂ ਸਰਦਾਰ ਹਰਭਗਵਾਨ ਸਿੰਘ ਨੂੰ ਵੀ ਜਿਹੜਾ ਕਿ ਪੌੜੀਆਂ ਦੇ ਉਤੇ ਖੜਾ ਸੀ 3-4 ਅਜਨਬੀਆਂ ਨੇ ਧੂ ਲਿਆ ਅਤੇ ਇਸ ਦੇ ਕੇਸ ਵੀ ਪੁਟੇ ਗਏ । ਉਸ ਵੇਲੇ ਸਦਨ ਵਿਚ ਅੰਤ ਦੀ ਖਪ ਪਈ ਹੋਈ ਸੀ ਅਤੇ ਤੂੰ ਤੂੰ, ਮੈਂ ਮੈਂ ਹੋ ਰਹੀ ਸੀ । ਜਿਸ ਵੇਲੇ ਡਾਇਸ ਖਾਲੀ ਹੋ ਗਿਆ ਸਰਦਾਰ ਬਲਦੇਵ ਸਿੰਘ, ਡਿਪਟੀ ਸਪੀਕਰ ਨੇ ਕੁਰਸੀ ਮਲ ਲਈ ।”

Comrade Hardit Singh Bhathal, M.L.A., stated in evidence :—

“ਮੈਂ ਇਨ੍ਹਾਂ ਅਜਨਬੀਆਂ ਨੂੰ ਐਮ. ਐਲ. ਏ. ਸਾਹਿਬਾਨ ਜਿਹੜੇ ਕਿ ਡਾਇਸ ਉਤੇ ਗਏ ਸੀ ਉਨ੍ਹਾਂ ਨੂੰ ਖਿਚ ਧਰੂ ਕਰਦਿਆਂ ਵੇਖਿਆ । ਸਬਰਵਾਲ ਸਾਹਿਬ ਨੂੰ ਤਾਂ ਮੈਂ ਮਾਰਦਿਆਂ ਵੇਖਿਆ ਅਤੇ ਸਰਦਾਰ ਜਗਦੇਵ ਸਿੰਘ ਹੋਰਾਂ ਨੂੰ ਧਰੂ ਕੇ ਬਾਹਰ ਲਿਜਾਂਦਿਆਂ ਵੇਖਿਆ । ਮੈਂ ਇਨ੍ਹਾਂ ਵਿਚੋਂ ਕਿਸੇ ਆਦਮੀ ਨੂੰ ਪਹਿਚਾਣਦਾ ਨਹੀਂ ।”

Shri Shiv Chand, Ex-M.L.A., stated that some of the policemen, who entered the House climbed up the dais by a ladder placed behind the portrait of Mahatma Gandhiji. He further deposed that the police did not manhandle the Members of the Treasury Benches, but they manhandled the Members of the Opposition and clothes of Sardar Harbhagwan Singh were torn in the scuffle. There was a good deal of scuffle between the Members of the Opposition and the police force and some of the hon. Members were dragged away by them. Sardar Harbhagwan Singh was dragged away in this manner. Shri Shiv Chand further deposed that he himself belonged to the Treasury Benches.

Dr. Bhagat Singh could recollect that Sardar Jagdev Singh, S. Harbhagwan Singh and S. Gurbachan Singh of Sunam were on the dais, besides others whose names the witness could not recollect. Dr. Bhagat Singh further deposed that the M.L.A.s named by him were beaten up by the police personnel and were dragged away from the dais. When some of the M.L.A.s were pushed down, the turbans of some of the M.L.A.s fell off. According to Dr. Bhagat Singh, some of the M.L.A.s who were not on the dais were also manhandled and these included himself also.

Sardar Satnam Singh Bajwa stated that "a number of plain-clothed police men climbed up the dais by a ladder placed behind the portrait of Mahatmaji. They came up and grappled with us. At this juncture, approximately 100 plain-clothed policemen entered the House and some of them along with the M.L.A.s of the Treasury Benches climbed up to the dais by the stairs. Some of us were dragged out of the House. The dais was thus vacated and the Deputy Speaker, who was first sitting opposite to the Speaker's chair came and occupied the Speaker's chair."

According to Shri Balramji Dass Tandon, a large number of policemen who had entered the Chamber came to grips with the Members of the Opposition and that some of these Members were dragged away. He also stated that some M.L.A.s were beaten and that Shri Lal Chand Suberwal was thrown down the stairs. He, however, could not recollect the name of anyone else, who was dragged out etc., nor did he state that he received any blows.

Sardar Baldev Singh, who was the Deputy Speaker of the Punjab Vidhan Sabha at that time, stated as under :—

"When I entered the House, the Speaker's Chair was not vacant. I, therefore, occupied seat No. 15 in front of the Speaker's chair. I gave order to the Serjeant-at-arms to clear the dais... Both these officials, i.e., Serjeant-at-arms and D.S.P., Sardar Partap Singh, went up to the dais and requested the M.L.A.s, who were occupying the dais to vacate it and on their request the dais was vacated by these Members."

The then Deputy Speaker also deposed that there was no furore going on when he entered the Chamber and that no police personnel in uniform or in plain clothes came into the House to clear the dais and that "there was no scuffle at all in connection with getting the Speaker's chair vacated, after he had entered the Chamber."

We have given full consideration to the entire evidence on this point. We are unable to believe the version given by S. Partap Singh, D.S.P., and the then Deputy Speaker, Sardar Baldev Singh. We have no doubt in our minds that the M.L.A.s, who said that they were dragged and beaten up etc., were telling the truth, notwithstanding minor discrepancies here and there which

perhaps were inevitable in view of long time that had passed between the incident and the time of the evidence. We are of the view that Sarvshri Jagdev Singh, Gurbachan Singh of Sunam and Dasondha Singh were definitely man-handled/dragged/beaten etc. We are also of the view that Shri Lal Chand Suberwal was manhandled. Further we have no reason to disbelieve that Dr. Bhagat Singh was also manhandled though he was not on the dais. At least two M.L.A.s were forcibly kept out of the Session by the Police. Admittedly no one had been named.

We now come to the question of responsibility for entry of the police inside the Chamber and manhandling of the M.L.A.s by some of the police officials in plain clothes. According to the Rules of Procedure and accepted parliamentary practice and conventions, no stranger whosoever can enter the Chamber without the permission of the Speaker.

The evidence on record makes it quite clear that the D.I.G., C.I.D. was overall incharge of the security arrangements in connection with the Assembly Session. In fact this was not the case only in relation to the Session that took place on the 18th March but also in relation to the earlier sessions.

Shri B.S. Danewalia, the then D.I.G./C.I.D. stated before the Committee that he had got Speaker's approval and agreement to the deputing of some men to supplement his W. & W. staff. He further stated that :—

“...when it was decided that we should place men at the disposal of the Speaker it was clear that these persons would be placed inside the Chamber. In fact, the Speaker had specifically agreed that these persons would be placed inside the Chamber.”

Shri Danewalia did not say clearly as to when and where he had obtained the Speaker's approval and consent and whether he had made a record of it anywhere. He only made a mention of a meeting held at the residence of the then Chief Minister in which security arrangements were discussed. According to him in this meeting, the Speaker also participated. When asked from whom this suggestion emanated he said that he did not know and added that :—

“...there might have been discussion between the Chief Minister and the Speaker of which I am not aware....”

The then Chief Secretary, Shri H.B. Lal also deposed about the same meeting. According to him in this meeting the Chief Minister had suggested to the Speaker that as trouble was apprehended in the Session he might make adequate security arrangements and that if need be recruit additional Watch & Ward staff. He, however, added that in the meeting there was no suggestion that the Speaker might permit police inside the Chamber as a security measure. According to Shri Lal the meeting was attended, besides himself, by the Speaker, the Chief Minister and some others. He himself attended only a part of the meeting and the others who attended the meeting included M.L.A.s from the Congress and the Janta Party. He finally said that he could not recollect the decisions taken in that meeting because the same were not recorded. As far as he remembered, Mr. Danewalia was not present in the meeting.

Shri Joginder Singh Mann, the then Speaker, too stated that the meeting was held at the residence of the then Chief Minister. As far as he remembered the meeting was held in the afternoon of 17th March. He named certain M.L.A.s who too attended that meeting. These belonged to Treasury Benches. According to him too security arrangements were discussed in that meeting. He further stated that Shri Danewalia was not there when he was there. Shri Mann further

stated that he did not attend the whole of the meeting. According to him he had been taken there by the Maharaja of Patiala for rapprochement with the then Chief Minister. Shri Mann further stated that in the meeting he said that he would decide independently as to what was to be done and there was no question of rapprochement.

While the evidence of the officers does not help very much there are some other important facts which are to be taken note of. Shri Joginder Singh Mann while categorically denying that he had at any time anywhere given his approval for placing any security or police people inside the Chamber admitted that he "had given his consent to take certain C.I.D. and policemen as temporary Watch and Ward Assistants. In fact this is a usual practice in connection with every session".

We have examined Shri G.L. Kaul, Assistant Information Officer of the Punjab Vidhan Sabha Secretariat who was incharge of Watch and Ward arrangements and as such had to maintain attendance registers of the W. & W. staff. We have also examined Shri Krishen Swaroop, the then Deputy Secretary and now Secretary, Punjab Vidhan Sabha about the 'usual practice' in connection with every session. We are unable to accept the position stated by Shri Mann that it was the usual practice to take men from C.I.D. on the Watch and Ward staff. In fact we are convinced that this was never done, at least before the 18th March Session. What really used to happen was that about 14 persons from the C.I.D./security staff used to be detailed for duties in connection with the security arrangements inside the building of the Vidhan Sabha but outside the Chamber. An Inspector of the Police Department used to be their incharge and they had nothing to do with the W. & W. staff of the Assembly. Evidence on this point is conclusive. There is also a document record Exhibit No. XVII to this effect. It is entitled "Security arrangements at the Vidhan Sabha building, Chandigarh in connection with the session of the Vidhan Sabha commencing from 22nd February, 1968". It is signed on behalf of Deputy Inspector-General of Police, C.I.D., Punjab. This document in fact makes amply clear as to what was the usual practice. The document described very clearly and in detail the nature of the duties of the security people, the points at which they were to stand etc. This document made quite clear that :—

"no member of the staff (security staff) shall enter the following places :—

- (i) inside all Galleries ;
- (ii) Members' lounge ;
- (iii) Members' Reception Hall ;
- (iv) Entrance of the Vidhan Sabha Chamber ;
- (v) Corridors in front of the Speaker's Office ; and
- (vi) other places where the Members sit and move about in the building".

We are, therefore, unable to appreciate the stand taken by Shri Mann that even though he had given his consent to take certain C. I. D. and policemen as temporary W. & W. Assistants, the entry of these people inside the Chamber was absolutely without his approval and consent. In this connection, the stand taken by him when the entry of these people was first objected to is significant. According to the official record (Debate dated 18th March, 1968) Shri Joginder Singh Mann had first taken the stand that the persons alleged to be policemen were W. & W. Assistants. He stuck to this stand for some time by explaining that "we employ some extra staff during the session days". He then said "Alright, we shall send for the regular staff and send back the staff employed temporarily." The final order given by him was "the police people leave the Chamber and Watch and Ward staff take their places. Policemen cannot enter the Chamber".

Taking the entire evidence into consideration we are of the definite view that some sort of unspoken and unwritten understanding had been reached between the then Speaker on the one hand and the then Chief Minister and Shri B. S. Danewalia on the other that some police people should be passed off as temporary Watch and Ward Staff and that they might be placed inside the Chamber.

The Speaker, of course, had the authority to do so if he felt the necessity for it. It is, however, strange that this was not done in an above-the-board manner. There was no written order to that effect. It is correct that at the time of every Session the strength of the staff used to be increased by recruiting some temporary hands. According to the evidence of Shri Kaul, such temporary hands were recruited when the Session began in February, 1968, that their services were not terminated when the Speaker adjourned the House on the 7th March, 1968, that they continued to be in service and that no additional staff was recruited. No body's name out of the 34 police persons who were issued passes for security arrangements for entry into the Vidhan Sabha building or anyone else from the police department appears in the attendance registers which are on record and which were produced by Shri Kaul. Shri Kaul was quite categorical about this. The responsibility for the police people being inside the Chamber when the Session began at 2.00 P.M., must, therefore, be shared in varying degree by the then Speaker and Chief Minister and Shri Danewalia.

Before proceeding further, it is necessary to deal with two points.

S. Partap Singh, D. S. P., stated that nobody told them that they were not entitled to go inside the Chamber and that they presumed that these passes were to enable them to go inside the Chamber. He further stated that all the 34 persons were taken into the Chamber and posted there before 2.00 P. M. itself. We found it impossible to believe this evidence of Sardar Partap Singh.

Before the Committee started recording evidence, the Chairman found in the office file made available to him by the Secretary, a note which is now Exhibit No. XII. It purports to be an unsigned note by the late Secretary, Dr. Bedi with an endorsement by Shri Kaul, Assistant Information Officer that this was given to him by the then Secretary on 18th March, 1968. Shri Kaul was examined as a witness and he said that he could identify the note as in the handwriting of late Dr. Bedi, the Secretary of the Assembly at that time. He said that this was given to him by Dr. Bedi himself after consulting the then Speaker in his room while he (Shri Kaul) was waiting outside the room. Shri Krishen Swaroop, the present Secretary of the Vidhan Sabha who was also examined as a witness too stated that this note definitely was in the handwriting of late Dr. Bedi, the then Secretary of the Vidhan Sabha. The same note was shown to Lt. Col. Joginder Singh Mann when he was giving his evidence. He said that it was not in the handwriting of late Dr. Bedi. Although the Committee have on record certain other specimens of Dr. Bedi's handwriting, the Committee do not consider it necessary to give any finding on it. To come to a definite conclusion, it would be necessary to have the evidence of some handwriting expert. That is not necessary because having carefully considered the matter, the Committee are of the view that whatever might be the ultimate finding about the handwriting, it would not in any way affect the conclusion arrived at by the Committee about the position of the then Speaker regarding his role about the presence of the security people inside the Chamber when the Session started at 2.00 P.M.

We shall now examine the position with regard to the subsequent entry of police inside the Chamber. There is no question of Shri Joginder Singh Mann, the then Speaker having given his consent nor has anyone alleged that. From the evidence on record we have come to the conclusion that the responsibility for the

entry of the police, which was in large numbers, was of the then Chief Minister and the then D.I.G., C.I.D. Quite a number of legislators have deposed that a good deal of police entered together with Shri Lachhman Singh Gill. Quite a number of legislators have deposed that Shri Danewalia was guiding the operations from inside the Chamber by gestures.

We have already given our finding that this entry of the police took place before the Deputy Speaker declared the order of the Speaker adjourning the House as null and void. At the same time we are convinced that when the Deputy Speaker made this announcement and asked the Chief Minister to move his Motion, fight was still continuing at the dais and police was still man-handling the Opposition M.L.As there. The undisputed fact that the Deputy Speaker first resumed the proceedings from seat No. 15 and not from the Speaker's Chair is enough proof of this. He did not come to the Chair on the dais. It was because as yet the police had not succeeded in getting the Chair vacated. S. Partap Singh, D.S.P., stated in his evidence that the Deputy Speaker had loudly given the order that the Serjeant-at-Arms should get the dais vacated. The then Deputy Speaker also deposed that he gave such an order. We are unable to accept this contention. There can be no doubt that if such an order had been given by the then Deputy Speaker, it would have been so recorded in the official proceedings. It was pointed out to the then Deputy Speaker that it was not recorded. He could not give any explanation nor can the Committee think of any except that no such order was pronounced by the Deputy Speaker. We have also given our finding that even after the scuffle and fight ceased, the police continued to remain in the House till the Session was adjourned by the then Deputy Speaker. Of course, it is clear that the Deputy Speaker fully connived at the presence of the police inside the Chamber and the force that was used by the police against the Opposition M.L.As.

Here it is necessary to see whether it is possible to find out as to who were the police officials who used force and beat up M.L.As. Most of the witnesses have not given any names. It is, however, clear beyond any doubt that the operation on the dais itself was led by the D.S.P., S. Partap Singh. As to whether or not he personally beat up any M.L.A. is not established by the evidence on record. He, however, cannot escape the responsibility of personally leading the whole operation against the Opposition M.L.As

The name of Shri Danewalia, the then D.I.G., C.I.D., has figured quite prominently. Shri Rajinder Singh Sparrow whose evidence was perhaps on the whole the most forthright and accurate stated that the D.I.G., C.I.D., Shri B. S. Danewalia who was also in the Officers Gallery was seen directing his policemen through hand signals, that he was thus urging them on for some action which one could not exactly follow. Shri Sparrow added "When I looked at him, he would stop urging gesticulating. All that looked as bad as it was odd." Shri Jagdev Singh stated that in the beginning Shri Danewalia was guiding the other police officials from his place in the Officers Gallery but that later on he himself went up the dais. According to Shri Jangir Singh Joga, Shri Danewalia himself did go to the dais. Shri Kalja and Shri Hardit Singh Poohli did not recollect having seen anybody from the Officers Gallery directing the clearance of the dais by these men. Dr. Bhagat Singh stated that Shri Danewalia was also there. He added "both S. Gurbhagat Singh and Shri Danewalia were actually leading the group of policemen, Shri Danewalia was amongst those who came to the dais where the Speaker's Chair is. He was a party to the man-handling of these Members at the dais." Shri Satnam Singh Bajwa stated that the D.I.G., C.I.D., entered the Chamber together with Shri Lachhman Singh Gill, the then Chief Minister after about half an hour after the Speaker's dais had been occupied by various M.L.As. According to him Shri Danewalia pointed out "towards us who were on the dais". He also stated that "it was Shri Danewalia who was commanding the operation." He also stated that "I did not

see or hear the Deputy Speaker giving any order for calling policemen or any other outsider although the Deputy Speaker was in the Chamber. It was Shri Danewalia who was commanding the operation." Shri Balramji Dass Tandon stated as under :—

"The then D.I.G., C.I.D., Shri B. S. Danewalia then took the operation in hand to clear the dais and a large number of these policemen came to grip. A scuffle took place.....
Some M.L.A.s were beaten. Shri Lal Chand Suberwal was thrown down the stairs."

The then Deputy Speaker Shri Baldev Singh stated that Shri B.S. Danewalia was not present in the Chamber at all. Shri Danewalia however, himself admitted that he was in the Chamber during the first Session, that he accompanied by the I.G., Police went out of the Chamber and stood in the open space in front of the Secretary's room, and that they both went back into the Chamber just a little before the Deputy Speaker came to the Chamber. Shri Danewalia denied that he guided the operation by gestures from the Officers Gallery or that he went up the dais and took part in the man-handling of the M. L. As. Kanwar Shamsher Singh stated that he came to the Chamber at 2.30 P.M. and that S. Bhagwan Singh Danewalia was present in the Officers Gallery at that time. He also stated that after the Deputy Speaker had resummoned the House, Mr. Danewalia was sitting by his side. He added that he did not get up from his seat after that. "However, I cannot say if prior to that he was giving any orders and who organised and commanded what happened inside the House". This was later on corrected as under :—

"However, I cannot say if prior to that he had given any instructions."

Shri Hardev Singh Chhina stated that he did not think that Shri Danewalia went up to the dais. He did not see him going up there. He did not see D.I.G., C.I.D., or anyone else making any signs while sitting in the Officers' Gallery. Shri Chhina also said that twice he left the Officers' Gallery and went out.

Shri Partap Singh, D.S.P. denied that Shri Danewalia or anybody else was guiding them from the Officers' Gallery.

Weighing all the above and other relevant evidence we are convinced that Shri Danewalia did personally lead the operation from within the Chamber, by gestures, etc. and he must bear the responsibility for that. Further he was doing this not under the orders of the Deputy Speaker but presumably under the orders or in accordance with the wishes of the then Chief Minister, Sardar Lachhman Singh Gill.

As would be clear from the evidence of Dr. Bhagat Singh already quoted above, the name of Sardar Gurbhagat Singh, the then A.D.I.G., has also figured. Shri Danewalia had stated that while he was the over all incharge of security arrangements, the actual details etc. were left to be worked out by S. Gurbhagat Singh and that he was responsible for the same.

Shri Danewalia in fact, stated "After I had given directions to the A.D.I.G., he made all the necessary arrangements". Moreover, in a top secret report dated 13th March, 1968 (Exhibit V) Shri Danewalia had given written orders that "A.D.I.G. will have to supervise these arrangements personally. He may discuss any problem with me."

S. Gurbhagat Singh himself was also examined as a witness. He took the position that detailed arrangements were made by D.S.P., S. Partap Singh and he had no information with regard to the postings, etc. He further took the position

that he was not present in the Chamber at all on that day. The Committee are unable to believe S. Gurbhagat Singh. Kanwar Shamsheer Singh, Inspector-General of Police as well as S. Partap Singh, D.S.P. categorically stated that S. Gurbhagat Singh was in the Officers' Gallery. Dr. Bhagat Singh also said the same. According to him, S. Gurbhagat Singh commanded the operation together with Shri Danewalia. Taking into consideration the entire relevant evidence, the Committee are of the view that S. Gurbhagat Singh was definitely in the Chamber when the beating and man-handling of the M.L.As. took place and he had deliberately made a wrong statement before the Committee. It, therefore, does seem to the Committee that he was not altogether a passive spectator.

The only other name that has figured in the evidence is that of Mrs. Pritam Kaur Dhillon, D.S.P. Sardar Partap Singh said that he got the 34 passes from her. Nobody else has said anything about her, therefore, she can in no way be held responsible for any wrong thing.

S. Gurbachan Singh (Sunam) stated that he recognised S.H.O., Behla among the Police Officials inside the Chamber and that this official tried to get hold of him though unsuccessfully. There is no allegation against him of beating up or dragging any M.L.A.

Here it is necessary to deal with another important question, namely, reasons because of which a large police force was mobilised and its presence was considered necessary in the Chamber and the presence of security/C.I.D./Police people was considered necessary in the chamber. Two answers have come on record. A number of witnesses including some belonging to the Treasury Benches have stated that Police had been mobilised and brought into the Chamber because the then Chief Minister was determined to get the budget passed that day itself.

The other contention is that there were reports that the Opposition M.L.As. would indulge in all kinds of highly objectionable and violent activities inside the Chamber. On 13th March, 1969, Shri Danewalia, the then D.I.G., C.I.D., had submitted a confidential report in this connection. This report is as under :—

“Top Secret

From the reports about the meetings held by the PUF parties in the Vidhan Sabha on 8th March, 1968 and subsequently by the Punjab State Council of the C.P.I. (R.) on 10th, 11th March, 1968 at Chandigarh and further by the proceedings of the P.U.F. party meetings at Amritsar on 12th March 1968 and from other information received from different sources and speeches delivered by the members of the Opposition parties at various places in the State, it is made clear by the P.U.F. party leaders that they would not let the proceedings of the Punjab Vidhan Sabha now proposed to be recalled into Session for passing the Budget to proceed. They would use all fair and foul means to obstruct the proceedings. The reports received show that apart from the usual noise which the Opposition members normally make the Opposition parties are apt to resort to following methods to carry out their declared policy into effect :—

- (i) throwing tomato, eggs and shoes on the C.M. as well as other members of the Cabinet ;
- (ii) grappling with members of the Government and Congress parties ;
- (iii) carrying explosives into the House and creating impact by exploding crackers or similar devices
- (iv) carrying fire-arms into the House ;

- (v) carrying long kirpans for intimidation and if necessary, for violence and resisting eviction in the House from the Speaker ;
- (vi) bringing unruly elements from the areas surrounding Chandigarh to create rowdyism in front of the Assembly and inside the Assembly ;
- (vii) exploding some explosive devices to create panic in the premises of the Vidhan Sabha.

2. It is declared intention of the P.U.F. parties that the members would try to resort to various methods for obstructing proceedings or assaulting the opponents. In view of this policy and information received from various quarters, it is necessary that adequate security measures are taken to protect the lives of the members inside the House. For creating rowdyism, the members are likely to smuggle visitors into the galleries on passes from various members. It is almost impossible to scrutinise the characters of persons going as visitors on such passes. It is, therefore, absolutely essential that in view of the declared intentions of the members of the P.U.F. parties, adequate protective measures are taken by the Hon. Speaker of the House.

3. We are taking steps to give protection to the members and preserve law and order outside the Vidhan Sabha and in the State. However, I think that with the information available, it should be possible to take adequate security measures within the Vidhan Sabha.

H.E. the Governor may also kindly see this note before it goes to the Hon. Speaker for further action.

(Sd.) B. S. DANEWALIA.
13-3-1968.

H.S.

C.M.

Governor

Speaker".

Lt. Col. Joginder Singh Mann, the then Speaker admitted having received a copy of this report and having read the same. If and when in any Legislative Assembly, Opposition parties have such plans as described in the above report, the Speaker would perhaps be justified in making extraordinary security arrangements. The question, however, is whether the report prepared by Shri Danewalia was actually called for by the facts. Among those who appeared as witnesses before the Committee, were responsible leaders of these parties. All of them who were asked about it categorically denied that their party had any plans to create any disturbance not to speak of carrying fire arms into the House, exploding explosive devices etc., the actual behaviour of these Opposition parties inside the Chamber on the 18th March proves beyond doubt that no such plans existed. In the morning session when security people were noticed by the Opposition Parties, all that they did was to raise some points of Orders about it and when the security people were asked to clear out, the proceedings went on very smoothly. There is no doubt that after the Speaker had adjourned the House for two months, certain Opposition M.L.As. occupied the Speaker's dais to prevent the resumption of proceedings because they believed that that would be illegal but they did nothing else. All the Officers who appeared as witnesses including Shri Danewalia and S. Partap Singh admitted that they did not see any one throwing any tomatoes and eggs or using any weapons

or fire-arms. Of course, Shri Danewalia said that he had heard that an Opposition M.L.A. had brandished a knife. He did not say who told him that. No witness said that he saw any M.L.A. brandishing any knife. In fact, the evidence is more than over-whelming that Opposition M.L.As. did nothing of the kind which they were expected to do as per report of Shri Danewalia.

It was obviously on the basis of this report that instead of 14, passes were issued to 34 security people for security arrangements in the Vidhan Bhavan (outside the Chamber). Obviously, this was the report which was used as justification to mobilise a large police force and bring in a part of it into the Chamber.

Shri Danewalia stated that he had prepared this report on the basis of written and verbal reports received by him. The Committee have no doubt in their mind that this report was fabricated only to justify the mobilisation of the police force and taking it inside the Chamber to get the Budget passed on that day itself. Shri Danewalia undoubtedly must bear considerable responsibility for this even if it be assumed that what he did was desired by the C.M. Obviously, the Government was apprehending that the Speaker might not agree with the Government with regard to the validity of the Ordinance that had been issued. The Deputy Speaker had the right to differ with the Speaker in this connection and order resumption of business by the House. There were plenty of ways open to the Deputy Speaker to ensure the passing of the budget well in time that is before the 31st March even without the Police force having been brought inside the Chamber on that day. It is not at all difficult to deal with the type of obstructions as were resorted to by some of the Opposition M.L.As. who occupied the dais. The Deputy Speaker, however, instead of exercising his own powers and acting according to the rules and procedure, let the police deal with the opposition M.L.As. in its own way and as directed.

III FINDINGS OF THE COMMITTEE

1. MATTER RELATING TO THE ENTRY OF POLICE/OUTSIDERS AND BEATING UP CERTAIN M.L.As.

It has been established beyond doubt that a number of police-men in plain clothes did enter the House on 18th March, 1968 and beat up certain M.L.As. The entry of any other outsider has not been established. It is apparent that the police in plain clothes which entered the House did so on orders received from the high-ups and were in the command of Sardar Partap Singh, D.S.P. The D.I.G. (C.I.D.) Shri Danewalia by his own report apprehended that there would be trouble in the House on that particular day. It is also clear from the evidence that there were no grounds whatsoever for entertaining such fears. It is also quite clear that the Speaker either acquiesced or failed in his duty to prevent the police from entering the Chamber of the House as is established by his actions to turn out this extra Watch and Ward Staff as he termed it, only at the insistence of the Opposition Parties. The Committee is quite clear that once he had adjourned the House re-entry of the police and the beating up of the M.L.As cannot be laid at his door. Instead, the blame is with the then Deputy Speaker. The Committee would point out that this re-entry was at the orders of the D.I.G. (C.I.D.) to whom oral orders must have been issued by the then Chief Minister. The then Chief Minister cannot therefore, be absolved of shouldering a major portion of the blame for what occurred in the House. Sad demise of Sardar Lachhman Singh Gill before he could be examined by the Committee was a set back in clearing this very crucial point. The evidence of the then Speaker, Lt. Col. Joginder Singh Mann, the then Chief Secretary, Mr. H.B. Lall and the then D.I.G. (C.I.D.) Shri B.S. Danewalia is a pointer that the Chief Minister wanted the Budget to be passed on the 18th March, 1968 with police help, if necessary and he took the necessary steps through the D.I.G. his protege to get the police help overtly or covertly to ensure that no hindrance was placed to the passing of the Budget by the Opposition. The Committee would like to point out that the conduct of the

two senior Police Officers, i.e., Shri B.S. Danewalia and Shri Gurbhagat Singh Gill to suppress material evidence specially when they were being examined on oath is reprehensible. They not only failed to tell the truth to protect themselves but in the latter case this senior Police Officer even denied being present in the House. That he was present is, however, established beyond doubt by the evidence of Sarvshri Shamsheer Singh, I.G., Baldev Singh, the then Deputy Speaker, Partap Singh, D.S.P., Bhagat Singh, M.L.A. and Balramji Dass Tandon, M.L.A.

The beating up of hon. Members of the Opposition by the police has been clearly established. It is also proved that Shri Danewalia prepared the report to justify the police entry and action. He also directed the operation from the Officers' Gallery. Shri Gurbhagat Singh Gill does not appear to have taken an active part in the beating up of the M.L.As. but Sardar Partap Singh, D.S.P., who was in-charge of the policemen specially deputed for the purpose, led his men in the charge and took an active part in the scuffle that took place.

2. ACTION TO BE TAKEN AGAINST THE POLICE OFFICIALS INVOLVED IN THE MATTER

The Committee has been asked to give its findings on the action to be taken against the police officials/outsideers. As has been established no outsider except the police officials, some of them in plain clothes, were involved in this matter. The three Police Officers involved are Shri B.S. Danewalia, the then D.I.G. (C.I.D.) Sardar Gurbhagat Singh Gill and Sardar Partap Singh, D.S.P. and approximately ten other members of the police whose identity could not be established. As involvement of Sardar Gurbhagat Singh Gill in the scuffle has not been proved, the Committee would recommend that he be let off after warning for suppressing evidence. The conduct of Shri B.S. Danewalia, a senior officer on the police force is very reprehensible. He became a willing tool in the hands of the then Chief Minister and in the Committee's opinion bent all his energies to please his master. The Committee, therefore, feels this officer to be unfit to hold a responsible position and recommends that the House inflict upon him or recommend to the Government a most deterrent punishment. Sardar Partap Singh, D.S.P., was comparatively a junior officer and as per custom would have to carry out the orders of his superiors. He, however, cannot be absolved of the blame of exceeding his powers and using force against hon. Members of the House. The Committee, therefore, recommends that his one increment be stopped with cumulative effect.

The Committee would like to record its strong disapproval of the actions of another three individuals who must also share the blame for what occurred on the 18th March, 1968. One of them, viz., Sardar Lachhman Singh Gill, the then Chief Minister has passed beyond the realm of justice and no action can be taken against him. Of the other two, Lt. Col. Joginder Singh Mann, the then Speaker is clearly to blame for initially permitting the entry of the police into the temple of democracy. Later Sardar Baldev Singh, the then Deputy Speaker took no action to maintain the dignity of the House when the police were beating up the hon. Members. This was a serious and unpardonable lapse and no Presiding Officer should, in the opinion of the Committee, ever permit the police to enter the Chamber. How can a Presiding Officer responsible for maintaining the decorum of the House permit the entry of the police in the Chamber for by doing so he would be scattering this decorum to the four winds. The House may, therefore, like to take up the action of these two Presiding Officers with the Privileges Committee.

3. WAYS AND MEANS TO CHECK THE RECURRENCE OF SUCH INCIDENT

The Committee recommends :—

- (a) The Presiding Officers must, at all times, exercise every possible care to ensure the sanctity of the temple of democracy. They must always have in their mind that the use of force at their behest or with their connivance can only ultimately reflect on their own conduct besides seriously impairing parliamentary democracy. Should they ever feel that they cannot carry out their duty without obtaining outside help, they shall clearly lay down in writing the amount of force to be used and lay down the limits to which police officials may go to carry out their bidding.
- (b) It must be impressed on the whole police force that the Chamber of the House is the temple of democracy which they are not permitted to ever defile. They should not, therefore, accept any assignment inside the Chamber without written orders from their officers and even then refrain from using force against the hon. Members. It must be made clear to the senior police officers that if they, at any time, are asked to take action inside the Chamber they do so only after getting their orders clearly in writing from the Chair and **NO ONE ELSE** for otherwise they would be held to blame for any action taken by the police personnel inside the Chamber.
- (c) Para (b) above should form part of the curriculum of police training so that no member of the police force can ever take shelter on the plea of lack of knowledge. They must also be made fully conversant with the wide powers vested in the House and the punishment it can meet out to those who offend its dignity.

Chandigarh :
The 17 March, 1970

BIKARMAJIT SINGH BAJWA,
Chairman.

Chandigarh :
The 17 March, 1970

KRISHEN SWAROOP,
Secretary.

APPENDIX I

Preliminary Report of the *Ad hoc* Committee appointed on the 25th April, 1969, to enquire into the matter relating to the entry of Police/Outsiders in the House on the 18th March, 1968.

The *Ad Hoc* Committee appointed on the 25th April, 1969, to enquire into the matter relating to the entry of police/outsideers in the House on the 18th March, 1968, decided at its meeting held on the 10th October, 1969, to request the Punjab Vidhan Sabha to extend the time for submission of its report till the 31st March, 1970, as the Committee felt that it would not be able to complete its report by the stipulated date i.e., the 24th November, 1969.

Chandigarh: }
The 21st October, 1969. }

BIKARMAJIT SINGH BAJWA,
Chairman.

Chandigarh: }
The 21st October, 1969. }

KRISHEN SWAROOP,
Secretary.

APPENDIX II

Questionnaire prepared by the *Ad hoc* Committee to enquire into the matter relating to the entry of police/outsideers in the House on 18th March, 1968 at its meeting held on the 28th May, 1969.

(I) Whether you attended the Session of the Punjab Vidhan Sabha and were actually in the Chamber on the 18th March, 1968 between 2.00 P.M. and 5.05 P.M. or any part thereof ? if so :

- (a) Whether you noted any Police personnel in uniform or in plain clothes and/or any other stranger inside the Chamber.
- (b) If answer to (a) be in the affirmative approximately how many Police Personnel and how many other strangers were in the Chamber.
- (c) Whether you could indentify anyone, if so ; their names, ranks and addresses.
- (d) When the Hon. Speaker ordered the temporary Watch and Ward Staff to leave the Chamber, how many did actually go out and whether any Members of the regular Watch and Ward Staff came into the Chamber after this order.
- (e) Whether any fight or scuffle took place inside the Chamber and whether any Police personnel/strangers participated in it and/or beat up any M.L.As. Please name such persons and also give the names of the M.L.As beaten up if you are in a position to do so. In case, you cannot name but are in a position to identify in some manner or the other, you may do so.

(II) Whether you remained/were present in the Chamber of the Punjab Vidhan Sabha on the 18th March, 1968, between 5.05 P.M. when the Speaker adjourned the House and 6.15 P.M. when the Deputy Speaker started conducting the proceeding of the House, or any part thereof, if so :—

- (a) to the best of your memory and recollection what transpired during that period in the Chamber.

(b) Whether any Police personnel/strangers were present in the Chamber during this period, if so ;

(i) Whether any of these Police personnel/strangers came into the House after 5.05 P.M.

(ii) Whether any scuffle or fight took place and whether any Police personnel/strangers beat up any M.L.A.

If answer to this be in the affirmative, and if you are in a position to do so, you may please name the persons involved or identify them.

(III) Whether you attended the Session and were actually present in the Chamber of the Punjab Vidhan Sabha on the 18th March, 1968 between 6.15 P.M. and 6.45 P.M., or any part thereof, conducted by the Deputy Speaker, first from seat No. 15 and then from the Speaker's Chair, if so :—

(a) Whether you noted any Police/personnel/strangers inside the Chamber during that period ;

(b) Whether any fight or scuffle took place inside the Chamber during that period, if so ;—

(i) Whether any Police personnel/strangers participated in the same and/or beat up any M.L.A.

(ii) If reply to (i) be in the affirmative and you are in a position to do so, please name the Police personnel/strangers and M.L.As involved or identify them.

(IV) Anything else in your personal knowledge/which in your opinion will help the Committee in its deliberations.

Please also state whether you would like to appear as a witness before the Committee.

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