

gory is to be recognised there will be not less than 143 categories to be recognised by the Railway Minister and will he be able to satisfy these 143 category-wise organisations? Is it not a fact that the Joint Consultative Machinery is so constituted as to represent the all India bodies of the Central Government employees in the country and it had very recently dealt with the problems of the Central Government employees? There also is it not a fact that the guards and running staff have been given representation very liberally on these committees and organisations?

DR. RAM SUBHAG SINGH: I do not dispute the fact because you are yourself fully conversant with the matter, being the pioneer and one of the most respected railway employees' leader. It will become a problem naturally because there are so many categories.

SHRI ARJUN ARORA: May I know if the Government has taken into consideration the practice prevalent elsewhere in the country because elsewhere in the country under the Code of Discipline such regulations as the Ministry is forcing on trade unions in the Railways are not there? Why does he not fall in line with the rest of the country and adopt the recognition method enumerated in the Code of Discipline also on the Railways?

MR. CHAIRMAN: Question Time over. Mr. Arora may go to the Minister and talk with him about the matter later.

12 NOON

#### SHORT NOTICE QUESTION AND ANSWER

'GHERAO' OF GENERAL MANAGER, SOUTH EASTERN RAILWAY

8. SHRI M. K. MOHTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the General Manager of the South Eastern Railway was 'gheraoed' on the 17th March, 1969 by railway employees demanding unconditional withdrawal of action taken against some of them in connection with the Central Government employees' strike on the 19th September, 1968;

(b) if so, the reaction of Government thereto; and

(c) the steps taken by Government to safeguard the lives and property of the Central Government officials against such 'gheraos'?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI ROHANLAL CHATURVEDI): (a) Yes, Sir.

(b) This was highly objectionable and uncalled for.

(c) Since this is a law and order matter, we brought it to the notice of the concerned State Government.

SHRI M. K. MOHTA: Every peace-loving citizen is greatly perturbed that gherao has reared its ugly head once again. In view of the fact that gherao has been declared illegal even by the High Court, in view of the fact that the West Bengal Government's spokesmen are on record as saying that the police will not intervene in such activities as these are considered as lawful trade union activities, in view of the fact that the record of such gheraos in the past includes ill-treatment of officials including not allowing them to use public conveniences, will the Government consider the desirability of instructing either the Central Reserve Police or the Railway Police or any other authorities to protect the lives of at least the Central Government employees and the property of the Central Government as the West Bengal Government does not seem to be in a position or in a mood to protect them?

DR. RAM SUBHAG SINGH: Actually, Sir, it is a fact that the General Manager and other railway officials were put to untold hardship, but we got full co-operation from the

Chief Minister and the Deputy Chief Minister of the Government of West Bengal.

SHRI CHITTA BASU: May I know from the hon. Minister whether it is not a fact that 1300 casual labourers of the South Eastern Railway, who had put in service ranging from two to five years, have not been allowed to join their duties with effect from 28th of September without giving a written cause to them; whether it is also a fact that they have not been given one month's notice or one month's pay in lieu of notice or any retrenchment benefit either under the provisions of the Railways Code or under section 25 of the Industrial Disputes Act or any other statute, they have not been given any retrenchment benefit? Again, may I also know from the hon. Minister whether it is also a fact that Mr. Indrajit Gupta, a Member of the Lok Sabha, in the month of January made this point known to the then Railway Minister, Mr. Poonacha, and sought an assurance from him to take them back at an early date in consonance with the general assurances given by the Home Minister and the Government as a whole for these Central Government employees? If this is a fact, why does not the Railway Ministry give specific instructions to the General Manager of the South Eastern Railway to take them back with immediate effect? This is what I want to know from the hon. Minister. Thirdly, may I know whether the Government of West Bengal did also refer this matter to the Government of India to take an early decision so that the law and order problem may not become acute in the State?

DR. RAM SUBHAG SINGH: As the House knows, and as I had fully explained here on the floor of the House, we are acting under the directions of the Home Ministry in regard to dealing with the people who had gone on strike on the 19th September, 1968, and we are going to implement that. We have already implemented that largely, and

if there is any case which is left out, we are going to implement that announcement of the Home Ministry in toto. But I want to make it clear that if any railway employee, be he temporary, casual or permanent, intends to contravene the railway rules and regulations, he will be firmly dealt with.

श्री निरंजन वर्मा : श्रीमान को यह पता हो कि कर्मचारी और मजदूर, चाहे उनको कितना ही असंतोष हो या उनके साथ कितनी ज्यादाती क्यों न हो, लेकिन उनको कानून का उल्लंघन करके अनुचित सहारा लेने के लिये किसी प्रकार की छूट नहीं है, तो इस संदर्भ में जब बंगाल में सरकार का गठन हुआ था तो वहां पर जितने दो तीन बड़े बड़े मज्जन थे, ज्योति बसु और अजय मुखर्जी इत्यादि, उन्होंने पब्लिकली इस बात को डिक्लेयर किया था कि हम पहले की तरह घेराव आदि की नीति पर नहीं चलेंगे और इस नीति का पालन करते हुए आगे से घेराव का कार्य नहीं करने देंगे। जब उन्होंने इस प्रकार का वक्तव्य दिया था तो क्या इस वक्तव्य की लाइट में आपने उनसे इस बारे में चर्चा की कि इस प्रकार के घेराव फिर से शुरू हो रहे हैं और इसके बारे में आप स्टेट को केन्द्रीय सरकार की तरफ से कोई सहायता देने को तैयार हैं या नहीं ?

डा० राम सुभग सिंह : असल में श्रीमान् मैंने पहले ही कहा कि जिस क्षण घेराव की सूचना मुझे मिली उसी वक्त मैंने मुख्य मंत्री जी से और उपमुख्य मंत्री जी से बात की और दोनों ने घेराव को दूर करने के लिये तत्काल कदम उठाया और उनके प्रयासों के फलस्वरूप ही यह घेराव बंद हुआ।

SHRI M. V. BHADRAM: I would like to make it clear that there was no gherao; only under the leadership of Mr. J. M. Biswas, Member of Lok Sabha, they squatted outside; there was no gherao inside. (Interruption) Maybe sixteen hours, maybe a hund-

red hours. The hon. Minister just now stated that they are implementing the instructions of the Home Ministry as far as the instructions regarding the strike were concerned.

Sir, may I invite his attention to the particular notice given by an officer under the General Manager, South Eastern Railway. I read that notice first. It is very important how the instructions of the House Ministry are being implemented.

"You . . . were being absent from place of your duty on the 19th Sep. '68, had participated in the strike of Railway and other Central Government employees even though this strike had been declared illegal by the Central Government under the Essential Services Maintenance Ordinance (No. 9) of 1968 and the orders issued thereunder, thus being guilty of serious misconduct in that you did not maintain devotion to duty and had defied and disobeyed the Orders issued by the Central Government.

"Hence your services are hereby terminated with effect from 31-12-1968."

Therefore, the offence here is the mere participation in the strike. And about the fate of these 1300 people in the South Eastern Railway, I had also, along with Mr. Inderjit Gupta, approached the Minister of Railways. He had complete sympathy. The only difficulty was this General Manager whom I called the other day 'notorious' coming in the way of taking back these 1300 people; that is why all these people had to sit 'Dharna.' Now, will the Minister give an assurance that all these 1300 people will be taken back to duty immediately?

DR. RAM SUBHAG SINGH: You have, Sir, and the whole House heard the hon. Member saying that the General Manager is notorious. I do not know whether anybody who is

himself not notorious can charge others as being notorious.

And secondly, Sir, he says that there was no gherao and that only Mr. J. M. Bjswas and someothers put dharna there. If he is in the habit of distorting facts in such a blatant manner, I am not going to pay any attention because it is unbelievable whether he was telling the truth. That I am not prepared to accept.

SHRI BHUPESH GUPTA: On a point of order. I was watchjng. It was not my intention to ask anything. But the hon. Minister was . . .

MR. CHAIRMAN: Ask for clarification. You have heard the statement.

SHRI BHUPESH GUPTA: He was giving a threat. Mr. Chairman, as a Member of Parliament, I am entitled to have a representation addressed to the Minister and he is expected to reply to it. It is his responsibility to do so. He may not like this. But at least this threatening will not work. I believe . . .

DR. RAM SUBHAG SINGH: It is threatening.

SHRI BHUPESH GUPTA: He called us notorious indirectly.

DR. RAM SUBHAG SINGH: I am not going to accept . . .

SHRI BHUPESH GUPTA: Will you kindly tell our friend, Dr. Ram Subhag Singh, that this threatening by him is not good for him.

DR. RAM SUBHAG SINGH: It should operate not in one way but in both ways.

SHRI BHUPESH GUPTA: May be, we are asking questions on the basis of information . . . (Interruptions).

DR. RAM SUBHAG SINGH: If there is no threat, nothing will happen from this side.

**SHRI BHUPESH GUPTA:** We are asking questions on the basis of the information in our possession. The Minister can correct us if we are wrong or if he thinks that we are wrong. (*Interruptions*) But he cannot go on threatening like this. There is no point in threatening like that. That is what I say. You are threatening the railway employees. He was threatening the M.Ps., he was threatening us that he would not entertain such things. You are not the master of anybody. We are not here . . .

**MR. CHAIRMAN:** Mr. Mulka Govinda Reddy.

**SHRI CHITTA BASU:** The question was whether he will instruct the General Manager to take them back.

**DR. RAM SUBHAG SINGH:** I have instructed all the General Managers in the whole of the Railways that they should implement the Home Ministry's instructions.

**SHRI MULKA GOVINDA REDDY:** I would like to know from the Railway Minister how many railway employees, both permanent and casual, were involved in the September 19 strike; how many have already been asked to join duty after announcing the so-called liberalisation policy in connection with the strike, in how many cases break of service has been condoned and how many cases are pending.

**DR. RAM SUBHAG SINGH:** This is a big question and we have got official communication from the Home Ministry on the 17th. And as you know, yesterday was Sunday. I will place the whole statement on the Table of the House after getting the information from there.

**SHRIMATI YASHODA REDDY:** Many of the questions put by my hon. friend do not arise out of this. The simple question is whether it is right or wrong. Even granting that that statement made by my hon. friends of the Opposition is correct, can they take the law into their own

hands? Is the only remedy gherao? (*Interruptions*) If the only remedy is gherao how are the officers to be protected? Is it correct that those railway employees should gherao a person to get their grievances redressed? That is the question. I would like to know whether this is correct and lawful or if it is not, what is the Government's intention?

**DR. RAM SUBHAG SINGH:** It was highly objectionable and uncalled for, as my colleague pointed out in the main reply to the question and we took serious note of it and we are going to take serious note in future also of such action.

#### WRITTEN ANSWERS TO QUESTIONS

##### COMMITTEES ON UNTOUCHABILITY

\*636. **SHRI B. D. KHOBARAGADE:** Will the Minister of LAW AND SOCIAL WELFARE be pleased to state:

(a) whether it is a fact that the Committee on Untouchability informed him that it would submit its report on the 30th January, 1969 instead of on the 25th January, 1969 and requested the retention of the skeleton staff upto the 30th January, 1969;

(b) whether it is also a fact that the office of the Committee was sealed and entire staff was withdrawn on the 25th January, 1969 without informing the Chairman of the Committee; and

(c) if so, what are the reasons for withdrawing the entire staff and sealing the office?

**THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI P. GOVINDA MENON):** (a) The tenure of the Committee expired on 25th January 1969. Three members of the Committee had signed the report before that date.

At 6 P.M. on the 25th January, 1969 a written request was received from the Chairman suggesting informal extension of tenure by five days and the services of a Stenotypist and a mechanic.