

REFERENCE TO FLOODS IN KARNATAKA

DR. K. NAGAPPA ALVA (Karnataka): Sir, the recent devastating floods in South Canara district in Karnataka have caused extensive damage to houses, buildings, property and crops. I visited last week the badly affected areas: Uppinangady, Buntwal, Panemangalore, Nandawar, Mangalore, Jappinamogru, Ullal, Kulur and Udipi. Farmers, workers, traders and others have suffered very badly. About 75000 to 80000 persons have been affected by these floods. Over 10000 houses and outhouses and shop buildings have been washed away. And some have been badly damaged. Another thing I want to inform this House is a good number of houses may collapse in the coming days because of the continuous rain in that part of the country till the beginning of October. In fact they have lost everything, utensils, agricultural implements, etc. and they have become destitutes and 25000 people have been in the Gruel Centres. This clearly shows the seriousness of the situation. Normally people do not go to Gruel Centres, but when they have become destitutes, they have to go. And here an assessment of the total losses so far made is Rs. 5 crores. A thorough assessment has to be made. Now the question is of giving immediate help to these people in cash and kind. And the question of their rehabilitation is the most important thing. The help and rehabilitation work will definitely cost not less than Rs. 12 crores. Therefore, Rs. 12 crores will be needed by the Government. But what we ordinarily see in this country is State Governments become complacent. They do something in the early stages and the Central Government becomes indifferent. Here certain short-term and long-term measures are required to be done immediately. Short-term measures are: free ration for these 25000 people who have become destitutes, for at least two months is a must. This is rainy season and for another two months they do not have any work. Foodgrains should be supplied to the other affected families at levy rates immediately. Immediate supply of inputs to farmers to grow fresh crops is a must. Then I come to long-term

measures: Urgent assistance by way of loans without interest and low interest to build houses. I suppose the question of allotting house sites and providing houses is very urgent. The people have become destitutes. They have no place to take shelter. It is a question of rehabilitation and seeing that they live with honour. I suggest that expert teams must go there, not the sort of teams the Government have been sending always, they must go and act as a liaison, they must assist the State Government. They must inform the Central Government and see that the work goes on on a war-footing. This is a very serious matter and what has been done is not enough. Of course, we know the difficulties. The State Government is afraid of putting things in proper perspective, or correctly, to the centre. For what reason it is for the House to consider. Actually they are in very difficult conditions, difficult economic conditions in the State. They have actually become almost bankrupt in the State. So, it is for them to ask the Central Government, and the Central Government should also think it as a matter of duty to help them and to see that these people are rehabilitated and they are made to live as respectable citizens in this country.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.45 P.M.

The House then adjourned for lunch at forty-six minutes past one of the clock.

The House reassembled after lunch at fortyeight minutes past two of the clock, **Mr. Deputy Chairman in the Chair.**

Re **PRESIDENT'S REMARKS REGARDING REINSTATEMENT OF RAILWAYMEN**

MR. DEPUTY CHAIRMAN: Yes, Mr. Mishra.

SHRI BHUPESH GUPTA (West Bengal): Sir, is he going to make the same statement which he made in the other House?

MR. DEPUTY CHAIRMAN: You will see now.

SHRI NIREN GHOSH (West Bengal): He is reading an edited statement.

MR. DEPUTY CHAIRMAN: Let him make the statement.

THE MINISTER OF RAILWAYS (SHRI L.N. MISHRA): Sir, after the question of striking railwaymen was raised in the House on the 19th instant, I contacted Shri Abdul Hamid, Press Secretary to the President and got from him a text of the President's answer to the question submitted by the P.T.I. correspondent. I quote the extract of the portion pertaining to the President's talk with me on this subject: The President says:

"I met the Railway Minister on the 17th and we both had a fruitful discussion regarding the reinstatement of all the employees not charged with sabotage or violence. He assured me that this will be resolved soon to the satisfaction of everyone. I want all parties to unite in this effort. I am sure, justice will not be delayed."

I may add that I did assure the President that cases of individual railway employees would be looked into sympathetically.

SHRI BHUPESH GUPTA: Sir, I have a submission to make. This is a very serious matter. He has quoted the President's statement. Yesterday I quoted the statement. He has not said in the statement that he has made, that the President has been misrepresented or that the President did not say what had been attributed to him. Now, he has quoted and he ended by saying that he was unquoting. Therefore, I take it that whatever was attributed to the President by the P.T.I. in the press yesterday is factually a correct representation of the words of the President, namely, that the President took the view that all these people should be reinstated. That was his position. Now, Sir, he says that what had been said by the President, he did not say. He says that individual cases will be looked into. Sir, this is an entirely different matter. Sir it is most unfortunate that the Railway

Minister is trying to make the President look like a person who does not tell the truth. We believe he tells truth only. He is a man of integrity. Sir, when I came to Parliament, Mr. Giri resigned as the Labour Minister when the Bank Award was changed to the detriment of the workers. Such is the man, Mr. Giri.

SHRI L.N. MISHRA: I did not say that he did not tell the truth. I have got the highest respect for the President. When did I say that he did not tell the truth?

SHRI BHUPESH GUPTA: Don't get annoyed.

SOME HON. MEMBERS: Sit down, sit down.

SHRI BHUPESH GUPTA: Don't get annoyed, don't get annoyed.

Therefore, Sir, it is quite clear they are not going to listen to President Giri. President Giri never said "Look into it", President Giri said, he said to the Press that you committed to him that all will be taken except such cases where there are some charges like violence and other things. That is there. Now you are modifying it. It is quite clear and after that we cannot accept your position. (*Time Bell rings*). No, Sir, no use ringing the bell. You kindly listen to us.

MR. DEPUTY CHAIRMAN: Yes, but for how long?

SHRI BHUPESH GUPTA: We shall go on for some time. It has to take some time. I do not know how much time we shall take but we shall try to be as brief as possible.

MR. DEPUTY CHAIRMAN: No, Mr. Bhupesh Gupta, I will have to regulate time.

SHRI BHUPESH GUPTA: You can do anything you like but let us finish the Statement. Sir, it is not a small matter. Yesterday, you were here, you heard what assurance the President, Shri Giri, has given.

[Shri Bhupesh Gupta]

We want a policy change. We want a policy decision that all should be taken back without any break in service. Mr. Qureshi said that he would faithfully implement the directive or the advice of the President. We called it a "valedictory advice" by the President. Let us not disrespect the President. Within a moment of hours we will be presenting him a scroll of honour signed by all Members of Parliament. I have just signed it but in order to treat him in this manner he is flouting his advice. The President's advice is flouted by this Government in this manner. Sir, now you look into the business. I object to it because bureaucrats will do whatever they like. What is needed is a firm policy decision that all of them would be taken back and break-in-service will not be given. That is the gist of what assurance was given yesterday by Mr. Qureshi. He solemnly assured the House yesterday. Either Mr. Qureshi was bluffing or he was sincere in assuring the House I do not know, I do not find him here in the House....

MR. DEPUTY CHAIRMAN: He is here.

SHRI BHUPESH GUPTA: Well, Sir, he is over-shadowed by Mr. Mishra. Mr. Qureshi repeated yesterday: We shall carry out these things faithfully, we shall implement it. Read the statement which conforms to the assurance given or to the advice given by the President before he leaves this august office. Sir, it is a matter of shame, it is a matter of utter shame on the part of the Government. It is the vindictive attitude, the vendetta when the President is leaving. We would not allow the President to be insulted in this manner nor shall we allow the workers to be laid down and victimised, prosecuted in this manner just because some railway bureaucrats would like to have a pound of flesh and would go after the workers in order to crushify them.

Sir, the Prime Minister gave us an assurance on the 18th of May when she met us that there will be no humiliation, no victimisation, no action. Today, she has flouted her own words. She has flouted the words of the

President. This is not the way, Sir. I strongly protest. (*Interruptions*). No use trying to get up. Sir, it is a matter of shame. One of the glorious action of the working people we have witnessed in the month of May, we shall be proud of it, generations of India will remember with pride on the one hand the glorious action of the working people and on the other they will hang down their head in shame for the manner in which these people have suppressed the railway strike.

MR. DEPUTY CHAIRMAN: Yes, Mr. Niren Ghosh.

SHRI BHUPESH GUPTA: Yes, you say don't stop.

SHRI NIREN GHOSH: Sir, first of all I maintain that the Statement Shri L.N. Mishra has given is an edited version.

SHRI L.N. MISHRA: What do you mean by that?

SHRI NIREN GHOSH: Edited by your subordinates.

SHRI L.N. MISHRA: No.

(*Interruptions*)

SHRI NIREN GHOSH: I maintain, you are a corrupt Minister. The whole world knows it.

SHRI L.N. MISHRA: That you can say.

SHRI NIREN GHOSH: The whole world knows about the Kosi-Gandak clandestine, Bharat Sewak Samaj and what not.

MR. DEPUTY CHAIRMAN: You please confine to Railways.

SHRI NIREN GHOSH: If he provokes me, he will hear me.

MR. DEPUTY CHAIRMAN: No question of provoking.

SHRI NIREN GHOSH: Sir, the second point that I want to make is that I also met President Giri after the strike.

He told me categorically that "the Railway Minister came to me; I have advised him to take back all the workers without any punishment, without any break of service" and all that. He told me personally, categorically: "He came to me and I have advised him". Shri Raghunatha Reddy also went to him and he advised him like that. Since he is laying down his august office, I take this opportunity to tell this to the House as well as to the country words to take these of his advice; "I do not know whether the Cabinet will listen to me or not". That is the position. The position is that constitutionally the President is supreme according to the language but the position has come to this that the President does not know whether his advice would be listened to by the Cabinet. With the same language, they utilise the Governor to overrule anything and here is this Government headed by Prime Minister Shrimati Gandhi who broke all her words when we met her, all words of honour that she gave and now he comes and says this. He had said that the advice that the President has given, he will listen to and it would be put into effect. He has gone back on that. Now he has become a curse for India, a curse for the working class and a load on Shrimati Indira Gandhi's Cabinet...

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, I am calling the next speaker.

MR. NIREN GHOSH:and he is carrying on this which is ruining the country. These things would not do you any service. If necessary, there will be another agitation; no normalcy will be restored. You have violated you have gone back on the promise you gave....

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, now Mr. Shekhawat has the floor. Yes, Mr. Shekhawat.

MR. NIREN GHOSH: You have insulted the President; you have insulted the Republic of India; you have no right to exist; you have no right to stay; you resign from the Cabinet.

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, I have called Mr. Shekhawat now.

श्री भैरों सिंह शेखावत (मध्य प्रदेश):
उपाध्यक्ष महोदय, मैं इस संबंध में केवल एक ही जानकारी देना चाहूंगा। पी० टी०आई० की न्यूज एजेंसी के आधार पर यह समाचार प्रकाशित हुआ है कि प्रेजीडेंट ने रेलवे मंत्री महोदय को सलाह दी है और वह सलाह कल के समाचार पत्रों में प्रकाशित हुई है—और आपने जैसा अपने स्टेटमेंट में कहा है कि प्रेजीडेंट के सेक्रेटरी ने मैंने जानकारी ली है—और उन्होंने अमुक प्रकार की स्थिति बताई है तो क्या सेक्रेटरी को यह भी पता है कि पी०टी०आई० द्वारा प्रेजीडेंट के नाम से इस प्रकार का समाचार प्रकाशित हुआ है? वह समाचार किस सीमा तक सही है या उसमें कोई काटेडिक्शन है यह आपने स्पष्ट नहीं किया है। आपने यह भी स्पष्ट नहीं किया कि प्रेजीडेंट ने जिस प्रकार की एडवाइज दी है और जिस प्रकार की आपकी उनसे बातचीत हुई है वैसा ही समाचार पत्रों में प्रकाशित हुआ है। मैं कहना चाहता हूं कि आज स्थिति बदल गई है। वह प्रेजीडेंट नहीं रहने वाले हैं, वह जाने वाले हैं (Interruption) मैं समझता हूँ अगर आप यह मान कर चलते कि वह प्रेजीडेंट रहने वाले हैं...

श्री यशपाल कपूर (उत्तर प्रदेश):
हम उनकी आप से ज्यादा इज्जत करने हैं।

श्री भैरों सिंह शेखावत: अगर ऐसा होता तो श्री नलिन नागयण मिश्र इस प्रकार की स्टेटमेंट न देते, उनको यह भी ध्यान रहता कि प्रेजीडेंट की कुछ पावमेंट है, उनको यह भी ध्यान रहा कि अगर प्रेजीडेंट के एडवाइज की अवहेलना की गई तो उनके क्या परिणाम निकलेंगे।

[श्री भैरों सिंह शेखावत]

सकने है। मैं जाना चाहूंगा कि समाचार पत्रों के आधार पर प्रेजीडेंट ने जिस प्रकार की एडवाइज दी है उसकी जानकारी आपको है या नहीं और यदि है तो उसमें आपको स्टेटमेंट कंटेडिक्ट करनी है या नहीं ?

3 P.M. SHRI KALYAN ROY (West Bengal).
Sir, may I say...

(Interruptions)

MR. DEPUTY CHAIRMAN: No, no.

SHRI KALYAN ROY: I am only confining myself to the issues involved. Yesterday Mr. Bhupesh Gupta read out from the Times of India the press interview between the President and the PTI correspondent—you were there also and it is on record—and it was said that the President had stated that the Minister of Railways had assured him categorically (1) all those who are not charged with either sabotage or violent activities will be taken back and (2) there will be no break in service. Mr. Bhupesh Gupta asked and Mr. Qureshi was kind enough to say that this would be implemented. This is on record.

(Interruptions)

Now, the butcher of Railway men say individual worker's cases will be looked into. Is this fair? I want your direction, Sir. Are you going to tolerate this deliberate, planned calculated lies on the part of the Government? Is it not a fact that Mr. L.N. Mishra drafted this statement and that was corrected by one of the Joint Secretaries of the Prime Minister's Secretariat? Is it not true?

SHRI L.N. MISHRA: No.

SHRI KALYAN ROY: Everybody knows about it. Sir, here is a Minister who has bluffed the President because he is going and now he is going to have another President who is going to be Rubber stamp.

(Interruptions)

MR. DEPUTY CHAIRMAN: Everything will go off the record.

Several hon. Members continued to speak simultaneously)

MR. DEPUTY CHAIRMAN: Nothing will go on record.

(Interruptions)

Now, will you listen? This is not the way to carry on the work of the House. You cannot be standing simultaneously and shouting at each other. I have been allowing Members one after another and they have been making their submissions. If some others want to make submissions I will allow them also but not like this.

SHRI. S. P. GOSWAMI (Assam): Sir, I have been rising on a point of order.

MR. DEPUTY CHAIRMAN: Point of order in bedlam? Everything is off the record. I had specifically asked the Reporters, when there is bedlam in the House, when everybody is simultaneously shouting, not to record anything.

Therefore, now you proceed in an orderly manner.

SHRI BHUPESH GUPTA: Now, I wanted to read out to you...

MR. DEPUTY CHAIRMAN: You read out.

SHRI S. P. GOSWAMI: Mr. Deputy Chairman, I rise on a point of order. Mr. Bhupesh Gupta must sit down first because I rise on point of order, it should get preference over him.

SHRI KALYAN ROY: There is no point of order.

SHRI S. P. GOSWAMI: The point of order is for the consideration of the Deputy Chairman. It is not for you. I have been already allowed by the Chair. Now, Sir, while I was listening to the debate I heard our hon. Member, Mr. Kalyan Roy, saying that he is a butcher of railwaymen. Then, another Member said that the President would be a rubber-stamp. Is it the respect they show

to the President? These are the people who want to uphold the dignity of the House.

MR. DEPUTY CHAIRMAN: It is not a point of order.

SHRI S. P. GOSWAMI: These words should be expunged.

MR. DEPUTY CHAIRMAN: Whatever is unparliamentary will be expunged.

SHRI BHUPESH GUPTA: If the hon. Member in his excitement does not like the word 'butcher', may I use another word? He is the molester of railwaymen. Now, Sir this is what Mr. Qureshi said...

SHRI NIREN GHOSH: You have gone off the rails. How can you say that he should molest the railwaymen?

MR. DEPUTY CHAIRMAN: Let him complete what he wants to say.

SHRI BHUPESH GUPTA: I do not agree with your feminine deviation. Now, Sir, just a minute. In reply to my question, Mr. Qureshi said:—

"Sir, the President's advice will be respected and implemented as early as possible".

Then, Mr. Manoranjan Roy asked:—

"Is it a fact that the Railway Minister, Mr. Mishra, has told the President that he would abide by the advice given by the President with regard to victimisation and is it a fact that he has told categorically that all will be reinstated and there will be no break in service for any one and whether you are going to release those who have been arrested and victimised?"

Then, the Chairman said:—

"Kindly confine yourself to the Sholapur Division. I do not permit a general discussion".

Then, Mr. Qureshi said:—

"Sir, I do not know what transpired between the Railway Minister and the President. I was not present there."

11-14 RSS/ND/74

Now, he did not deny anything. He escaped by saying that he was not present, as if he would not have been informed, when they met, as to what transpired between the President and the Minister. Therefore, it is a very categorical statement. (*Interruptions*). No use trying to get up. I know that you are all for catching the eye of Shrimati Indira Gandhi rather than the eye of the Chair, but you should catch his eye also with his permission. Next year there is no election to Rajya Sabha. The next election is in 1976. For one year you are safe here. Do not worry.

MR. DEPUTY CHAIRMAN: Have you finished?

SHRI BHUPESH GUPTA: Now, Sir, I say...

(*Interruptions*)

SHRI S. P. GOSWAMI: You would have been finished but for the support to our leader Shrimati Indira Gandhi, you exist. The Communist Party could have been routed by the people of our country if it would not have supported one leader. Do not insinuate.

SHRI BHUPESH GUPTA: Thank you very much. My friend is the father of an MLA. What would your son think, if you get excited like that?

SHRI S. P. GOSWAMI: Mr. Bhupesh Gupta has no son and he cannot understand it. He is a frustrated and perverted bachelor.

SHRI BHUPESH GUPTA: Why are you excited? Mr. Qureshi's statement is on record. Mr. Qureshi never said, you will have noted, individual cases will be looked into. Mr. Qureshi gave us an assurance that it will be implemented. That is what he said. He did not dispute what the President had told about Mr. L. N. Mishra's assurance to the President. Now, Sir, the Government is virtually going back on what had been stated by one of its own Ministers. Even now Mr. L. N. Mishra, you are challenging the President's version of it.

You are making the President look small. I want to know; this is what you are doing.

[Shri Bhupesh Gupta]

Therefore, I say, Mr. L. N. Mishra should retrace the statement. Sir, you should not, on a point of order, allow the statement to be laid on the Table of the House. I demand that the entire statement be expunged from the proceedings of the House. If you allow this statement to be on record, let the whole matter go into the Privileges Committee. We shall prove in the Privileges Committee that in the name of collective responsibility. Mr. Mishra is trying to play something on the House. It is most unwelcome and wrong on his part that he is letting down an assurance given on his behalf by one of his Ministers. And then, Sir, you adjourn the House, You stop at that. You are satisfied that this is a scandalous thing.

(Interruptions)

MR. DEPUTY CHAIRMAN : I will not allow anybody.

SHRI BHUPESH GUPTA : We want him to withdraw his statement.

(Interruptions by Shri J. S. Anand and
Shri L. Mahapatro)

MR. DEPUTY CHAIRMAN : It will not go on record. I will not allow both of you now.

SHRI L. N. MISHRA : Sir, it was very unfair to say that I can have disrespect for our great President. I hold him in the highest esteem and greatest respect. And perhaps, hon. Members do not know; it is a personal matter, but I would like to say that my association and relation with the President, Mr. Giri, on a personal level, are not only cordial but like a family.

(Interruptions)

SHRI NIREN GHOSH : Oh!

SHRI L. N. MISHRA : Go and ask the President, Mr. Giri.

SHRI BHUPESH GUPTA : Sir, on a point of order. I am entitled to understand. My English is failing now. He said, it is a matter of tragedy. Explain where it is tragic and how it becomes tragic.

SHRI L. N. MISHRA : I never said tragedy.

Sir, it was farther this from me to have any disrespect for the President; I have all respect for him. In my statement also, I have not contradicted what the Rashtrapati has said...

(Interruptions)

SHRI BHUPESH GUPTA : On a point of order. I am very glad that the hon. Minister has said that he does not contradict the President's version of his conversation or assurance to the President on Saturday. I welcome for once at least this truth on his part. He has said it. Then it is for you now. Therefore, I think Mr. Qureshi also knew that what the President told the PTI was correct. Therefore, being a Minister, a member of the Government, he said that the President's wish would be implemented. Which wish of the President? The President never said, you look into their cases. Does Mr. Giri not know English? He would have said it if he wanted. But the President wanted general reinstatement. That is what we wanted. To day. You are saying that we shall look into individual cases so that you can continue your victimisation and persecution of the railway workers. If this is not an insult, it is a parting kick of the Government to President Giri.

It is a matter of shame that this Government should dishonour President Giri.

SHRI L. N. MISHRA : I have got a copy of the statement issued to the press. I was not relying upon newspaper reports. I have got a paper containing the answer to a question by the P.T.I. correspondent. The first paragraph refers to the workers and employers. That does not apply to me. The last paragraph concerns me where the President has said—I quote:—

"I met the Railway Minister on the 17th and we both had a fruitful discussion regarding the re-instatement of all the employees not charged with sabotage or violence..."

(Interruption by Shri Kalyan Roy).

"...He assured me that this will be resolved soon to the satisfaction of everyone..."

(Interruption)

I may add that I did assure the President that cases of individual railway employees would be looked into sympathetically. I said that cases of those who are not charged with violence and sabotage would be viewed sympathetically...*(Interruption)* They are taking exception to the word "individual". Even the President has said that those who are charged of sabotage and violence have to be punished. Now, unless we go case-wise how can we find out as to who is charged with sabotage and violence and who is not?

Sir, I close by saying that we respect whatever the President has said and we shall implement it. But the question is that a machinery and ways have to be found. And this is one of the ways of implementing the wishes of the President.

SHRI BHUPESH GUPTA : This is not fair. We object to it. I think Mr. Mishra's statement is an insult to the President...

(Interruptions)

(At this stage some hon'ble Members left the House)

SHRI NIREN GHOSH : I am on a point of order. At one time he said that he got the report from the Secretary to the President.

SHRI L. N. MISHRA : I said Press Secretary.

SHRI NIREN GHOSH : You said that he has not said that. He said that all the workmen should be taken back without any break of service and any punishment except in those cases where violence and sabotage had been committed. That statement we have repudiated. That is what is repeated in the press.

SHRI L. N. MISHRA : I never said that.

SHRI NIREN GHOSH : In the press it is not there. The press statement says that the

President has urged you to take back all the workmen without any break in service. All those words are not there.

SHRI L. N. MISHRA : Mr. Niren Ghosh, it is with regard to employees not charged with sabotage or violence.

SHRI NIREN GHOSH : The words which appeared in the press are not contradicted by the President himself. You have got a version which you propose to place before the House. In that those portions are not there. This is a contradiction...

MR. DEPUTY CHAIRMAN : There is no point of order. Please take your seat. Mr. Ganguli.

SHRI NIREN GHOSH : ...We cannot believe you unless President Giri himself contradicts the P.T.I. version. So...

MR. DEPUTY CHAIRMAN : Please take your seat. Mr. Ganguli has the floor. He will continue.

SHRI NIREN GHOSH : He will continue, but in any case we have to walk out in protest.

(At this stage, some hon. Members left the House).

SHRI SALIL KUMAR GANGULI (West Bengal) : Sir, I also walk out symbolically, but I have to continue my speech. I cannot just walk out in the midst of my speech.

DR. K. MATHEW KURIAN (Kerala) : Sir, in protest we walk out.

(At this stage, some hon. Members left the House).

SHRI SALIL KUMAR GANGULI : Let it be recorded that I also mentally walk out, but with due deference to Parliament, I have to continue my speech.

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THE COMPANIES (AMENDMENT) BILL 1974—Contd.

SHRI SALIL KUMAR GANGULI (West, Bengal) : Sir, I said yesterday that this amendment Bill is intended to build up bureau