

SHRI A. D. MANI: I would like to know at what prices these perculators and photo enlargers were sold and whether those prices were above or below the imported prices for these products.

SHRI K. RAGHURAMAIAH: Sir, the price at which the senior type coffee machine is sold is Rs. 2,750 and the price of the photo enlarger is Rs. 1,265. In the case of the photo enlarger the Calcutta market price, I understood, is Rs. 1,200 but this has been sold at Rs. 1,265. As regards coffee machines, may I say that each machine has its own special peculiarities and it is difficult to compare it with any imported type?

SHRI B. D. KHOBARAGADE: May I know whether any profits have been made or loss incurred because of this production?

SHRI K. RAGHURAMAIAH: The whole idea of this production was to utilise the machines which were then idle and therefore certain charges do not go into the pricing of these things under the rules which I have referred to in the answer.

SHRI A. B. VAJPAYEE: Are we to understand that the machines lying idle are meant for the production of these things and they cannot be utilised for production of military goods?

SHRI K. RAGHURAMAIAH: According to the then assessment they thought that they could utilise them for this but perhaps something else could have been done if the management thought it fit to do so. When the machines were idle, the whole object was to see that they were utilised.

SHRI B. D. KHOBARAGADE: May I know the percentage of production capacity which has been diverted for the manufacture of these goods as compared to the total production capacity of military equipment?

SHRI K. RAGHURAMAIAH: May I say that it is completely negligible? I have already indicated the numbers.

SHOOTING OF BRIG. HOSHIAR SINGH AFTER CEASE-FIRE

*402. { SHRI SITARAM JAIPURIA:
SHRI NIRANJAN SINGH:
SHRI J. S. PILLAI†:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have sent any protest note to the Chinese Government regarding the shooting of Brigadier Hoshiar Singh after the so-called cease-fire declared by the Chinese Government; and

(b) if so, what reply has been received by Government from the Chinese Government?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH): (a) No, Sir.

(b) Does not arise.

SHRI NIRANJAN SINGH: Has the Government seen the report that this Brigadier was shot dead after the cease-fire? He was returning to the Foot Hills when he was shot dead. Has the Government seen this report and if it has, has the Government contradicted this news?

SHRI DINESH SINGH: Sir, from the information that we have been able to gather, Brigadier Hoshiar Singh died on the 27th November, 1962.

SHRI J. S. PILLAI: May we have some detailed information regarding this matter, regarding this shooting and how it took place?

SHRI RAJENDRA PRATAP SINHA: Under what circumstances was the Brigadier killed?

†The question was actually asked on the floor of the House by Shri J. S. Pillai.

SHRI JAWAHARLAL NEHRU: The circumstances can only be known directly from the Chinese—of course nobody else was present—except from circumstantial evidence that might be obtained. First of all, the so-called cease-fire was unilateral cease-fire. For us to bring before the Chinese that they have gone against their unilateral cease-fire would be rather odd. There have been quite a number of such instances in the last part of November. Secondly, from the information that we have been able to get, it is not quite clear under what circumstances this happened. There was some firing on both sides and in this incident Brigadier Hoshiar Singh was also shot down. Because of all this there can be no certainty on our part and certainly we are not in a position to protest, for the cease-fire itself was not particularly recognised by us.

SHRI CHANDRA SHEKHAR: Is it a fact that some soldiers, who were with Brigadier Hoshiar Singh, have returned to India and they have related this story that the Chinese shot him dead after the cease-fire?

SHRI JAWAHARLAL NEHRU: There is no doubt that he was shot and there is no doubt that he is unfortunately dead. There is no doubt about it also that this took place after the announcement of the cease-fire, but difficulties arise because it is stated on one side that there was firing on both sides and that as a result of the firing this unfortunate episode happened.

SHRI CHANDRA SHEKHAR: My contention is that there was a press report that Brigadier Hoshiar Singh was going to surrender to the Chinese with his hands up and he was shot dead at point blank range. This was the report published in the papers. May we know from the Government whether this report is true or not?

SHRI JAWAHARLAL NEHRU: To our knowledge it is not true, but we cannot be absolutely certain.

SHRI A. D. MANI: The Prime Minister said just now that there was firing on both sides. Who said that? The Indian Government has never made a statement that there was firing after the cease-fire. Was the statement made by the Chinese Government?

MR. CHAIRMAN: That is the Chinese version that there was firing from both sides.

SHRI A. B. VAJPAYEE: Why should the Chinese version be given here?

SHRI JAWAHARLAL NEHRU: Even by certain accounts that we have received otherwise, it is stated that there was an exchange of fire and exchange of fire means firing on both sides to a certain extent. As for who started it, it is another matter. But there was an exchange of fire. That is the statement of some people who were there.

SHRI RAJENDRA PRATAP SINHA: May I know whether the statement is from the Chinese side or from our own intelligence?

MR. CHAIRMAN: From the statements that we have received from our men.

SHRI CHANDRA SHEKHAR: May we know whether the exchange of fire was after killing Brigadier Hoshiar Singh or before, because after their killing of Brigadier Hoshiar Singh, certainly our soldiers retorted and and they fired on the Chinese?

SHRI JAWAHARLAL NEHRU: It is impossible for us to be precise about these matters, because it is a war situation, and to say exactly what happened when, who fired first, it is very difficult. But statements made to us are that Brigadier Hoshiar Singh was leading a party of about fifty men on the 27th November when there was an exchange of fire with the Chinese forces. Brigadier Hoshiar Singh had fallen wounded and then was captured and presumably died the same day as a result of his wounds. The exa-

mination of his body which was carried out later by the Indian party showed no signs of foul play.

MR. CHAIRMAN: Next question.

LEGISLATION REGARDING SECURITY
OF EMPLOYMENT OF WORKERS

*403. SHRI NIRANJAN SINGH: Will the Minister of LABOUR AND EMPLOYMENT be pleased to refer to page 18, para I of the Report of the Indian Labour Conference, Twentieth Session, and state:

(a) whether on further examination of the matter Government have decided to introduce an amending legislation in Parliament on the question of security of employment of workers in the context of certain judicial decisions of Industrial Tribunals; and

(b) if so, when the legislation is likely to come up?

THE DEPUTY MINISTER OF LABOUR AND EMPLOYMENT AND FOR PLANNING (SHRI C. R. PATTABHI RAMAN): (a) and (b) The matter has been examined in the light of the discussions at the 20th Session of the Indian Labour Conference and a proposal to amend suitably the Industrial Disputes Act, 1947 is now under consideration of the Government.

SHRI NIRANJAN SINGH: May I know, Sir, when it will be taken up? It is under the consideration of the Government. May I know when it is likely to be taken up for legislation and for discussion?

SHRI C. R. PATTABHI RAMAN: I may assure the hon. Member 'as early as possible'. We are considering it.

SHRI BHUPESH GUPTA: May I know, Sir, if in this connection the representative trade unions have been consulted and whether the proposed amendments will be in accordance, more or less, with the advice given by them if they had been consulted?

SHRI C. R. PATTABHI RAMAN: Yes. We have actually got a memorandum from the INTUC and also other trade unions. All are being considered. The States have also been consulted. So far as the employers are concerned, there is some little opposition from that side. We are taking all that into consideration and we are consulting the Law Ministry. We hope to make the necessary amendments.

SHRI BHUPESH GUPTA: Do I understand from the replies, that have been given, that broadly speaking the Government is in agreement with the suggestions that have been made by the trade unions in this connection?

SHRI C. R. PATTABHI RAMAN: Government will pay due attention to the suggestions that have come from the trade unions.

SHRI BHUPESH GUPTA: We know that the Government pays attention to everything, but my question was whether, after having paid due attention, the Government is also broadly in agreement.

SHRI C. R. PATTABHI RAMAN: All this happened at the 20th Session of the Tripartite Indian Labour Conference. As the hon. Member is aware, Government has to take all points of view into consideration and I dare say they will pay due regard to the representations made by the trade unions.

SHRI BHUPESH GUPTA: Therefore, can we assume that the recommendations of the Tripartite Conference, in which all the interested parties were represented, in so far as they are agreed conclusions, will be given effect to under the proposed legislation?

SHRI C. R. PATTABHI RAMAN: I cannot mortgage the Government in advance, but I dare say that due attention will be given.

SHRI BHUPESH GUPTA: Sir. . .