

ACTION TAKEN NOTE ON THE REPORT OF
JUSTICE RANGANATH MISRA COMMISSION OF INQUIRY

The Government of India have generally accepted the recommendations of Justice Ranganath Misra Commission of Inquiry. Action taken on the recommendations is indicated below:

- (i) The Ranganath Misra Commission of Inquiry has recommended that an enquiry may be undertaken into the delinquencies and good conduct of the police officers of Delhi Administration by a Committee of two persons - an experienced retired Judge of a High Court and an experienced civilian. The Commission has also suggested that a time frame should be prescribed for its working.

A committee consisting of Justice Dalip K. Kapur, former Chief Justice of Delhi High Court and Kumari Kusum Lata Mital, Retd. Secretary to Government of India has been constituted and has been given six months' time for submission of the report.

- (ii) The Ranganath Misra Commission of Inquiry observed that a number of grave offences were committed during the riots and it is necessary that the allegations should be properly looked into and investigations suitably monitored. For this purpose, the Commission has recommended the appointment of at least two officers - one Judicial and one administrative preferably a high ranking police officer from outside Delhi with full authority to look into the papers and give such directions to the prosecuting agency as the facts of each case would warrant.

A Committee consisting of Justice M.L. Jain, a former Judge of Delhi High Court and Shri E.N. Renison, Retd. IPS Officer has been appointed for the purpose.

- (iii) The Commission has recommended that an administrative enquiry should be made against the conduct of Shri Brijendra the then District Magistrate of Kanpur, during the period of riots.

The recommendation of the Commission was communicated to UP Government who have decided to hold the administrative enquiry.

- (iv) The Commission has recommended that an officer should be appointed for finding out the exact number of deaths that took place during the riots in Delhi. He should be given full powers to go into the matter and he should give public notice to invite claims of death within Union territory of Delhi during the period of riots by giving a time for raising of claims and also a date for finalising the same in accordance with the procedure behoving the rules of natural justice.

The Home Secretary, Delhi Administration has been appointed for the purpose. He has been asked to complete this work within three months.

- (v) The Commission has recommended that the socio-economic programmes for rehabilitation of the riot affected widows, specially in the matter of employment, should be continued.

Necessary instructions in this regard have been issued to Delhi Administration.

— Schemes for self-employment with Government assistance would also be implemented.

- (vi) The Commission has recommended that reasonable compensation as may be decided by the State should be paid for commercial premises whether owned or occupied and loss sustained by the victims within the commercial premises should also be taken into account in such manner as may be agreed to by Government to be paid to the victims. The Commission has further suggested to liberally compensate in every case of business loss where victim had a small business and in a graded manner for higher categories. A victim who had received compensation otherwise as in a case of insurance need not be compensated.

Affluent businessmen who lost some commercial assets, but have been able to make up the situation, may not have to be compensated. The Commission feels that an appropriate Committee may be set up for expeditious payment of reasonable compensation in such cases.

It has been agreed by the Government that instead of reasonable compensation, reasonable ex-gratia amount should be given. The modalities will be got worked out within a period of three months in consultation with the concerned State/UT Governments.

- (vii) The Commission has felt that the Delhi Police requires both quantitative and qualitative expansion. The police personnel should be provided better training facilities, adequate reserves not only of Armed Police but also of Para Military Forces should be built up. Riot Squads with modern training should be available in riot prone areas. The Police Commissioner should be accountable to the Lt. Governor directly, subject of course to the constitutional scheme of being overseen by the Union Government.

The Delhi Police has already undergone quantitative and qualitative expansion recently. In pursuance of the recommendations of the Srivastava Committee about 6500 additional posts, about 500 vehicles and 700 items of modern equipment have been sanctioned from 1985. Storage and retrieval of information about crimes and criminals is being computerised. 118 additional cars equipped with wireless communication and controlled by the police Control Room have been sanctioned with complementary staff. A Special Cell to deal with crime against women has been approved. The Police Training Centre is

being strengthened. Thus Government is already seized of the task for modernisation and improving the operational efficiency of the Delhi Police to enable it to effectively meet any emergent situation and further improvements will be carried out on a continuing basis. The suggestion of the Commission that the Commissioner of Police, Delhi should be held accountable to Lt. Governor directly may not be administratively appropriate since this will be contrary to the practice prevailing in various parts of the country.

- (viii) The Commission has observed that during the riots in Delhi, the local residents had formed combines and they succeeded in resisting rioters group, and therefore, the Commission feels that such combines should be encouraged. These combines should be totally free from politics and maintain harmony and friendly relations with similar local organisations around.

The recommendations of the Commission have been referred to all the States/UT Governments by the Home Minister for their consideration.

- (ix) The Commission has made several observations regarding proper education of new generation such as patriotic literature must form part of the curriculum in schools and colleges. Moral education dissociated from any denominational doctrine should not come within prohibition.

The National Policy on Education and the Programme of Action to implement the policy already approved by the Parliament and the National Development Council cover practically all the recommendations made by the Commission. The Policy has given highest priority to Universal elementary

education. It provides for a national system of education based on a national curricular framework which contains a common core along with other components that are flexible. The common core will include the history of India's freedom movement, the constitutional obligations and content essential to nurture national identity. It is designed to promote values such as India's common cultural heritage, egalitarianism, democracy, secularism, etc. The National Policy also proposes to bridge the existing gap between the formal system of education and the country's rich and varied cultural traditions. Moreover, it will bring about a fine synthesis between the change-oriented technology and the country's continuity of cultural tradition.

Value education has been given a significant place in the new policy. In our culturally plural society, with the implementation of the policy the educational system is likely to foster universal and eternal values, oriented towards the unity and integration of our people. Such value education should help eliminate obscurantism, religious fanaticism, violence, superstition and fatalism. Other aspects of policy which are related to the recommendations are making available books of high quality at low prices, development of pre-school education and improvement of status and working condition of teachers and their education. Action has already been initiated for implementing these elements of the National Education Policy.

- (x) According to Commission a common code of conduct acceptable to all religions should be evolved and the same should be the code for the Indian society and every Indian must be required to fall in line with it.

The recommendation has been brought to the notice of all the members of the National Integration Council and will be examined by the sub-group of the Council for eventual discussion in the next meeting of the Council.

- (xi) The Commission is of the view that mass media including books, newspapers, cinema, radio and television have important roles to play and various recommendations have been made by the Commission in this regard.

The recommendations have been brought to the notice of all the members of the National Integration Council and will be discussed in the next meeting of the Council.

The Government appreciates the recommendations of the Commission that there should be a code of conduct for the Press. The Government has come to the conclusion that consistent with its deep commitment to the freedom of the Press it would not like to lay down any such code and it would be appropriate if such a code is evolved by the Press itself. The Press Council of India is under its Statute charged with the responsibility of building up such a code. The Council has also not favoured the idea of formulating a straight-jacket code but thought it proper that this code should evolve itself based on the case-law. The news agencies in the country are functioning free of Government control and are in the private sector.

The work of film certification is looked after by the Central Board of Film Certification. Comprehensive guidelines exist for the Board to ensure that criminal activities, meaningless killings, rank terrorism and vandalism are not depicted in films. All efforts have been made by the Government to make film certification more meaningful and constructive and to ensure that Indian films today should be in tune with social and cultural values which have been part of our ethos. In fact, Government have set up the National Film Development Corporation which offers finances at concessional rates of interest to film makers for providing films that contribute significantly to the development of higher social values and standards.

As regards the role of AIR, its programming is directed towards promoting an egalitarian society which could provide social and economic justice to all in the country. The role of AIR in promoting the development and modernisation of agriculture, health and family welfare measures and of informing diverse sections of the Indian society regarding both their responsibilities as also their rights as citizens of this country has been acknowledged. Of late, there has been added emphasis laid on certain aspects of development broadcasting in consonance with programmes which have been undertaken for rural development, poverty eradication, health and family welfare. While a constant endeavour has been made for improving the tastes of the listeners which is today reflected

In increasing popularity of classical music, but being a mass media the AIR has to provide a judicious mixture of entertainment and education. The objectives of national integration, character building and raising the quality of life are borne in mind while formulating programmes.

Doordarshan is an important vehicle of socio-economic change in the country and is being used for this purpose. It constantly endeavours to put forth programmes which combine entertainment with healthy messages consistent with the social morals. The programmes are carefully screened to ensure that no excessive violence or glorification thereof is depicted. In the case of childrens' programmes care is taken to telecast programmes which bring out certain basic moral values.

2. The Commission has observed that "nineteen instances have been catalogued where people associated with Congress(I) have been named as organisers. Of them fourteen are described as workers either of Congress(I) or its youth wing; four are said to be local Congress(I) leaders and other being the Secretary of a then Congress(I) M.P. Conceding that there is no particular reason to disbelieve the allegations so tabulated, considering the position occupied by these people, the Commission is not in a position to hold that from their participation, the Congress(I) party as such can be found to have organised the violence. On the other hand, these details supplied by the Delhi State Gurdwara Management Committee fortify the conclusion that some people of the Congress(I) party on their own had indulged and participated in the turmoll for considerations entirely their own."

According to information given by the Delhi Police, out of nineteen persons, 8 had been challaned and of them two have been acquitted. The cases against remaining 6 are pending trial. FIRs have been lodged in the remaining 11 cases for expeditious investigation and follow up action.