

(b) whether the inquiry by the Commission to find out the circumstances which led to death of Rajan Pillai while in custody has been completed;

(c) if so, the outcome thereof alongwith the action taken by the Government thereon;

(d) if not, the reasons for the delay; and

(e) the time by which the inquiry is likely to be completed?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) The terms of reference of Justice Leila Seth Commission of Inquiry are as under:—

- (i) to ascertain the circumstances and sequence of events including deterioration in the physical condition of Shri Rajan Pillai leading to his death;
- (ii) to ascertain the adequacy of the treatment given to him by the Jail Medical Officer and doctors in Deen Dayal Upadhyay Hospital in the context of the history of his past illness;
- (iii) to ascertain the adequacy and promptness of response of the doctor(s) and other authorities both in the Jail and DDU Hospital when the health of Shri Rajan Pillai deteriorated;
- (iv) to ascertain whether there was any negligence on the part of any authority and to fix responsibility for the same;
- (v) to suggest remedial measures in connection with medical care for prisoners in jail; and
- (vi) any other matter relevant to the incident.

(b) No, Sir.

(c) Does not arise.

(d) The delay in the completion of the inquiry is mainly due to non-availability of two key witnesses including the widow of late Rajan Pillai for cross examination.

(e) The Commission has been asked to give its report by 30.10.1996.

Nutritional Garden in Goa

4932 SHRI CHURCHILL ALEMAO: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Government have received any request from the State Government of Goa for the continuation of the Establishment of Nutritional Gardens in the Rural areas in 1996-97; and

(b) if so, the time by which the approval for this purpose is likely to be granted?

THE MINISTER OF AGRICULTURE (EXCLUDING THE DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING) (SHRI CHATURANAN MISHRA): (a) Yes, Sir.

(b) "The Establishment of Nutritional Gardens in Rural Areas" is an on going scheme of National Horticulture Board and will continue till the end of 8th Plan. A proposal for 1996-97 from Goa State Department of Agriculture had been received by the Board, which was returned to the State Government for appropriate revision as per the norms of the scheme. The Board will take action as soon as the revised proposal is received.

Tenders by Railways

4933. SHRI JAGDAMBI PRASAD YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways Board has directed General Managers of the Zonal Railways that while calculating increase in handling rates, the base rate will be the month of opening of tenders;

(b) whether the Railways had incorporated Escalation Clause in all Goods/Parcels handling agreements which were in force before November 19, 1993 or thereafter;

(c) the labour rate on the date of opening of tenders for Goods and Parcels handling contracts at different stations falling under the Itwari and Gondia group of stations in the year 1990;

(d) whether labour rates were mentioned in the agreement at the time of execution of the same; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SATPAL MAHARAJ): (a) Yes, Sir.

(b) No escalation clause was included in the Agreement commencing before 17.11.93. The Clause has been incorporated in agreement entered into after 17.11.93 where the period of contract is 3 years and above.

(c) The average labour rate for Itwari Group of Stations was Rs. 33.15 paise. During 1990 no tender was opened for Gondia Group of station.

(d) and (e) No, Sir. There is no provision for mentioning labour rate in the agreement.

[Translation]

Shifting of Mughalsarai Division to Gaya

4934. SHRI DHIRENDRA AGARWAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government propose to shift Mughalsarai Divisional Office to Gaya;

(b) if so, the reasons therefor; and

(c) the time by which it is likely to be shifted?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SATPAL MAHARAJ): (a) No, Sir.

(b) and (c) Does not arise.

[English]

Settlement of Compensation Claims of Refugees

4935 SHRI MANGAT RAM SHARMA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the displaced persons from Pakistan occupied Kashmir during 1947, 1965 and 1971 are agitating time and again for final settlement of their compensation and other claims; and

(b) if so, the action taken by the Government to settle their claims?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) and (b) The displaced persons from Pakistan Occupied Kashmir have been asking for compensation for properties left behind by them in Pakistan Occupied Kashmir (POK) areas of J & K. However, it was decided not to provide compensation to them, as whole of J & K has always been considered an integral part of India. The areas presently under occupation of Pakistan being under illegal occupation, any payment of compensation to these displaced persons would have amounted to abnegation of India's claim on the territories held under illegal occupation of Pakistan.

In view of this, instead of providing compensation, ex-gratia payments were given to the displaced persons of Pakistan Occupied Kashmir as per Government approved scales.

Jammu and Kashmir Elections

4936. SHRI M. SELVARASU:
SHRI BRAJ MOHAN RAM:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of officers and employees sent to Jammu and Kashmir from the other States besides the J & K for performing election duty in the parliamentary election;

(b) whether any officers and employees suffered casualties and were affected by the accident or terrorists attacks;

(c) if so, whether the compensation has been paid to them or next of their kins; and

(d) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) Around 10,300 officials from the Central Government and various other State Governments had been deployed for elections in Jammu & Kashmir during the Parliamentary Elections.

(b) There were no casualties in terrorist attacks or otherwise. There were some instances of minor accidental injuries and ailments where immediate medical assistance as required was provided.

(c) and (d) Details are being collected and will be laid on the Table of the House.

Manhandling with the Guard

4937. DR. C. SILVERA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a case of beating up of a senior guard of the Rajdhani Express by responsible persons at New Delhi Railway Station has been reported recently;

(b) if so, the full facts of the incident;

(c) whether the Government has taken any action against the persons responsible for the said incident;

(d) if not, the reasons therefor; and

(e) the steps taken to check recurrence of such incidents in future?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) to (d) ON 3.8.96, when 2424 Down Guahati Rajdhani Express had just started off from the New Delhi Railway Station, one person entered the guard's cabin, identified himself as a Member of Parliament and reportedly asked the guard to stop the train as his wife, who was also to board the train, had not yet arrived. The train had in the meantime stopped as the guard on duty had applied brakes. However, when he tried to communicate with the train driver on intercom, the train again started. The said person is alleged to have thereupon pushed the guard as a result of which the guard sustained injury in his leg. By that time the train also had stopped. The injured guard eventually went to the Railway Central Hospital on his own where he disclosed the cause of injury but refused to prepare any M.L.C. or lodge an F.I.R. about the incident. However, later on, on the basis of his statement, a case F.I.R. No. 575/96 was registered at Police Station New Delhi Railway Station. The Member of Parliament in question was subsequently granted anticipatory bail by the Sessions Court, Tis Hazari, Delhi.

(e) The police staff detailed on the platform duty have been briefed to keep strict vigil and take proper preventive and legal action in such cases. The SHOs of Railway Police Stations have been directed to detail sufficient staff at each platform to maintain law and order and take all possible precautions at the time of the departure of the trains to avoid such incidents in future.