

Shri Nath Pai: Item 54 of the Union List, Regulation of Mines, and Item 55, Regulation of labour and safety in mines—these are Central subjects. Finally, Labour is a Central subject.

An hon. Member: Concurrent subject.

Shri Nath Pai: All right, concurrent subject. We have always raised the question of rights of labour here.

Therefore, I would submit to you: in the first place, please try to resist any curtailment, any abridgment, of the rights of Parliament; secondly, this question, I think, was rightly admitted and therefore, you should rule the point of order out of order.

Shri S. A. Dange: I only wanted to say that I would not mind Parliament discussing the murder or assault of any trade unionist in any industrial dispute in any part of the country.

Mr. Speaker: I would like to explain the procedure followed with regard to Short Notice Questions. First they are sent to the Ministers concerned. It is only after the Minister accepts a Short Notice Question that it gets printed. Normally it is accepted. Naturally in this case the Minister accepted it. That is why it has been put down here. It is not as if it is only a law and order question, but other things are also connected with it. Shri Hathi himself had said, according to Shri Umanath, sometime ago, when he was perhaps Minister in the Home Ministry, that only labour matters should be considered and not law and order matters. So he will himself bear that in mind and answer. I would now request him to answer the question.

The Minister of State in the Ministry of Labour Employment and Rehabilitation (Shri L. N. Mishra): Before I answer it, with due respect, I would say the question is admitted by the Lok Sabha Secretariat and we are asked to say whether we are prepared to answer at a short notice....

Mr. Speaker: This is a Short Notice Question. It is the responsibility of the Minister. If he says, 'I am sorry, I cannot answer', the Lok Sabha Secretariat is helpless. He must at least know the rules.

SHORT NOTICE QUESTION

Lawlessness in Collieries in Burdwan District

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S.N.Q. 14. **Shri D. N. Patodia:**
Shri S. K. Tapuriah:
Shri P. K. Deo:
Shri Mohamed Imam:
Shri Charanjit Rai:
Shri N. Dandekar:
Shri Kanwar Lal Gupta:
Shri A. B. Vajpayee:
Shri K. N. Tiwary:
Shri Tulshidas Jadhav:

Will the Minister of Labour and Rehabilitation be pleased to state:

(a) whether a state of complete lawlessness, anarchy and breakdown of constitutional machinery is prevalent in Ratibari and Kuradi collieries in Burdwan, district of West Bengal;

(b) if so, whether there have been several cases of lawlessness, assault, unlawful confinement and attempts to damage public and private property by the armed outsiders; and

(c) whether an SSP leader who was also the Secretary of the Colliery Muzdoor Congress was brutally murdered by anti-social elements recently and the action, if any, being taken by Government to give full protection to the collieries in question and the people who are employed there and those living in those areas?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri L. N. Mishra): (a) and (b). The situation in these Collieries has unfortunately seriously deteriorated recently. There have been cases of intimidation, assault, violence and wrongful confinement.

(c) Shri B. P. Jha, a S.S.P. leader and Secretary of the Colliery Mazdoor Congress was killed in a disturbance at the Kuardi Colliery on June 1967.

The situation in these collieries arising from inter-union rivalry poses a law and order problem and the Central Government have requested the State Government to take suitable measures

Shri D. N. Patodia: Since the situation and the prevailing lawlessness has been admitted by the hon. Minister, I would like to know what reply the State Government has given so far, and if it has chosen to remain silent on the subject, in what manner the Central Government propose to proceed further in the matter.

Shri L. N. Mishra: They are not silent. The police are investigating the case. FIR has been filed.

Shri D. N. Patodia: These disturbances in the collieries as well as certain other disturbances in Naxalbari are part of the big agitation of gherao in West Bengal, by which complete lawlessness is prevailing there and the fundamental rights of protection are being denied. Therefore, in this bigger context, may I know what positive steps the Government propose to take by which the fundamental rights of the people are protected and the exodus of people from West Bengal is prevented?

Shri L. N. Mishra: We are concerned primarily with the limited question of industrial relations in this colliery. I would not like to go into those matters.

Shri S. K. Tapuriah: From gherao to Naxalbari to Kharibar, it is a very sad state of affairs in West Bengal. A reign of terror has been let loose. We have also seen that the advice given by Mr. Y. B. Chavan, and the recent proposal to send a team of MPs to Naxalbari have been resented. Even the admission of the question has been resented.

Shri Vasudevan Nair: Are you allowing the State Government to be alandered like this?

Shri S. K. Tapuriah: These people even try to question your authority to admit this question. All these things are going on because they want Parliament to stay away from this thing. My question is: how long can the Centre sit tight and watch the deteriorating situations? Are they taking any positive action against them?

Shri L. N. Mishra: We are not sitting tight. So far as industrial relations are concerned, we have taken positive steps. We have created a kind of a special cell for it, deputed a new officer, additional officer, to the collieries of Bihar-Bengal. We are not sitting tight so far as industrial relations are concerned.

Shri Mohammed Imam: Is the State Government aware of this lawlessness that is going on there, and if so, what action did they take? May I know which are the political parties that have been encouraging this lawlessness?

Mr. Speaker: He may answer about labour trouble, not about law and order

Shri L. N. Mishra: There was a clash between the workers of two unions, not between political parties, two central organisations of labour, AITUC and HMS. The leader of the SSP murdered by the followers of the other group as it is alleged.

Shri N. Dandekar: I hope the Minister would not—I assume the Government deals with this matter as one of joint responsibility—keep on saying this concerns local labour, or this does not concern something else. This situation in West Bengal and in parts of East Bihar is reminiscent of what happened in Telangana in 1947 and 48. At that time, the Central Government thought fit to take decisive action and that action was quite effective, and this whole kind of rot was stamped out with a very firm hand. I want to know why the Central Government

is not now taking similar action to stamp out this thing with a very firm hand.

Shri L. N. Mishra: I would not like to go into the history of Telengana or anything. Our responsibility is confined to industrial relations in the collieries. We have taken firm, positive action, and we feel that industrial peace will be restored.

Shri N. Dandekar: What positive action?

Mr. Speaker: He is answering the question about the collieries, not about law and order. He is Labour Minister. Naturally he is answering only about labour.

Shri N. Dandekar: There is joint responsibility of the Government, and he cannot keep on shirking this question

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, 31 मई को कुछ लोगों ने एस० एस० पी० यूनिशन के लीडर का मर्डर किया—एक तो घापने उन का नाम नहीं बताया .

श्री मधु सिन्घे: बनारसी प्रसाद झा ।

श्री कंबर लाल गुप्त : दूसरे इन यूनिशन के लोगों ने 31 मई को कोयला खानों के मालिकों को 9 घण्टे तक घुप में बंधा रखा, उन को शौचालय नहीं जाने दिया, पानी नहीं पीने दिया .

श्री बी० जे० डाने : बहुत घब्राना किया ।

श्री हुकम चन्द कडवाय : यही घापका कत्तर है ।

श्री सु० कु० तावड़िया : घापको घुप का क्या पता, घाप तो एयर-कन्डीशन मशीनों में घूमते हैं । घुप कभी कभी होती है, इसका घापको क्या पता ।

श्री बी० जे० डाने : जख्म किया और बंद बंधा करेंगे इस प्रकार के मालिकों के खिलाफ ।

It is the owners who are maintaining gangsters, and we are going to act against them.

Mr. Speaker: You can do it outside, if you please. This is Parliament House (Interruptions).

श्री कंबर लाल गुप्त . इन के कत्ल के प्रति-रिक्त तीन धार्मिकों को किडनैप कर दिया गया और बहुत सारों को लाठी से पीटा गया । इस सम्बन्ध में मैं सरकार से पूछना चाहता हूँ कि क्या घाप के पास 7 जून को कोलियरीज के मालिकों की तरफ से कोई पैटीशन आई थी, यदि आई थी, तो उस में मोटे मोटे कौन कौन से प्वाइन्ट्स थे ?

दूसरी बात मैं यह पूछना चाहता हूँ कि धाइन्दा लेबर के इस प्रकार के इन्सिडेंट्स न हों, जिस में ट्रेड यूनियन लीडरान को कत्ल किया जाता है, उन को नार्थवो से मारा जाता है, इस के सिधे सरकार क्या कदम उठा रही है ?

श्री ल० ना० सिन्घ . जहा तक 31 ता० की बात है, रत्तियाडी में घेराव हुआ था, वहां के मनेजर और दूसरे लोगों को तकलीफ हुई थी—यह सही है । उन को चार बजे तक घुप में बंधा रखा गया, पानी नहीं दिया गया । लेकिन जहा तक मनेजमेन्ट के लोगों का तारीख 7 को मिलने का तात्सुक है, मैं कह नहीं सकता कि कौन सी तारीख थी, लेकिन वहां के लोग हमसे धीर बूझने धन्य साधियों से सिधे थे और उन्होंने अपनी कठिनाइया बताई थी कि कुछ तरह वहां पर दो यूनिशनों की बर्बाई के कारण उन के सिधे, कठिनाई उत्पन्न हो रही है और उत्पन्न में बाधा पड़ रही हैं ।

जहां तक श्री बी० पी० झा के कत्ल का सम्बन्ध है—4 जून को उन का कत्ल घुप के संघर्ष के कारण हुआ ।

श्री कंबर लाल गुप्त : जेरे प्रश्न के बूझने पाटें का उत्तर नहीं आया—धाइन्दा इस

तरह के झगड़े न हों, ट्रेड यूनियनों के बीच से कत्ल तक नीबत न आये, उस के लिये धाय ने क्या किया ?

Shri S. A. Dange: In this murder, the AITUC is not concerned.

श्री ल० ना० बिषय : हम इस में कुछ नहीं कर सकते । ये जो ट्रेड यूनियन चलाने वाले नेता हैं, जिनके संगठन हैं, उन को एक दूसरे के प्रति टालरेन्स रखना होगा, उन को एक दूसरे के साथ काम करने की भावना जगानी होगी । जो लोग वहा काम कर रहे हैं, उन में एक के नेता कम्युनिस्ट मार्क्सिस्ट लोग हैं और दूसरे के एस० एस० पी० । अगर वे सरकार साथ चला सकते हैं तो मजदूर आन्दोलन भी साथ चला सकते हैं ।

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, मुझे मिनिस्टर साहब की बात से ऐतराज है । वे कह रहे हैं कि दोनों ट्रेड यूनियनों जानें । दोनों ट्रेड यूनियनों लड़ती हैं, झगड़ा करती हैं, ओवर डिस्प्यूटस फैलते हैं, तकलीफ होती है— सरकार चुप बैठ कर अपनी इम्पेन्सी दिखाती रहेगी, इन-काम्पीटेंसी दिखाती रहेगी—यह क्या जवाब मिनिस्टर साहब ने दिया कि हम कुछ नहीं कर सकते ।

Mr. Speaker: This is a police matter.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि श्री झा की हत्या किन परिस्थितियों में हुई ? क्या यह सच है कि जब श्री झा अपने कार्यकर्ताओं की सभा को सम्बोधित कर रहे थे, उनके ऊपर आक्रमण किया गया, उन के विरुद्ध हथियार काम में लाये गये, बम का प्रयोग हुआ ? क्या सरकार ने पता लगाने की कोशिश की कि इस हत्या के बाद जो हत्या में सम्मिलित समझ जाते हैं उन के खिलाफ क्या कार्यवाही की गयी ? क्या अभी तक उन को गिरफ्तार किया गया है या वे बंसे ही छूटे हुए बूम हैं ?

श्री ल० ना० बिषय : पहली बात तो यह कि गुप्ता जी ने कहा कि हम लोग बैठे हुए हैं हम लोग बैठे हुए नहीं हैं और नहीं इनकाम्पीटेंट हैं । हमारी स्टेट गवर्नमेंट की पुलिस वहां पर काम कर रही है, तहकीकात कर रही है । जहां तक इस घटना की बात है—बम का भी प्रयोग वहां पर हुआ, ऐसा कहा जाता है, भाले, तलवार, लाठी आदि का भी प्रयोग हुआ और इस तरह से उनका कत्ल किया गया । जहां तक उन लोगों की गिरफ्तारी का सवाल है, अभी तक कोई गिरफ्तारी नहीं हुई है । मैंने यहा घाने से पहले कलकत्ता टेलीफोन करवाया था और वहा से यह मालूम हुआ कि अभी तक कोई गिरफ्तार नहीं हुआ है, लेकिन दोनों तरफ की बातें पुलिस के सामने हैं—श्री झा के लोगों के बयान और दूसरे लोगों के बयान पुलिस के सामने हैं और पुलिस इस के बारे में तहकीकात कर रही है ।

श्री नाथ पं० : दोनों तरफ की बातें क्या ? वह आदमी मर गया है या नहीं ?

Shri D. N. Patodia: On a point of order It is a most unsatisfactory answer. The murder occurred on the 4th. I believe some very vital interests are involved in it. So, this matter should be discussed in this House for two hours.

Mr. Speaker: We will see

श्री जिव नारायण : यह जो मर्डर हुआ तो वह पुलिस और उस राज्य का विषय है और उनमें सेंट्रल गवर्नमेंट कोई इंटरफीयरेंस नहीं कर सकती क्योंकि वह तो उस राज्य और पुलिस का मामला है और यह उन का ही विषय है ।

Shri Jyotirmoy Basu: I shall read out briefly what the Deputy Inspector-General of Police, an officer of the Indian Police Service, who is ultimately controlled by the Central

Government, has stated in his report. He has said:

"About 500 men equipped with deadly weapons attacked number 11 and 12 cooli Dharaos of the said colliery under the leadership of Mr. B. P. Jha. As a result of this attack, 11 colliery workers were seriously injured...."

Several hon. Members rose—

An hon. Member: He should not read.

Shri D. N. Patodia: Let the Minister explain.

Mr. Speaker: Please put the question. Do not read.

Shri Jyotirmoy Basu: May I know whether the Central Government has received a report submitted by the DIG of Police, Burdwan Range and, if so, what is the reaction of the Central Government thereto? The statement says: "About 500 men..." (Interruption).

Several hon. Members rose—

Shri Umanath: It is not fair. They have put so many questions, and when the hon. Member gives the other version, why should they shout?

Mr. Speaker: I have allowed him to put his question. But he goes on reading something.

Shri Jyotirmoy Basu: I shall obey you and put a question. The only thing is that they referred to some details and so I wanted to put forward the other version. (Interruption). The statement says: "About 500 men equipped with deadly weapons attacked No. 11 and 12 cooli Dharaos. . . Then, 'in the report it has been further stated that when the workers led by B. P. Jha were going back after beating up the workers of cooli Dharaos in this way, the beaten up workers attacked them from behind and seriously injured Shri Jha. Shri Jha died and his dead body was thrown away. Except Shri Jha, nobody was injured'".

Several hon. Members rose—

Mr. Speaker: Order, order. All of you must sit down. I am explaining the position. This is the Question Hour. We are not discussing any subject. You have the right to put a question, and nobody can prevent you from putting your question. I shall see that everybody gets a chance. I can guarantee that. If one side has a right to shout, then the other side also has that right to shout. Now, this is Question Hour. Shri Umanath also raised some points, some constitutional points, and so on. The other hon. Member refers to some police writings. During a debate you can raise such things but not during the Question Hour. Therefore, I would request Shri Jyotirmoy Basu to put his question and not begin reading it again. The same thing he could have put in a different way.

Shri Jyotirmoy Basu: May I know, in view of the fact that the DIG of Police, has reported that B. P. Jha was beaten up and he died and that the persons living in those two Dharaos belong to the Communist (Marxist) led union, is it true that the Government has received similar reports from the DIG, Burdwan Range, West Bengal Government, and, if so, what is the reaction of the Government thereto?

Shri L. N. Mishra: Hon. Member Shri Jyotirmoy Basu seems to have better access to the Government records than we have. At the moment, I have no copy of the report of the DIG, Burdwan Range. But the Home Secretary to the West Bengal Government has sent us a report. I will not like to read out from it, because the case is under investigation. We have also reports from our own organisation. In the collieries, we have the Chief Labour Commissioner and the Additional Labour Commissioner. We have reports from them. There are different versions, but it is a fact that Mr. B. P. Jha was murdered. Other things are disputed, but this murder is not in dispute.

Shri Jyotirmoy Basu: Under what circumstances did it happen?

An hon. Member: Are you defending the circumstance?

Shri D. N. Patodia: But no action has been taken so far.

श्री राम सेवक बाबू : अध्यक्ष महोदय, मैं स्वयं वहाँ पर गया था। जो जानकारी मुझे मिली है उस आधार पर मैं पूछता हूँ कि श्री बी० पी० झा० की हत्या बहुत ही भृगुिन थी और क्या यह सही है कि 4 जून को जब हत्या हुई उस के पहले 2 आरोधको युनियन के 3 कार्यकर्ताओं को जिसके वह नेता थे पकड़ा गया और उनको परेशान किया गया। उस दहशत से पैदा हुई हालत को कंट्रोल करने के लिए वह सभा होने जा रही थी और उन सभा को बह जा रहे थे तब उन की हत्या की गई या बम बगेरह का इस्तेमाल हुआ और क्या यह सही है कि कुछ लोगों के नाम एक० घाई० धार० में दर्ज कराये गये जिनमें नफट कम्युनिस्ट पार्टी के नेता लॉग हैं उन के खिलाफ धाज तक कोई कार्यवाही महा तक कि छानबीन भी और पूछ गछ भी नहीं की गई तब उस सदस्य में में महा जानना चाहता कि जब मंत्री महोदय ने कहा कि यह मामला जाच पड़ताम के मातहत है छानबीन हो रही है और जब ऐसी स्थिति है वो डी० घाई० जी० को क्या हक था और किम नियम के मातहत उन्होंने बयान दिया जब कि वहा की छानबीन हो रही है? दूसरे यह जो राइबल यूनियन्स की बात होती है लैफ्ट कम्युनिस्ट और एस० एस० पी० की तो वह लैफ्ट कम्युनिस्टों की यूनियन कितने दिन पहले बनी थी और वह एम० एम० पी० की पहले वाली यूनियन कितने दिनों से चल रही है और क्या यह सही नहीं कि वहाँ के ट्रेड यूनियन मूवमेंट को जोकि जातिपूर्ण चल रहा था उस को खाने के लिए यह सब कार्यवाही की गई ?

श्री अ० बा० सिन्घ : वह बात सही है कि यह जो बी० पी० झा० का करल

हुआ उस से पहले से ही वहाँ लगड़ा चल रहा था। माननीय सदस्य ने कहा कि वह स्वयं वहाँ पर गये थे, मुझे मालूम है कि वह वहाँ पर गये थे। उन को स्वरज होम कि 5 मई से ही वहाँ की हालत खराब चल रही थी और इस तरह के इंटिमिडेशन ऐमास्ट वाएलैस और रॉगफुल कमफा-इनमेंट के काफी केसज हो चुके थे। उन को एक अच्छी खासी लम्बी फहरिस्त होगी। मैं समझता हूँ कि दस, बारह ऐसी घटनाएँ होगी, लेकिन इस समय मैं उनका जिक्र नहीं करना चाहता और उनका ब्योरा नहीं देना चाहता। जहाँ तक इन राइबल यूनियन्स का बसाल है, एस० एस० पी० की यूनियन सब से पुरानी यूनियन है और वह रिकग्नाइज्ड यूनियन है। यह जो लैफ्ट कम्युनिस्टों ने बनाई है वह यूनियन बाद की है यह एन्डेशन के बाद बनी है और उन की यह यूनियन रिकग्नाइज्ड नहीं है इस के लिए मालिक पर दबाव डाल रहे थे कि तुम हमारे साथ काम करो और उनके साथ काम मत करो। जहाँ तक बगाल का प्रश्न है बगाल के कोयले की खदान में एस० एस० पी० वालों की जो यूनियन है उस को हम मानते हैं, उन की ताकत ज्यादा है और इन तीन जयहो में भी एस० एस० पी० वालों की ताकत ज्यादा थी और उन की यूनियन्स को मान्यता थी।

जहाँ तक मुजरिनों का सवाल है मैं उन से कहूँगा कि जो मुझे खबर मिली है उस के अनुसार श्री महेंद्र सिंह, सेक्रेटरी कुराडी यूनिट कोइमिरी मजदूर कांसेड एस० एस० पी० ने सर्व भी हरबन राय एम० एन० ए., रीविन चटर्जी वाइस प्रेसिडेंट कोइमिरी मजदूर सभा डी० पी० घाई० मार्किस्ट और रीविन सेन ए लीडिंग डी० पी० घाई० मार्किस्ट वर्कर और 21 अन्य लोगों के नाम पुस्तिक में खरीर मुजरिनों के लिखाने हैं। पुस्तिक उस की पहलीकाठ कर रही है।

Shri Hem Barua: The Minister said that this situation in that particular area started deteriorating from the 5th May. Unfortunately the police in West Bengal has been immobilised due to so many reasons. It is a fact that the police in West Bengal has been immobilised and the situation started deteriorating from 5th May, resulting in the murder of a man. The murder of a man is a reprehensible thing. Why is it that they did not do anything to give any protection to the trade union workers? (Interruption)

12.38 hrs.

RE OPPORTUNITY TO ASK SUPPLEMENTARIES

Mr. Speaker: Before I pass on to the next item I would like to bring one thing to the notice of the House. One hon. Member has sent a note which has really pained me. He says that he is very sorry for my high-handedness and all that. If he had been only educated in India I would not have minded, but he is highly foreign educated and all that.

Shri Nath Pai: Why don't you mention the name.

Mr. Speaker: I do not want to mention the name.

Shri Nath Pai: Then all of us become suspect in the eyes of the House.

Mr. Speaker: No, none of you has done this. I would call that hon. Member and speak to him rather than mention it here. But I would like to express my pain and grief over the way in which it is done. I spent 40 minutes today over one question. I knew it was wrong, but I allowed the House to go on with only one question. I know during the Question Hour one question cannot be allowed to go on for 40 minutes. If in spite of that, if one hon. Member was not called, he says that it was high-handedness on my part, it is really unfortunate. I would request

him—he knows it, one hon. Member here knows it.

Shri Hem Barua: In all fairness, Sir, you should identify the Member or else what will happen is, we also tried to catch your eye.

Mr. Speaker: I know that. I entirely agree with you. But the hon. Member who sent me the note knows it. I am sure he will himself feel sorry for this.

WRITTEN ANSWERS TO QUESTIONS

Demilitarised Zone between North and South Korea

*574. **Dr. Ramen Sen:** Will the Minister of External Affairs be pleased to state:

(a) whether it is a fact that North Korea has informed India of increasing US violations in the demilitarised zone between it and South Korea; and

(b) if so, the reaction of Government thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) The Government of India have noted the claims and charges made by both the sides.

Applications for Passports

*576. **Shri George Fernandes:**
Shri J. H. Patel:
Shri Madhu Limaye:

Will the Minister of External Affairs be pleased to state:

(a) whether there has been a phenomenal rise in the applications for passport since the Supreme Court's judgment holding that it was the fundamental right of every citizen to secure a passport; and

(b) whether all applicants have been issued the passports?