

recently to the effect that selected documents from the India Office Records relating to the Transfer of Power to India and Pakistan and events leading upto it will be published on the lines of the British Foreign Office series of documents on British Foreign Policy from 1919 to 1939. The editors will be independent historians who will be given unrestricted access to the records and freedom to select and edit documents for publication. Government of India do not consider it necessary at present to appoint a committee as contemplated in the Question to compile history of the period.]

#### PAKISTANI SPY RING CASE

\*129. SHRI ARJUN ARORA: Will the Minister of HOME AFFAIRS be pleased to state the reasons for which the D.S.P. Central Bureau of Investigation was absent in the court which led to the discharge of Shri Mohit Chowdhury and others involved in the Pakisani Spy Ring Case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): A statement is laid on the Table of the House.

#### STATEMENT

The investigation of the case of Mohit Chowdhury and others was entrusted to the Central Bureau of Investigation in October, 1966.

On completion of the investigation, the Central Bureau of Investigation was authorised by the Central Government on 3rd June 1967 to prosecute under the Indian Official Secrets Act, Mohit Chowdhury, Tarapada Chakraborty, Sunil Ranjan Das and A. L. Das, Retired Chief Engineer, Irrigation and Waterways, Government of West Bengal.

On 6th June, 1967, a complaint was filed by Shri Ramendra Singh, Deputy S.P., C.B.I., against the accused persons under sections 3, 5 and 9 of the Indian Official Secrets Act and 120B IPC in the Court of Additional Chief Presidency Magistrate, Cal-

cutta. 5th July 1967 was fixed for the appearance of all the accused persons in the Court.

Necessary arrangements for the attendance of Shri Ramendra Singh in the court on 5th July, 1967 were made. But he could not leave Delhi because of his pre-occupation in connection with another important case. Another officer of the C.B.I., who was also one of the investigating officers in this case was instructed to appear in the Court. There were no instructions to the Investigating officer, or for that matter, anyone else, that he should not proceed with case. The officer along with the Public Prosecutor of the C.B.I., attended the Court. The court discharged the accused persons under section 253(2) Cr. P.C., stating in its order as follows: —

"Accused 2, 3 and 4 present. Complainant absent on calls. No steps taken. The accused persons are discharged under section 253 Cr.P.C."

Even though other legal remedies were available to challenge the order of discharge, a fresh order sanctioning prosecution was issued whereupon on 10th July 1967, a fresh complaint was filed in the court of the Additional Chief Presidency Magistrate, Calcutta, by Shri Ramendra Singh explaining the circumstances for his non-attendance on the previous day of hearing. The court took cognizance of the fresh complaint and has fixed 29th July, 1967 for the appearance of the accused persons.

#### दिल्ली सेंट्रल जेल में झगड़ा

\*1300 श्री श्रीकृष्ण दत्त पालीवाल :

श्री बिमलकुमार मन्नालालजी  
चौरङ्गिया :

क्या गृह-कार्य मंत्री यह बताने की कृपा  
करेंगे कि :

(क) क्या यह सच है कि 29 जून,  
1967 की रात को दिल्ली सेंट्रल जेल के

कैदियों का आपस में झगड़ा हो गया था; यदि हां तो उस झगड़े के क्या कारण थे;

(ख) उस झगड़े में कितने व्यक्ति घायल हुए और उनमें से कितने व्यक्तियों को अस्पताल भेजा गया और क्या किसी घायल व्यक्ति की बाद में मृत्यु हो गई थी;

(ग) क्या सरकार ने उस झगड़े के बारे में कोई जांच की है; यदि हां तो जांच के प्रतिवेदन का ब्यौरा क्या है; और

(घ) क्या सरकार ने दोषियों को दण्ड देने के लिये तथा इस बात को सुनिश्चित करने के लिये कि भविष्य में ऐसी गड़बड़ न हो, कोई कार्यवाही की है? यदि हां, तो क्या

#### † CLASH IN DELHI CENTRAL JAIL

\* 130. SHRI S. K. D. PALIWAL: SHRI V. M. CHORDIA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is fact that a clash took place among the prisoners of the Delhi Central Jail on the night of 29th June, 1967; if so, what were the reasons for the clash;

(b) the number of persons injured in the clash and the number of those who were hospitalised and whether any injured person died later on;

(c) whether Government have made any enquiry regarding the clash; if so, what are the details of the enquiry report; and

(d) whether Government have taken any steps to punish the guilty and to see that such disturbances do not recur in future; if so, what are those steps?]

गृह कार्य मंत्रालय में राज्य मंत्री (श्री विद्याचरण शुक्ल) (क) से (घ) एक विवरण संलग्न है।

#### विवरण

(क) जो हां, श्रीमन् । कहा जाता है कि झगड़ा एक घूप के चप्पे के लौटाने के बारे में शुरू हुआ ।

(ख) कुल मिला कर 249 व्यक्तियों को चोटें आईं जिनमें से 92 को अस्पताल में दाखिल किया गया । एक भी नहीं मरा ।

(ग) और (घ) केन्द्रीय सरकार ने जांच आयोग अधिनियम 1952 के अधीन एक सदस्यीय जांच आयोग के रूप में पंजाब उच्च न्यायालय के अदकाशप्राप्त न्यायाधीश श्री एस० एस० दुलत को जो इस समय विधि आयोग के सदस्य हैं 29 जून, 1967 को नई दिल्ली की तिहाड़ सेन्ट्रल जेल में हुए दंगे की जांच के लिए नियुक्त किया है । आयोग निम्नलिखित कार्य करेगा:

(क) इन बातों की जांच करके उन पर प्रतिवेदन देगा:

(i) झगड़े के कारण और स्वरूप;

(ii) जेल अधिकारियों ने स्थिति पर किस तरह कार्यवाही की; और

(ख) सिफारिश करेगा कि क्या कार्य-व्यवस्था अथवा अन्य उपायों में कोई परिवर्तन आवश्यक है ताकि जेल में इस प्रकार की घटनाओं की पुनरावृत्ति रोकी जा सके । आयोग का प्रतिवेदन प्राप्त होने के बाद इस मामले में आगे कार्यवाही की जायेगी ।

†[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) to (d) A statement is attached.

#### STATEMENT

(a) Yes Sir. It is reported that the trouble started over the return of « pair of goggles.

(b) In all 249 persons received injuries out of whom 92 were hospitalised. None died.

(c) and (d) The Central Government have appointed, under the Commissions of Inquiry Act, 1952, a single member Commission of Inquiry consisting of Shri S. S. Dulat, a retired judge of the Punjab High Court and

†[ ] English translation.

at present a member of the Law Commission, for the purpose of making an inquiry into the disturbances that took place in the Central Jail, Tihar, New Delhi, on the 29th June, 1967. The Commission shall—

- (a) inquiry into and report on—
  - (i) the causes and course of the disturbances;
  - (ii) the way the jail authorities dealt with the situation; and
- (b) recommend whether any change in the working arrangements or other measures are necessary to prevent the recurrence of similar incidents in the Jail.

Further action in the matter will be taken after the report of the Commission is received.]

#### **JOB SECURITY IN FOREIGN OIL COMPANIES**

•131. SHRI CHITTA BASU: Will the Minister of LABOUR AND REHABILITATION be pleased to refer to the answer given to Starred Question No. 518 in the Rajya Sabha on the 16th June, 1967 and state:

- (a) whether any Committee of Enquiry to go into the entire question of job security of the staff in the foreign oil companies has so far been appointed; and
- (b) if so, what are the names of the members of the Committee and the terms of reference of the same?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI JAISUKH-LAL HATHI): (a) and (b) Mr. Justice B. N. Gokhale has been appointed as one-man Commission under the Commissions of Inquiry Act, 1952. A statement giving the terms of reference of the Commission is placed on the Table of the House.

#### **STATEMENT**

*Terms of Reference of the Commission of inquiry*

- 1. The number of surplus workmen on the rolls of Burmah-Shell Oil

storage and Distribution Company of India Limited, ESSO Standard Eastern Limited and Caltex (India) Limited as on the 1st January, 1965, 1966 and 1967.

- 2. The reasons for the said workmen becoming surplus and in particular, the extent to which they became surplus as a result of—

- (a) the introduction of contract labour system in the said companies;
- (b) the recruitment of casual labour by the said companies;
- (c) the discontinuance of kerosene distribution in tins and closing down of the tin plants by the said companies;
- (d) the rationalization of business and working methods of the said companies;
- (e) the introduction of automatic devices including the accounting machines, computers by the said companies.

- 3. The methods (including any voluntary retirement schemes and voluntary separation schemes, if any) adopted by the said companies to deal with the surplus workmen.

- 4. The manner in which the said methods were implemented.

- 5. The extent to which the said methods and their implementation were just, proper and in accordance with law.

- 6. If any of the methods adopted to deal with the surplus workmen or the implementation thereof was not just, proper or in accordance with law, the action, which in the opinion of the Commission should be taken.

#### **INDEBTEDNESS OF GOVERNMENT EMPLOYEES**

- ♦132. SHRI V. M. CHORDIA: SHRI A C GILBERT:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that a large majority of the Central Government