

12.23 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**

**REPORTED DISCOVERY OF A DECOMPOSED
HUMAN BODY IN FRESH WATER PUMPING
TANK AT DELHI MAIN RAILWAY STATION**

SHRI SUSHIL BHATTACHARYYA
(Burdwan): I call the attention of the
Minister of Railways to the following
matter of urgent public importance
and request that he may make a
statement thereon:—

“Reported discovery of a decom-
posed human body in a fresh water
pumping tank which supplies drink-
ing water at Delhi Main Railway
Station causing serious health haz-
ard to customers, visitors and rail-
way employees.”

**THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS**
(**SHRI C. K. JAFFER SHARIEF**):
Sir, On 18.6.80, at 8.10 hours in the
morning, the Inspector of Works/
Northern Railway/Delhi, received a
report that foul smell was emanating
from the water on the first floor of
the station building. The first and
second floors of the station building
are served by a separate pump house
and ground water tank having a
capacity of about 7200 gallons. Imme-
diately, on receipt of the message,
the pumping was stopped and water
supply to the affected area disconti-
nued. The interior of the tank was
examined to investigate the cause of
the smell and the presence of a hu-
man/animal body inside was suspect-
ed. The matter was immediately re-
ported to the Government Railway
Police.

The water from the ground tank
was pumped out with the help of the
Fire Brigade in the presence of the
Government Railway Police and a
dead human body was recovered.
Police investigations are still in pro-
gress and the body has not been iden-
tified so far. An Inquiry Committee
has been constituted by the Divisional
Railway Manager. The inquiry is in

progress and report of the Committee
is awaited.

The ground tank had last been
cleaned on 16.4.80.

I fully share my serious concern
and distress on account of the unfor-
tunate incident with the Hon'ble
Members. I can assure the House
that severe action will be taken
against any railway servant found
responsible or negligent in this regard.

12.26 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair]

SHRI SUSHIL BHATTACHARYYA:
On 18th June, a de-composed dead
body of a 14 year boy was found in
the water tank at the Delhi Main
Station. The post-mortem report said
that the boy had died three days be-
fore and the cause of the death was
by drowning. I had been to the spot
day before yesterday and I investi-
gated the matter there. It is on the
ground floor adjacent to RMS build-
ing at the Delhi Main Station. I found
that the cover of the manhole door
was not bolted from either side.

MR. DEPUTY-SPEAKER: Please
put question and do not relate the
whole story. You cannot make a
speech during calling attention.

SHRI SUSHIL BHATTACHARYYA:
Is it a case of suicide or homicide?
Why was the door of the manhole not
bolted from either side, which re-
mains uncovered most of the time?
Why has a separate door and a sepa-
rate passage for the Store and the
pump house not been arranged?

SHRI C. K. JAFFER SHARIEF:
The post-mortem report has said very
clearly that it is a drowning case.
Whether it is a case of suicide or
otherwise, it is for the Police to in-
vestigate. The investigation is in
progress.

श्री राम बिलास पासवान (हाजीपुर) : अध्यक्ष
महोदय, मैंने उस दिन जब यह मामला उठाया
था, तो सदन में स्पष्ट रूप से यह एकीकरण लगाया

आ कि लाश तब विकल थी, कूटी हुई थी । इस में सब से महत्वपूर्ण बात यह है कि इतना बड़ा टैंक है, उस में लाश को घुसा दिया गया । अगर उस में जहर मिला दिया जाता तो क्या होता । यह कोई मामूली बात नहीं है कि लाश पानों को टंकी में चली जाए और आपके मंत्रालय और आपको मालूम न हो और पुलिस को इस की जानकारी शायद ही ही नहीं । यह लाश उसमें चली गयी और पब्लिक की तरफ से यह शिकायत की गयी तब आप लोगों ने इस बारे में जाना । तब तक लाखों लोग पानी पी चुके थे । जब अधिकारियों को इस के बारे में शिकायत की गयी तो उन्होंने कहा कि एक मोटा चूहा मरा हुआ है ।

अध्यक्ष जी दिल्ली के नवभारत टाइम्स में यह निकला है - "टंकी में शव पड़े रहे, लोग पानी पीते रहे ।" जब लोगों ने बहुत हल्का मचाया तब जा कर उस टंकी को खोला गया और पाया गया कि आधमी की लाश है । मैं मंत्री महोदय से आग्रह करूंगा कि इस मामले को टालने की कोशिश नहीं करनी चाहिए बल्कि इस बारे में हम सभी को ईमानदारी से काम करना चाहिए । लाखों आधमी उस टंकी का पानी पी रहे थे । अगर उस पानी को पीकर के लोग मर जाते, हम ही पानी पीकर मर जाते । यह मामला बहुत गंभीर है और इसका साधारण ढंग से जवाब नहीं देना चाहिए । एक पानी की टंकी में लाश पड़ी हुई मिली है और दिल्ली के प्रशासन को मालूम नहीं, पुलिस को मालूम नहीं, रेलवे मंत्रालय को मालूम नहीं, रेल प्रशासन को मालूम नहीं । यह मामला कब पता चलाता है जबकि यह हाउस में उठता है और एक अखबार की जानकारी के आधार पर उठता है । तब आपको पता चलता है कि लाशें पाई गई है । मैं जानना चाहता हूँ कि आपको इसकी जानकारी कब मिली, किस समय मिली ? अगर पहले मिल गई थी तो आपने सदन को और देश को जनता को इसके माध्यम से पहले क्यों नहीं बताया । पुलिस विभाग ने पहले क्यों नहीं बताया ? यह कोई साधारण बात नहीं है । मैं त्रिपाठी जी से आग्रह करूंगा और कहूंगा कि रेलों के मामले को यदि आपने इस तरह से डीला छोड़ दिया तो कभी टंकीयों में लाशें मिलेगी और कभी ट्रेन एक्सीडेंट होंगे और कभी और भी ज्यादा भयंकर दुर्घटनाएँ होंगी । मैं जानना चाहता हूँ कि मंत्री महोदय को कब इसकी खबर में मालूम हुआ कि लाशें पाई गई हैं ? मैं यह भी जानना चाहता हूँ कि टंकी की सफाई कितनी देर के बाद की जाती है ? उन्होंने बताया है कि 16-4-80 को की गई थी । मैं जानना चाहता हूँ कि कितने दिनों के बाद की जाती है और इसके बारे में नियम क्या है ? मैं यह भी जानना चाहता हूँ कि सफाई का उन्होंने क्या प्रबन्ध किया है ? कैसे उस में जहर पड़ चुका है ? मैं अगर कोई जा कर उस में जहर डाल दूँ तो उसके लिए आप क्या व्यवस्था कर रहे हैं ?

SHRI C. K. JAFFER SHARIEF:
 Sir, I do not know why the hon.

Member has to get excited so much on this issue.

(Interruptions)

SHRI RATANSINH RAJDA (Bombay South): This is a very serious matter. If the Members are not very much agitated over this, on what else would they be agitated?

(Interruptions)

SHRI C. K. JAFFER SHARIEF: Kindly bear with me. I have already said that we are equally concerned as the hon. Members are. The matter was reported to us on the very day when there was a complaint from the public that there was foul smell in the water and the matter was reported to the police then and there. It is only with the police the investigation started and the body was found and there are two watchmen who were there, who were supposed to look after the water tank each for 12 hours on duty. And action has been taken against those who have been responsible for not being there. For further investigation, a Committee has been constituted to go into this matter as to how it could happen from the railway point of view. The police is investigating it separately.

श्री राम चिन्तास पासवान : मेरे प्रश्नों में से एक का भी उत्तर नहीं आया है । मैंने पूछा था कि रेल मंत्री जी को कब मालूम हुआ ? टंकी की सफाई का क्या नियम है ? सफाई के बास्ते आप भविष्य में क्या व्यवस्था कर रहे हैं ?

श्री सी० के० जाफर शरीफ : मैंने उत्तर दिया है कि देखभाल के लिए लोगों को रखा गया है । दो महीने के अन्दर सफाई करने का नियम है और जब कभी कोई आक हो तब भी सफाई करनी चाहिये, यह भी नियम है ।

श्री राम चिन्तास पासवान : जानकारी कब मिली ?

श्री सी० के० जाफर शरीफ : अखबारों में जब देखा उसी वक्त हम को जानकारी मिली ।
 (Interruptions) I do not know why the hon. Members should get surprised at even the statement of facts. Anyway,

श्री सी० के० जाकर शरीर

enough efforts have been made. Action has been taken to safeguard, to see that the drinking water is being properly protected.

SHRI NIREN GHOSH (Dum Dum): Sir, I regret to say that the entire reply and the clarifications given by the Minister are an exercise in evading what actually took place and the responsibility thereof.

There are definite reports with us that there is a man-hole and pumps are coming out. It usually remained uncovered. Comrade Sushil Bhattacharya might have gone after the incident has occurred. Thereafter, it has been covered. But it generally remains uncovered and a sentry was posted before and he cannot take care of it if a man from behind does something. The arrangement is such. Another thing is, in all such cases if ever any action is taken against anybody, it is against the small fries, which is the worst part of it. Here, it is said that an inquiry committee has been set up by the Divisional Manager. Why the Divisional Manager? Why not the Railway Board? Why not the Ministry itself? It is not a simple case. It has happened in Delhi, a main station. It is a serious matter. You do not even tell us, who constitute the Committee and what are the terms of reference and what they would investigate. I have found a lot of cases like this. From my personal experience, I can say, I was travelling in a first class compartment from Delhi to Calcutta and there was no electricity or water throughout the journey. I wrote to the Ministry about this, but they did not even care to give a reply. This is the sort of thing that is going on. My question is, why the manhole was uncovered, unmanned. I know that small fries will be held responsible for this.

MR. DEPUTY-SPEAKER: If some small fries are really responsible, would you not want action being taken against them?

SHRI NIREN GHOSH: I want to know whether there would be a judicial inquiry or whether you would constitute a committee of Members of Parliament to go into this. Delhi station is so near and we can go and find out for ourselves. I want to know whether it would be done, whether you would take any action against the Divisional Manager, who is constituting the Committee or the General Manager. I do not know who would be held responsible for the train accident in Delhi, just a day before. Whether it would be the Railway Board, General Manager or the Ministry—I do not know.

MR. DEPUTY-SPEAKER: Come to the point. Do not travel throughout India.

SHRI NIREN GHOSH: I would like to know whether the top officials are not guilty. A thorough overhauling is required. I want to know whether it would be done or not. In view of this incident and also in view of the frequent railway accidents, should we not make a complete overhaul of the Railways? The top officials are supposed to really manage and give directions, which they do not. They enjoy all perquisites. But for any such thing as this, some small fries are held responsible. Mr. Tripathi, you please answer, instead of your deputy and give us a serious answer so that the members can be persuaded and convinced that you have taken up the case seriously and you are really going to do something.

MR. DEPUTY-SPEAKER: You will be satisfied if Mr. Tripathi replies, to it?

श्री राम विलास पासवान : इसका जवाब माननीय त्रिपाठी जी ही दें ।

रेल मंत्री (श्री कमलापति त्रिपाठी) मान्यवर, मेरे साथी इसका जवाब दे रहे हैं । माननीय सदस्यों की आज्ञा है कि मैं कुछ जवाब दूँ इसलिये मैं खड़ा हो गया हूँ, नहीं तो यह जवाब देने के लिये काफी थे । लेकिन चूंकि सदस्यों की आज्ञा माननी आवश्यक है, इसलिये मैं खड़ा हो गया हूँ । अगर

मान्यवर यह कहें कि इसका जवाब मुझे ही देना है तो मैं जवाब दे दूँ। उपाध्यक्ष महोदय, मैं आप से पूछता हूँ, आपकी आज्ञा से ही जवाब दे सकता हूँ।

MR. DEPUTY-SPEAKER: It is for you to decide, Mr. Minister.

SHRI KAMALAPATI TRIPATHI: All such decisions are to be taken by you. We are not to decide these things for you.

मान्यवर बात यह है कि घटना बड़ी दुखद है। एक टैंक है, जिसका पानी पम्प किया जाता है ऊपर के टैंक में, और उस टैंक में म्युनिसिपल वाटर आता है। टैंक जमीन के नीचे है, उसके ऊपर पम्प हाउस बना हुआ है। एक मेन होल है छोटा सा, शायद 2 फुट लम्बा और 2 फुट चौड़ा मेनहोल ढका रहता है हमेशा, यह मानीय सदस्यों का ख्याल गलत है कि वह हमेशा खुला रहता है। वहाँ दो आदमी रखे गये हैं जिनकी 12, 12 घंटे की ड्यूटी है उसको देखने की। उसकी इन्क्वायरी हो रही है, पुलिस भी इन्क्वायरी कर रही है, लाश पुलिस ले गई है, पोस्टमार्टम भी हुआ है। पुलिस की ओर से उसकी जांच-पड़ताल हो रही है। रेलवे डिविजनल मैनेजर ने नियमानुसार सीनियर इलेक्ट्रिकल इंजीनियर और सीनियर सिविल इंजीनियर से उसकी एनक्वायरी करवाई। हम उस रिपोर्ट की अपेक्षा कर रहे हैं। वह रिपोर्ट आने के बाद जैसा आवश्यक होगा, वैसी कार्यवाही की जायेगी। जब तक हमारे वह रिपोर्ट नहीं आती है, तब तक हम कोई कार्यवाही कैसे करें ?

हम ने पम्प हाउस के दोनों इनचार्जों को सस्पेंड किया है। एस० ओ० एस०, सब ओवर सीयर मिस्त्री को भी हमने सस्पेंड किया। रिपोर्ट आने के बाद उचित कार्यवाही की जायेगी।

MR. DEPUTY-SPEAKER: Statement by Minister. Shri C. K. Jaffer Sharief. (Interruptions) I have called the Minister.

श्री राम विलास पासवान : उपाध्यक्ष महोदय

MR. DEPUTY-SPEAKER: All these things will not go on record. (Interruptions).**

A point of order is not raised just I should call you. Unless all the members cooperate, we cannot conduct the proceedings. As a matter of fact, every minute is more precious to

the Opposition than to the ruling party. I find, in this House, the Opposition is wasting time. Every minute that is wasted is more precious to the Opposition than to the ruling party. They will be happy. Please do not waste time of the House.

SHRI RAM VILAS PASWAN: The hon. Members have got a right to raise the point of order.

MR. DEPUTY-SPEAKER: They can raise the point of order. But under what rule?

श्री राम विलास पासवान : मेरा पॉइंट ऑफ ऑर्डर है।

SHRI N. K. SHEJWALKAR (Gwalior): On a point of order, Sir.

MR. DEPUTY-SPEAKER: Under what rule?

SHRI N. K. SHEJWALKAR: Rule 376.

MR. DEPUTY-SPEAKER: It is a comprehensive rule.

SHRI N. K. SHEJWALKAR: So what? I know it. I have read it thoroughly. I know that it is a comprehensive rule. Unless you hear what I am going to say, how can you rule it out? You hear me first and then you can say, it is not a point of order.

MR. DEPUTY-SPEAKER: How can you raise anything without my permission? You are not taking my permission. You must take my permission. I am not permitting you. Please sit down. Before any hon. Member raises any issue, he must take my permission. The Calling Attention is over. I have called the Minister to make a statement. I have gone to the next item. When I have gone to the next item, when the Minister is making a statement, immediately, you

[Mr. Deputy Speaker]

get up. Under what subject are you raising a point of order? Under what rule are you raising a point of order? I will not allow anybody to stand up as he likes and raise any issue. I am not permitting you. *(Interruptions)* You have got every right. But it should be according to rules.

SHRI NIREN GHOSH: In the List of Business for today, no item is there that the Minister is to make a statement.

MR. DEPUTY-SPEAKER: It has been circulated to the hon. Members. The Call Attention is over, and I have gone to the next subject. But then you are raising all these issues. Please help me and the Minister. I am not permitting.

SHRI N. K. SHEJWALKAR: It is a question of my right. You hear my point of order and then you may rule it out.

MR. DEPUTY-SPEAKER: You are raising a point of order?

SHRI N. K. SHEJWALKAR: Yes.

MR. DEPUTY-SPEAKER: Under what rule?

SHRI N. K. SHEJWALKAR: Rule 376.

MR. DEPUTY-SPEAKER: What is your point of order?

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): Please permit me also to raise my point of order.

MR. DEPUTY-SPEAKER: Let his point of order be disposed of first.

SHRI N. K. SHEJWALKAR: The information given to the House by the Railway Minister was that the post mortem report says that it is a case of drowning, but he cannot say... *(Interruptions)*

MR. DEPUTY-SPEAKER: Every Member should not take the law in his own hand. I have to decide about the point of order.

SHRI N. K. SHEJWALKAR: ...but he cannot say whether it is suicide or homicide. A simple knowledge of medical jurisprudence will point out that the post mortem was entirely different in both the cases...

MR. DEPUTY-SPEAKER: This is not a point of order.

SHRI N. K. SHEJWALKAR: What will be the position of this House if it is to be given such information... *(Interruptions)*

MR. DEPUTY-SPEAKER: There is no point of order. I rule it out of order. Now, the Minister. I have called the Minister to make the statement....

SHRI KRISHNA CHANDRA HALDER (Durgapur): Sir, I want to make a submission....

MR. DEPUTY-SPEAKER: Is it in continuation of the Call Attention?

SHRI KRISHNA CHANDRA HALDER: No, Sir. It is on a different thing. We have every respect for the Deputy-Speaker; we have every respect for you, Sir. But your remark that the Members of the Opposition are wasting the time of the House is unfortunate, it is casting an aspersion on the Opposition as a whole... *(Interruptions)*

MR. DEPUTY-SPEAKER: As a Member belonging to the Opposition, I have said it. I find that, if the time of the House is wasted, it is a loss to the Opposition. That is what I have said. I have every right to make this statement.

Now, the Minister.

PROF. P. J. KURIEN (Mavelikara): Sir, I have a submission to make. You gave a ruling here, Sir, that even for

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body in fresh water tank at Delhi Main Rly. Stn. (CA)

raising a point of order, prior permission should be obtained. I want clarification on that.

MR. DEPUTY-SPEAKER: That is all right. (Interruptions)

PROF. P. J. KURIEN: Mr. Deputy-Speaker, Sir, I am a member of the Opposition. I have never wasted the time of the House. Please give me clarification on your ruling, Sir. Should I get your permission before raising a point of order? You can hear the point of order and then you may raise it out....

MR. DEPUTY-SPEAKER: Please listen. I have heard you. Please read Rule 376(2):

"Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House."

Now, the Minister.

SHRI RAM VILAS PASWAN: Rule 376(2) regarding point of order says....

MR. DEPUTY-SPEAKER: What is that? The point raised by the hon. Member is that even for raising a point of order, he need not take the permission of the Chair. I said, 'You must take the permission.' Please go through the Rule again....

(Interruptions)

SHRI CHANDRAJIT YADAV: (Azamgarh); I think you have not read the whole clause. Clause (2) says:

"A point of order may be raised in relation to the business before the House at the moment:...."

That is all right. Then it says:

"Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item

of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House."

Therefore, it covers the second part. The Member is entitled to make his point of order and the Speaker will listen to that point of order. It goes according to the Rules and it goes according to the tradition. Now, the permission is needed where one business is terminated and another is going to commence. In between your permission is required. Therefore, I say, please change your ruling.

MR. DEPUTY-SPEAKER: The rule is:

"A point of order may be raised in relation to the business before the House at the moment."

What is the business at the moment? The statement by the Minister. My point is this. He said that he need not take my permission even to raise a point of order. I said he should take the permission. I still hold that. You must take the permission. Then:

"Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House."....

(Interruptions)

So, that is over.

SHRI CHANDRAJIT YADAV: That is only with regard to in between two items.

MR. DEPUTY-SPEAKER: This is only in between. The Calling Attention is over and the Minister is to make a statement. It is only in between.

SHRI CHANDRAJIT YADAV: I am saying that this ruling you have given now is not a general thing.

MR. DEPUTY-SPEAKER: I have not made a general observation. I

[Mr. Deputy-Speaker]

was only referring to the particular thing.

PROF. MADHU DANDAVATE (Rajapur): Your ruling is about the gap between the two items.

MR. DEPUTY-SPEAKER: That is right. It is only the gap between the two... (Interruptions) Are you not still satisfied? I have ruled your point of order out of order. I have replied to the hon. Member also. Now, please sit down.

SHRI N. K. SHEJWALKAR: I am not on that.

MR. DEPUTY-SPEAKER: I have already replied to you.

SHRI N. K. SHEJWALKAR: Will you please allow me one minute only?

SHRI K. MAYATHEVAR (Dindigul): Sir, the rule is that whenever the Chair is on his legs, the hon. member who raises any point should resume his seat. But the hon. Member is not observing that rule.

SHRI N. K. SHEJWALKAR: I know that... (Interruptions) I am referring only to Shakhder's Commentary regarding point of order. Please see page 798, vol. II...

MR. DEPUTY-SPEAKER: I have already made my point very clear. I have not made a general statement. It is only with regard to the interval.

SHRI C. T. DHANDAPANI (Polachi): This is not the proper time to discuss all these things. The Chair has already given its ruling.

MR. DEPUTY-SPEAKER: Yes, the hon. Minister to make a statement.

I am not permitting hereafter. Please sit down. (Interruptions). I am not permitting anyone to raise any point of order. Please sit down.

SHRI N. K. SHEJWALKAR: Can you not allow my point of order?

MR. DEPUTY-SPEAKER: Please sit down. I have already ruled all points of order as out of order. You cannot go on raising them. Now, the hon. Minister.

12.56 hrs.

STATEMENT RE. RAILWAY ACCIDENT BETWEEN DELHI AND DELHI SHAHDARA STATIONS ON 27-6-1980.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI C. K. JAFFER SHARJEF): Sir, with profound sorrow, I rise to make a statement on the unfortunate accident which took place on Northern Railway on 27-6-1980. On that day, 12 Down Delhi-Howrah Express left Delhi Station at 22.20 hours and stopped at the Temporary Engineering Stop Indicator at Kilometre 3/28 between Delhi and Delhi Shahdara stations. While the train was stationary, 45 Up Delhi-Amritsar Janata Express which left Delhi at 22.35 hours i.e. 15 minutes later, collided with the rear of 12 Down, at about 23.00 hours. As a result, the rear portion of the rearmost second class sectional coach running between Delhi and Farrukhabad and the luggage portion of the second-cum-luggage and brakevan which was next to it were badly damaged and also got derailed.

On receipt of the information in Delhi Control at 23 05 hours from the Guard of 12 Down Express, Medical Vans from Delhi and Ghaziabad accompanied by railway doctors and the relief train from Delhi were rushed to the site.

As a result of this accident, 6 persons were killed on the spot and 10 sustained grievous injuries of whom one died in the hospital bringing the total number of deaths to 7. Of the remaining 9 grievously injured persons, 8 were admitted in the Lok Nayak Jayparkash Narain Hospital and one in Northern Railway Central Hospital. 11 more persons with simple