

**Shri Mehdi:** These Soviet experts came to see whether assistance to the eight projects should be given and what were the needs of these eight projects. Assam collieries were not under these projects.

**श्री विठ्ठलनाथ पांडेय :** जैसा कि मंत्री महोदय ने बताया है कि कोयला विशेषज्ञों के हसी दल ने पश्चिमी बंगाल और बिहार के कोक और कोदले वाले सभी क्षेत्रों का दौरा किया है। तो मैं यह जानना चाहता हूँ कि इन विशेषज्ञों ने कोयले की मात्रा बढ़ाने के लिए कोई मध्यवर्ती रिपोर्ट सरकार के पास दी है।

**Shri Mehdi:** The report of these experts has not yet been received.

**Shri R. Barua:** We had a previous collaboration with Rumania. May I know how the present arrangement is going to be an improvement on the previous arrangement?

**Shri Mehdi:** I do not know of any assistance from Rumania.

**Shri R. S. Pandey:** Taking into consideration the great potentialities of coal in Madhya Pradesh, may I know whether this team has been invited to visit Madhya Pradesh and, if not, why not?

**Shri Mehdi:** As I said before, this team came specially to inspect the sites of 8 projects and it is expected to give its report to say what assistance they can give.

12.00 hrs.

**Mr. Speaker:** We will now take up the Short Notice Question. Shrimati Tarkeshwari Sinha.

**Shri S. M. Banerjee:** Sir, before you take up the Short Notice Question may I remind you that yesterday we placed before you our position about the short notice question on hunger strike....

**Mr. Speaker:** That is a different thing.

**Shri S. M. Banerjee:** You said yesterday that either the Minister will make a statement....

**Mr. Speaker:** I should not be interrupted like this. Let me dispose of this short notice question first.

**श्री रामेश्वरान व :** अ यक्ष महोदय, मैं ने एक ध्यान आकर्षण प्रस्ताव . . . .

**अध्वरक्ष महोदय :** धर्मः आप ठहरिये, बँड जाइये।

#### SHORT NOTICE QUESTION

**Heavy Engineering Corporation,  
Ranchi**

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**S.N.Q. 7. Shrimati Tarkeshwari  
Sinha:**

**Shri Madhu Limaye:  
Shri Kishen Pattnayak:  
Dr. Ram Manohar  
Lohia:**

**Shri Maurya:  
Shri Yashpal Singh:  
Shri Indrajit Gupta:**

Will the Minister of Industry be pleased to state:

(a) whether it is a fact that another fire broke out in the Heavy Engineering Corporation, Ranchi on the 28th February, 1966; and

(b) if so, whether any enquiry has been made into it?

**The Minister of Industry (Shri D. Sanjivayya):** (a) Yes, Sir. Due to leakage of molten metal some cable, a small motor, a ball bearing, etc., in the Foundry Forge Plant were damaged by fire causing a loss of about Rs. 20,000.

(b) A court of Enquiry has been appointed to enquire into the causes of this accident and to assess the actual damage.

**Shrimati Tarkeshwari Sinha:** May I know whether the earlier report about a similar fire, submitted by

Justice P. Mukerjee, was considered and whether it was found out that fight between rival unions was responsible for the earlier sabotage, causing great loss to the Corporation? Was any action taken on that report to see that further damage is not done to this plant and, if so, what?

**Shri D. Sanjivayya:** The report of Justice Mukerjee was placed on the Table of the House and....

**Shri Ranga:** When?

**Shri D. Sanjivayya:** I will give it in a minute. It was placed on the Table of the House on 3rd October, 1964. The action taken is that the Chairman, Shri Nagaraja Rao has been replaced by Shri T. R. Gupta as Chairman.

**Shri Bhagwat Jha Azad:** He has been promoted, not replaced.

**Shri D. Sanjivayya:** Shri Sandilya, Director of Finance and Major Habibulla, Director of Labour and Security have also left the Corporation. Shri R. P. Simha, Secretary at the time of the fire incident, has been reverted to the Bihar Government.

**Shri Bhagwat Jha Azad:** He has not been reverted. He was recalled by the Bihar Government. Please do not make such statements.

**Shri D. Sanjivayya:** Various other steps were also taken.

**श्री मधु लिमये :** ग्रह्यल महोदय, निगम पर करोड़ों रुपये खर्च हो चुके हैं और हो रहे हैं। अकेले कर्मचारियों की और अफसरों की तन्ख्वाह का बिल प्रति वर्ष 65 लाख रुपया है। वहां मैं डेढ़ महीने पहले गया था और मुझे वहां के कई लोगों ने बताया कि यह आग दगैरह का जो मामला हुआ है इस के पीछे बड़ राज है, मशीनरी की और पुर्जों की जो चोरी होती है उस को छिपाने के लिए यह सब किया जाता है तो मैं सरकार से जानना

चाहता हूँ कि इस कारखाने के महत्व को देखते हुये, और इंजीनियरिंग का कारखाना तैयार है फिर भी उस में पैदावार नहीं हो रही है। इस बात को मद्देनजर रखते हुए क्या सरकार सेंट्रल इंटरलिजेंस ब्यूरो के द्वारा इस बात की जांच करायेगी कि क्या इस में कोई राज है, कोई चोरी हो रही है या नहीं हो रही है ?

**Shri D. Sanjivayya:** The inquiry is being conducted by the Intelligence Department of the Bihar Government, with the assistance of the Central Intelligence. In fact, in connection with one of the fire incidents 20 persons were suspected of whom 19 have been arrested. The investigation is coming to a close and after which chargesheet's will be filed, if necessary.

**Mr. Speaker:** Shri Daji.

**Shrimati Tarkeshwari Sinha:** Sir, may I submit that you generally allow two questions to the Members who has put the question. I have asked only one question.

**Mr. Speaker:** All right. I will allow her to ask one more question. Now Shri Daji.

**Shri Daji:** Justice Mukerjee's Report pointed out callous carelessness in management. Despite that, is it not a fact that each important personnel of management has been sent out on promotion? The General Manager is now a member of the Planning Commission. Is that how the report of Justice Mukerjee is being implemented?

**Shri D. Sanjivayya:** He is not a member of the Planning Commission, I suppose.

**Shri Daji:** He is in the Planning Commission.

**Shrimati Tarkeshwari Sinha:** He is an adviser in the Planning Commission.

**Shri Bhagwat Jha Azad:** On higher salary.

**Shri D. Sanjivayya:** It is not correct to say that he has gone as a member of the Planning Commission; he might be there in the Planning Commission.

**Mr. Speaker:** Is the salary that he has got here higher than the one that he was getting there?

**Shri D. Sanjivayya:** That I am not aware of. (Interruption). Let me complete my answer. After receiving the report of Justice Mukerjee we have served a notice on him. We have called for his explanation. He submitted his explanation. That explanation has been examined in our department. We are not satisfied with the explanation offered. We have called for further explanation. It is awaited. The moment the further explanation is received in our department we will examine it and take appropriate action.

**Shri S. M. Banerjee:** On this particular question of Shri Homi Daji about that gentleman being shifted to the Planning Commission last time also several questions were asked and at that time also the hon. Minister....

**Mr. Speaker:** Now he has explained in detail what he is going to do.

**Shri S. M. Banerjee:** I would like to know whether some of the top officials responsible for the previous fire according to the report of Justice Mukerjee were suspended, dismissed from service or promoted. How many of them were promoted, how many dismissed and how many reverted?

**Shri D. Sanjivayya:** I do not think anybody has been suspended so far. As I said, the inquiry is still going on. If the inquiry is completed probably we will be able to take further action.

**Shri Ranga:** One inquiry was over and recommendations were made.

Why should they have to wait for any action for another inquiry?

**Shri D. Sanjivayya:** As I said, the CID of Bihar Government are inquiring with the assistance of Central CID for further details. When that report is received, probably we will be able to take action.... (Interruption).

**Shri P. Venkatasubbalah:** May I know whether the Minister by implication means that until appropriate action is taken against the officer he has got the promotion in the normal way?

**Shri D. Sanjivayya:** I do not know whether he has got promotion. We have replaced him so far as Heavy Engineering Corporation is concerned..... (Interruption).

**Shri H. N. Mukerjee:** Do I take it that when the inquiry was made by a Judge the officer concerned did not have an opportunity of placing whatever justification he might have conceived about his own position before him? In view of the Judge's finding, which appears from what I hear to reflect upon the conduct of this particular officer, why is Government going on with other procedures to delay the implementation of the Judge's report?

**Shri Ranga:** In the meanwhile promoting these people.

**Shri D. Sanjivayya:** It is true that the Judge gave his findings, but all the same we felt that some more.... (Interruption). Let me complete my answer..... (Interruption).

**Mr. Speaker:** Order, order.

**Shri D. Sanjivayya:** May I be allowed to complete?

**Shri Ranga:** Implement that; accept that.

**Shri D. Sanjivayya:** The Judge has given his findings and we wanted to know as to what so-and-so officer had

to say with regard to this finding. We have asked him. Let him say....

**Shri Ranga:** Sir, my hon. friend, Shri Hiren Mukerjee, had already anticipated this when he asked: Did not these officers have an opportunity of presenting their case before that Judge? Did he not consider all these things and in the light of this give his findings? Why is it that Government wanted to make further inquiries and appoint another inquiry committee?

**Mr. Speaker:** When they ask a question, they must be patient to listen to the answer also.

**Shri D. Sanjivayya:** Here is a finding of a judicial officer before the Government. Before we proceed to take action against the officer against whom certain charges are alleged, we have to give an opportunity.....

**Mr. Speaker:** I might just clarify. The question is: When the judicial officer has made an inquiry, he must have given an opportunity to the man charged with certain offences to show what he had to put before him. He must have given his explanation. That must have been examined by the judicial officer. Afterwards, he gave his verdict or the judgement or the decision, whatever it was. Is it even then necessary to institute another inquiry to find out whether there is any truth in the findings?

**Shri D. Sanjivayya:** With due respects to the findings of the judicial officer, before the Government takes up a final action, maybe dismissal, maybe suspension, maybe reduction in rank, whatever it may be, I think, the Government should give a final opportunity to him to say what he has to say. . . .(Interruptions).

**Some hon. Members** rose—

**Mr. Speaker:** All should resume their seats.

Is that required under any rules of inquiry?

**The Minister of Food, Agriculture, Community Development and Co-operation (Shri C. Subramaniam):** May I submit, under article 311, whenever an action has got to be taken against any officer, we have to serve a notice on him calling for his explanation and only on the basis of that explanation we can take action as far as his services are concerned. Whatever might be the inquiry that might have been made, a tribunal might have given the finding that something is wrong with him, even then under article 311, a notice will have to be given to him calling for his explanation and only then we can take action.

**Shri S. N. Chaturvedi:** May I know what stood in the way of suspending the officer after the judicial inquiry was completed and the report given? Article 311 relates to punishment and not suspension.

**Shri C. Subramaniam:** Suspension is a different thing provided..... (Interruptions).

**Mr. Speaker:** The question was put as to why another notice was necessary. (Interruptions) Order, order. Of course the answer to my question has come. I agree there. But now the question is, when a judicial inquiry had been made and certain findings given, was it not desirable that the officer should have been suspended and then an inquiry made against him?

**Some hon. Members:** Yes.

**Shri D. Sanjivayya:** After all when a finding is given, we must also go into the nature of the finding. Suppose.....(Interruptions).

**Mr. Speaker:** Order, order. A question has been asked and he is answering it. That must be heard. After

that, I can allow the Members to put questions.

**Shri S. M. Banerjee:** Sir, I rise on a point of order.

**Mr. Speaker:** Not now.

**Shri D. Sanjivayya:** May I clarify the position? After all, depending on the nature of the finding and the nature of the offence committed by the officer, the Government will have to decide what kind of punishment should be imposed, whether before imposing a final punishment suspension should be ordered or suspension need not be ordered and what final decision should be taken. Therefore a decision was not taken not to suspend him before we take a final decision in the matter.

श्री वृक्रम चन्द्र कछाय (देवास) :  
क्या वह कोई रिश्तेदार है कि उस के विरुद्ध कोई कार्यवाही नहीं की जा रही है ?

**Shri U. M. Trivedi:** The question is very simple. I think, the hon. Ministers are making a mistake of reading in a wrong way the provisions of article 311. Once a finding has been given and an explanation has been taken from him and after acting upon that explanation a report has been made, the only notice that the Government could give, after suspending that officer which was very essential if an adverse report had been made, to him was whether or not he should be reduced in rank, whether or not he should be dismissed, whether or not he should be removed. These are the only three alternatives left with the Government for the purpose of taking any action against him. So, the only notice that could be given to him is not calling for an explanation of his action but an explanation on the quantum of punishment that was to be meted out to him. Under those circumstances, there was no justification for keeping this officer on the roll. He ought to have been suspend-

ed. The only explanation that you could take was whether or not a particular punishment could be imposed upon him. Under those circumstances, I would like to know why such an action was not taken?

**Shri S. M. Banerjee:** I rise on a point of order.

**Shri Ranga:** He is not the Law Minister.

**Shri D. Sanjivayya:** May I assure the House through you that I will further examine the whole case and make a statement, if necessary.

**Mr. Speaker:** What is the hon. member's point of order?

**Shri S. M. Banerjee:** Art. 311 was quoted by the hon. Minister for Food & Agriculture....

**Mr. Speaker:** He has said that he will get it examined further.

**Shri S. M. Banerjee:** The question is this. Rather you put our question, Sir: why people are not suspended.

Art. 311 says:

"No person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed."

It has nothing to say about suspension. For the last two years, one by one these officers are being promoted; somebody being smuggled into the Planning Commission and so on. My point is this. 17,000 Central Government employees were suspended during the 1960 strike. There should be no discrimination of this thing. 17,737 employees were suspended; later on they were given a charge-sheet; when they replied to the charge-sheet as was pointed out by Mr. Trivedi, they

were given a show-cause notice. Under Art. 311, a charge-sheet is necessary in respect of civil servants and then it should be followed by a show-cause notice as to why he should not be reduced in rank, etc. The Food Minister has already misled the House in the matter of food production and he is misleading the House here also.

**Shri C. Subramaniam:** The facts should be clear. This was not an inquiry against the officer. The judge was asked to go into the accident to find out what was the cause of the accident and how it arose. Incidentally he had to castigate the persons in charge of this project there for negligence, for dereliction of duty, and not as if there was a conspiracy by these officers or they committed any crime or any such thing. I dealt with the case even before the inquiry—not after the inquiry. The question was whether he was competent to hold that office. Even before the inquiry, when I was in charge of that, he was removed from that post. He is employed by the Planning Commission now. Therefore, if anybody has to take any action, it is the Planning Commission. (*Interruptions*).

As far as the project is concerned (*Interruptions*).

**Mr. Speaker:** Order, order. I would suppose that several members, rather the House itself, as a whole, feel agitated. Therefore, it would be good if the matter is examined further and then a detailed explanation is given, and I will allow the members also to put some questions in that case. (*Interruptions*).

Order, order. I have already spent twenty minutes on this. (*Interruptions*).

**Shri A. P. Sharma:** For the last two years, a discussion on this has been evaded. You refer to the proceedings of the House, Sir. You as-

sured in this House that a full dress discussion would be allowed on this. But that has been evaded. I again press for a discussion on this.

**Mr. Speaker:** I did say something on that; I remember. Even now I stick to that.

**Shri S. M. Banerjee:** The motion is pending.

**Mr. Speaker:** The motion is pending? If there is a motion, it might be put for discussion.

**The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha):** Yes; after the financial business is over.

**Mr. Speaker:** Mr. Kapur Singh.

**Shri Kapur Singh:** If you have concluded this matter, then.....

**Mr. Speaker:** As I have said, a regular discussion on this may take place.

**Shri Kapur Singh:** Then I do not want to say anything.

#### WRITTEN ANSWERS TO QUESTIONS

##### Indebtedness in Tribal Areas

\*477. **Shri P. R. Chakraverti:**  
**Shri K. N. Tiwary:**

Will the Minister of Social Welfare be pleased to state:

(a) whether any survey has been made by the Tribal Research Institute, Udaipur into the causes of increasing indebtedness in the tribal areas;

(b) the salient features thereof; and

(c) the reaction of Government thereto and the steps taken to make