

SHRI CHITTA BASU: It is an ideal speech.

MR. DEPUTY-SPEAKER: That is good.

SHRI JANARDHANA POOJARY : Mr. Deputy-Speaker I am grateful to all the hon. Members for extending their support to this Bill. As I have stated earlier, this Bill has got laudable objectives and as stated by hon. Member Shri Somnath Chatterjee, it is for mutual benefit that this Bill has been introduced. I again thank the hon. Members for their suggestions and also for their cooperation.

MR. DEPUTY-SPEAKER: Now, the question is :—

“That the Bill to implement the international agreement for the establishment and operation of the African Development Bank and for matters connected therewith, be taken into consideration.”

The Motion was adopted.

THE DEPUTY-SPEAKER: Now, we shall take up Clause by Clause consideration of the Bill.

The question is:

“That Clauses 2 to 7 stand part of the Bill.”

The Motion was adopted.

Clauses 2 to 7 were added to the Bill

MR. DEPUTY-SPEAKER: The question is:

“That the Schedule stand part of the Bill.”

The Motion was adopted.

The Schedule was added to the Bill.

MR. DEPUTY-SPEAKER: The question is:

“That Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The Motion was adopted.

Clause 1 the Enacting Formula and the Title were added to the Bill.

SHRI JANARDHANA POOJARY: I beg to move:

“That the Bill be passed.”

MR. DEPUTY-SPEAKER: The question is :

“That the Bill be passed.”

The Motion was adopted.

12.50 hrs.

CENTRAL INDUSTRIAL SECURITY FORCE (AMENDMENT) BILL

MR. DEPUTY-SPEAKER: Now we go to the next item.

SHRI CHITTA BASU: This is very bad. You should give me time to compensate for this because I have not spoken.

MR. DEPUTY-SPEAKER: We will now take up the Central Industrial Security Force (Amendment) Bill.

SHRI CHITTA BASU: You should give us more time.

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI NIHAR RANJAN LASKAR) : I
beg to move:

“That the Bill to amend the Central Industrial Security Force Act, 1968 be taken into consideration.”

The Central Industrial Security Force was constituted in 1969 under an Act of Parliament, namely, Central Industrial Security Force Act, 1968 for the purpose of providing better protection to the

[Shri Nihar Ranjan Laskar]

industrial undertakings in the public sector as well as those belonging to the Government.

This Force has been in existence now for 14 years and it has grown in size from a sanctioned strength of about 2000 to that of approximately 49,000 officers and men. This Force is today providing a security cover to 115 industrial undertakings located in all parts of the country. While the Force has grown in size and made progress in improving its operational efficiency, certain deficiencies have come to notice which arise from the legal charter of this Force. These deficiencies have come in the way of this Force functioning more efficiently and effectively. For instance, while the members of this Force can intervene and arrest a person who may be committing an offence against the property of an industrial undertakings, they have no power to intervene if an offence is committed against a person concerned with running that industry. Similarly, while members of the Force can protect property belonging to the undertaking, they cannot afford protection to other property which may be lying in the premises of the undertaking. This becomes a major problem in case of property lying in various parts in the country. Also, the members of the Force being neither police officers nor members of an armed Force, do not have the power to arrest persons who may enter upon prohibited and protected places. These and many other deficiencies, which have come to notice, have necessitated amendment to the CISF Act and thus to strength the legal charter of this Force.

The broad changes that are envisaged in this Bill are as follows:

The Central Industrial Security Force will be made into another armed Force of the Union in the same manner as BSF, CRPF, ITBP. This will enable the members of the Force to deal with persons who may trespass into prohibited and protected places and will also enable a higher standard of discipline, training and morale.

It is proposed to confer upon the members of the Force the power to arrest without warrant, persons who may assault, wrongfully restrain, voluntarily cause hurts etc. to the members of the Force. Similarly, the power to arrest without warrant is proposed to be extended to cognizable offences involving imminent danger to life of persons engaged in carrying on the work of the undertaking. Property which may be lying at the premises of an undertaking will also be brought within the ambit of protection of CISF in the same manner as property belonging to the undertaking.

In order to improve the discipline, conduct and efficiency of the Force, it is proposed to enhance the punishment for offences which may be committed by the members of the Force such as violation of duty, wilful breach of rules, regulations and lawful orders, cowardice etc. from six months to one year. Similarly, it is proposed to regulate the formation and functioning of associations of CISF personnel.

All the amendments proposed in the Bill are aimed at making this Force a more effective instrument for providing security to industrial undertakings in the public sector. Many of these undertakings are of a highly sensitive and vital nature such as the installations of Department of Atomic Energy and Department of Space. The security and smooth functioning of these undertakings is essential not only for the economic growth of the country but also for its defence. It is, therefore, in national interest that CISF should be suitably strengthened to enable it to discharge these onerous responsibilities more effectively and efficiently. It is with this end in view that this Amendment Bill has been brought forward and I hope all members of the House will lend their support to it.

With these words, I commend the Bill to the House.

PROF. RUP CHAND PAL (Hooghly): Mr. Deputy Speaker, Sir, even at the stage of introduction, you remember, I vehemently opposed this Bill. As you

know, it is a dangerous piece of legislation that is being proposed. When in 1967 this Bill first came before the House, it took hours.....(*Interruption*).

MR. DEPUTY SPEAKER: Dangerous piece of legislation to stop some other danger, I think.

PROF. RUP CHAND PAL: No, Sir, not at all. I am giving you the whole background, how it came and how even the Congress Chief Ministers reacted at that time. Ultimately, it so happened that this House referred the whole thing to a Joint Select Committee and evidences were recorded from several quarters. At that time, we remember in West Bengal, Mr. P. C. Sen was the Chief Minister, the Congress Chief Minister. Not only Mr. P. C. Sen but several other Chief Ministers also vehemently protested that this was a serious in-road into the jurisdiction of the State. Now, after so many years further inroad into the States jurisdiction is being made, that public order, according to the Constitution, is within the jurisdiction of the State. What happened is that after that Joint Select Committee submitted its report, even in the face of steep opposition, it was adopted and what is our experience during all these days?

SHRI CHITTA BASU: Bitter experience.

PROF. RUP CHAND PAL: Yes, you are from Durgapur, your experience must be very bitter. In Durgapur what happened is that the Central Industrial Security Force not only deteriorated the industrial situation, but the prospect of increasing production also due to their serious interference was brought down. From all these we see? Everywhere we have seen that whenever there was an industrial dispute, when very justified demand were made by the workers, the management, which was a party to the industrial disputes, indiscriminately and unscrupulously used these forces to bring the workers to book, to punish them, to attack them and to sabotage the organised movement or agitation that they could have organised by that time.

If you look at the genesis of this Bill, now this force is being transformed into an armed force. What is the genesis? I think Mr. Chavan is here, he will remember that in 1964 when there were communal riots in places like Jamshedpur and Rourkela, such an idea of a Central Force was mooted. Then again in 1969 it came and after the Joint Select Committee's Report, it came into operation after getting passed in 1969. If we remember, what was the purpose? That was specifically under-scored, emphasised by the then Minister Shri V. C. Shukla at that time. When he gave the reply to the criticisms, he said that it was exclusively a watch and ward force. Even at that time questions came up as to whom are you going to defend? They were to back management. How are you going to operate? There are 115 public undertakings which are being referred to here are going to be protected by this force. Some sensitive Defence undertakings or the Space Research Stations or all these things have been mentioned, but what will happen? Not only it is making serious in-road into the authority of the States, but there are other complications also. There are joint sectors and it is being suggested here that this Force will be used even in cases where the States are having 51 per cent shares in a joint sector. It will complicate the situation. Not only it will complicate the situation, but at such a time when the Government is trying to assuage the feelings of the States and assuring the people that they have instituted the Sarkaria Commission to review the present relationship and to restructure the whole gamut of relationship, financial and all at such a time.....(*Interruption*).

MR. DEPUTY SPEAKER: You can continue after lunch.

PROF. RUP CHAND PAL: Yes, Sir.

MR. DEPUTY SPEAKER: The House stands adjourned to meet after lunch at 2 p.m.

13 hrs.

(*The Lok Sabha then adjourned for Lunch till Fourteen of the Clock*)

*The Lok Sabha re-assembled after Lunch
eight minutes past Fourteen of the Clock.*

(MR. DEPUTY-SPEAKER in the Chair)

**CENTRAL INDUSTRIAL SECURITY
FORCE (AMENDMENT) BILL—Contd.**

MR. DEPUTY-SPEAKER : Prof. Rup Chand Pal may continue.

PROF. RUP CHAND PAL : Sir, as I have been telling you, it is not only an inroad into the autonomy or into the jurisdiction of a State, but it is a very serious matter that the Central Government does not believe the States. The States are taking care of installations involving crores and crores of rupees, their own as also those of the private sector. But the Central Government is not prepared to trust the State Governments in the performance of their duties. If such is the attitude of the Central Government, then tomorrow Birla will say that 'I do not believe the States; permit me to raise some armed forces to protect me.' Tata will also say so, and even our hon. Member from Asansol may say that 'I require some Central Security Force to protect myself because although I am the Congress (I) President there, my own men are abusing me.'

The Central Government.....

SHRI ANANDA GOPAL MUKHOPADHYAY (Asansol) : What are you doing to R.S.P. and Forward Bloc people? *(Interruptions)*

SHRI SOMNATH CHATTERJEE : You are their supporter.

PROF. RUP CHAND PAL : What I have been telling you.....

SHRI ANANDA GOPAL MUKHOPADHYAY : He is hundred per cent correct. The Chief Minister of Tripura had asked for CBI enquiry into the affairs of the murder of the Congress M.L.A.

PROF. RUP CHAND PAL : He is very impartial and not like you.

SHRI SOMNATH CHATTERJEE : He could not afford to go to Calcutta because of the Panchayat's nomination in that party. He remained in Delhi to avoid so many troubles and to avoid being gheraoed.

SHRI ANANDA GOPAL MUKHOPADHYAY : My friends are very kind to me.

MR. DEPUTY SPEAKER : In all this I find nothing with regard to the Bill under discussion.

PROF. RUP CHAND PAL : It will deteriorate the industrial relations. Our experience is that the management at the time of any industrial dispute are very much inclined to use such force against the workers who are agitating on very justified demand. In this connection, here I am referring to a different matter. When the Bill came first in 1967 at the time of enactment it was said by the then Minister Shri Shukla that it was being formed on the lines of the Railway Protection Force as a watch and ward force. What is the experience with regard to the Railway Protection Force ? Has it improved the situation ? We have several times on the floor of this House referred not only from this side but from that side too that we should do away with this force to improve the situation.

SHRI ANANDA GOPAL MUKHOPADHYAY : We have got the experience of the West Bengal Police. Chander Bosu lost his brief case.....

MR. DEPUTY SPEAKER : Prof. Pal, are you yielding ?

PROF. RUP CHAND PAL : No.

MR. DEPUTY SPEAKER : He is not yielding.

(Interruptions)

SHRI SOMNATH CHATTERJEE : From his own peoples quarter.

(Interruptions)

PROF. RUP CHAND PAL : They are talking my time as also the time of the House. *(Interruptions)*

SHRI ANANDA GOPAL MUKHOPADHYAY : My thoughts are serious. That is why they hurt them.

(Interruptions)

PROF. RUP CHAND PAL : Section 9 proposes :

“(1) Any member of the Force may, without any order from a Magistrate and without a warrant, arrest.

- (i) any person who voluntarily causes hurt to, attempts voluntarily to cause hurt to, or wrongfully restrains or attempts wrongfully to restrain, or assaults, threatens to assault, or uses, or threatens or attempts to use

We know how they are being used in practical life that in the name of attempt, innocent people, good workers, are being put in prison. As is our experience in other spheres, all the forces had been working against the interest of the workers, whenever they had been placed at the installations in the past.

It is not only ‘attempt’, but also ‘against whom a reasonable suspicion exists’. On the basis of suspicion only the workers will be arrested. It is a dangerous proposition. It is being done in the name of defence. What is our experience at the time of serious political situation...

SHRI ANANDA GOPAL MUKHOPADHYAY : Our experience is very wide. Nine workers of the State Electricity Boards were dismissed without assigning any reason.

MR. DEPUTY SPEAKER : Prof. Pal is not yielding.

SHRI SOMNATH CHATTERJEE : Has Shri Mukhopadhyay given his name as a speaker ?

MR. DEPUTY SPEAKER : No.

SHRI SOMNATH CHATTERJEE : Let him for a change, speak. It is time.

PROF. RUP CHAND PAL : Whenever I speak any truth regarding him, he seems very much perturbed and he always tries to jump up.

SHRI ANANDA GOPAL MUKHOPADHYAY : I was supplementing the truth.

PROF. RUP CHAND PAL : Our experience is that on the basis of simple suspicion, good workers, honest workers, dedicated workers and patriotic workers have been just punished like anything. What is the other side of the picture ? At the time of any crisis we have seen that the workers have produced as much as they can by their sweat and by their blood. They have joined hands to defend the country. That is the experience. These patriotic workers have been questioned and they are being subjected to such harassment by these provisions. I oppose all these provisions and the Bill totally.

Then again, if you create such islands of Central force making inroad into the jurisdiction of the States, What is the future ? Suppose you are going to protect even installations run by the State Governments, how the complications may arise and how the relation between the Centre and the States gets totally complicated ? Some States are providing power to the Central Government installations where these Central Security armed forces are proposed to be placed. If they just try to protect the power-houses, on the plea that they are supplying power to the Central installations, without the approval of the State Government, what will happen ? It will only complicate the relationship between the State and the Centre.

Then again you may just agree with me that there are townships adjacent to the plants. What would be jurisdiction of these armed forces ? They will go any-

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where, enter any house and arrest any person without warrant even on the basis of suspicion. Does it not go against the freedom, personal freedom and liberty that is guaranteed in our Constitution? It goes against that.

Lastly, a very important question is that by raising these forces into the armed forces, the rights of forming association are being taken away. In this very House, whenever we have discussed problems of the Central police forces, suggestions have come that their grievances may be ventilated and their associations may be formed as in West Bengal where the forces have been permitted to have their own organisations, associations etc. Not only that. The report of the Commissions like the National Police Commission has suggested such things. Though the National Police Commission have submitted their report, we do not know the total reaction of the Government. We know this much that they have come out with a statement that this report was biased although this was later on contradicted partly. Any how, even in the report of the National Police Commission, it has been suggested that these police forces should be given their right to form association and that will be very helpful in settling the grievances, to find out suitable machinery and to redress whatever grievances they may have for which they might be agitating.

I oppose this Bill. It is not imply because of the arguments that have been put forward that this is required in the interest of security of this country. The armed forces are held in high esteem by the people of this country and it has been the opinion of the Senior Members of this august house and of every right thinking person that they should not be exposed in such a way that the respect they command may be eroded. Is this the way and the manner in which we are going to use the armed forces which will deteriorate the industrial relation, which will deteriorate the relation between the Centre and the States and which will take away the rights of the people and the civil rights? This will be a dangerous thing. I oppose this Bill on this score also.

I hope that the hon. Minister will agree with me on this score and withdraw this Bill even at this stage.

SHRI M. SATYANARAYAN RAO
(Karimnagar) : Mr. Deputy Speaker, Sir, I support this Bill.

SHRI CHITA BASU : Why support the Bill? You are a good man.

SHRI M. SATYANARAYAN RAO : I am a good man. That is why I am supporting. The "support" does not mean that this Bill, when it becomes an Act, should harass the labour or the innocent people. In my speech, I will refer to that also.

The hon. Member from the Opposition just now was saying that it will affect the Centre-State relations. I do not know how it will affect the Centre State relations. I do not know whether I may be under the mistaken impression or he may be under the wrong impression. This Act is not applicable to the State at all. This is very clear from the Statement of Objects and Reasons of the Central Industrial Security Force (Amendment) Bill which has been brought forward here. It concerns with the public sector industrial undertakings belonging to the Centre, not the States. In what manner the States came into the picture I do not know. Nothing is mentioned about the State here.

MR. DEPUTY SPEAKER : The public sector undertakings are in the States.. That is what he means.

SHRI M. SATYANARAYAN RAO : We know, the public sector undertakings, whether it is the property or other things, nowadays have become very complicated. It has been mentioned very clearly also that it is because of the complexity of industrial undertakings that this amending Bill has been brought forward in order to take prompt action against the people who indulge in such activities which will go against the protection and also the safety of the property and the persons who carry on the work there.

About 115 industrial undertakings are there which are mainly sensitive undertakings like the installations of Department of Space, Department of Atomic Energy, Oil Refineries, Petro-chemical Plants, steel Plants and major ports. These are very important not only from the point of view of production but also from the point of view of the security of the nation. That is why this Bill is very necessary and I want to congratulate the hon. Minister for bringing forward this Amendment to empower the authorities to arrest any person. But I would like to have an assurance from the hon. Minister. If this power is given to the people to arrest anybody without warrant, there is every likelihood of it being misused also. This is meant against the people who actually work in the industrial undertakings. About other people, I do not think they will be able to enter the industrial undertakings. In 99 per cent of cases, they will be dealing only with the people who are working there, that is, the labour. If this power is given to the authorities to arrest any person without warrant, it will be too much. I do not know whether the hon. Minister will reconsider this matter. I want the hon. Minister to give an assurance on this aspect of the matter. The provision of "arrest" may be there because if that provision is not there, how can they protect the property and other things? This is the only thing on which I want the hon. Minister to give an assurance, that is, about the arrest without warrant.

The Home Ministry has got so many forces under it, like, the Assam Rifles the Border Security Force, the Indo-Tibetan Border Police, the Central Industrial Security Force and also the Central Reserve Police Force. But I would like to know from the Hon. Minister—although he may say that it is not relevant here, but because we are dealing with the forces, after all, it is one of the forces of the Home Ministry—why there are so many forces. I can understand that for some historical reasons you have provided for Assam Rifles in those days to deal with such insurgent activities etc. But now BSF is also used for that purpose and also Indo-Tibetan Border Security Force etc. The objective of Border Security

Force and also Assam Rifles and also Indo-Tibetan Force, I think, is to safeguard our borders there. But we are also using them for internal purposes, wherever it is necessary, in order to maintain law and order. You used it during West Bengal elections and on other occasions recently during IX Asiad here. When this is there, why should we have so many things? Why should there be confusion? I think the time has come for you to bring one force. You may call it Border Security Force or something like that. Border Security Force, Assam Rifles and also Indo-Tibetan Border Security Force should be merged with one organisation, by whatever name you may call that organisation.

The Central Reserve Police and the Central Industrial Security Force can be kept apart. The objectives of these forces are different.

I would like to know from the Hon. Minister what he is going to do with regard to this. There is not much scope here. Of course, I will also mention about the Association. Now they are restricting the members of the Industrial Security Force not to form any Association and not to carry on any activities relating to the formation of any Association. I do not know why they are restricting this. When you are giving this right to form Association to Police, why do you restrict the right of these Forces? I think the functions of this Industrial Security Force are similar to those functions carried on by Police. There should not be any discrimination between them because I think this force does not come under armed force or under any force of that sort. But the duties which it is required to discharge are only regarding maintenance and also protection of the property. I think they should be given the freedom to form the Association.

I support this Bill.

SHRI INDRAJIT GUPTA (Basirhat): Sir, I rise to oppose this Bill. The background of this Bill, I think, dates back to the year, 1979, when the Janata Government was in power here and there

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was very serious and widespread revolt in the ranks of the Central Industrial Security Force in many States which, you will remember, culminated in the tragic happenings at the Bokaro Steel Plant where the CISF personnel were involved in a direct clash with the army. The army was ordered into action to quell the so-called revolt of the CISF personnel and there was exchange of fire and about 22 or 25 CISF jawans, I do not remember the exact number, were killed in that firing. There were two or three casualties on the army side also. But apart from the Bokaro incident, there was widespread unrest and agitation in different parts of the country. I should have thought that one of the lessons which the present Government would draw from that experience is to learn the reasons for this very explosive outburst which took place and the reason was the fact that there was no machinery, no provision, no arrangement by which these jawans of the CISF could represent or ventilate their grievances, even if the grievances were justified. Had there been some such machinery, some such provision, perhaps in good time, the Government could also have been warned that these things were accumulating below the surface and discontent was mounting and steps could have been taken to remedy the situation before it burst out. But in the absence of any such provision and in the absence of these Jawans being able to go to anybody, to any of their senior officers, to represent their grievances, these very serious happenings took place. Of course, I would not expect Mr. Laskar to say that all this happened because the Janata Government was there. This is one subject, one topic, you will find, where he will not blame the Janata Government for it; whatever they may do on other counts; here they are of the same mentality as the people at that time were. At that time the Home Minister was Mr. H.M. Patel who was a former Secretary of the Defence Ministry and his mind was thoroughly defence-oriented, military-oriented. In this matter, of course, our Congress-I friends have no complaints. Later on, when things were brought to light, it was found that the CISF jawans

were not even given proper uniforms in proper condition to wear, they went about in tattered and torn uniforms which were not replaced. And these very fundamental and life-and-death matters which could not have been solved in time? It came to light that officers, as officers do at other places also, employed illegally, irregularly, these jawans for their private duties in their houses—make them take their children to school and bring them back from school, take their dogs for a walk in the park and go with the *Memsahib* when she goes to bazaar for marketing. These are not the duties of the jawans of the CISF who are supposed to protect ensure the security of these public sector undertakings. All these things came to light later on, things which could have been settled long before if there had been any normal, rational, logical machinery for them to be able to represent their grievances. That was not done. Later on, when severe disciplinary action was taken, a large number of people were removed from service, many hundreds or perhaps a thousand or two thousand were suspended, many were transferred, there were various forms of punishment inflicted on them, during the remaining period of the Janata regime, these people had been going round making representations to various people, including Mrs. Gandhi who was then out of office. I remember very well that they had approached Mr. Chavan who was also out of office. And at that time these leaders had given them all sorts of assurances and promises saying, "What can we do now? We are not in power; the Janata Party people are in power; but if any day we have the opportunity again, we will certainly see to it that justice is done to you because we think that you have got very reasonable grievances and we do not approve of this kind of punishment and victimisation which is being carried on." I would like to ask Mr. Laskar as to what has happened to all that now, now that they are back in power and the Janata Government is no more. Now they have come forward with this Bill, a Draconian Bill, and I would like to ask them whether, simply by making this force an armed force, it is going to ensure better security and protection

of the undertakings. For that matter, what is the meaning of 'Armed Force'? It is a technicality. They are, of course, armed : they have got arms; they do not always carry arms with them, but they are not a force which have no arms; they have arms. In 1979 the Army was used to seal off and to occupy some of the armouries of the CISF. Where do the armouries come from if they have no arms ? In plain, commonsense language, they are an armed force, they have got arms. They had even exchanged fire with the Army at Bokaro, I may remind you. I do not approve of these things. But the point of the matter is that they have got arms. The CISF was established in the year 1969 following that very disastrous fire which took place in the Heavy Engineering Plant at Ranchi and which was suspected to be due to sabotage. Then the CISF was brought into existence and it has been in existence for a pretty long time. Now I can tell you from my experience that the CISF which is now deployed at various public sector undertakings is as incompetent and inefficient as the Railway Protection Force in preventing theft of property, pilferage and various similar things. You should know that. I can tell him that in the Calcutta port, for example, a huge amount of pilferage goes on from the godowns of the port and so on. It may be going on in other parts also. ...

SHRI M. SATYANARAYAN RAO : That is why these powers are required.

SHRI INDRAJIT GUPTA : What is the power required ? The power which is required to prevent collusion. Whole railway lines—you will be surprised to know, whole railway lines which belong to the Port Trust railway which are laid inside the area of the Port Commissioners, those lines have been removed and physically carried away. Nobody knows who took them away and where. The CISF is supposed to be on duty there. So this is not the way that simply by saying that now it has become an 'armed force', stricter discipline will be there on the members of the force and so on and that they are going to ensure better protection or security.

I also suspect, as Mr. Satyanarayan Rao said just now, that the Home Ministry is

also anxious to be a master of huge armed force under its disposal under various heads. I would like to know from Mr Laskar what is the total number now of all that—the BSF, CRP and CISF. The figure of the CISF is given here—that it has gone up from 2000 to 49,000, officers and men. Then there is the Indo-Tibetan force and Assam Rifles and various para-military and military forces which are under the direct command of the Ministry of Home Affairs, Government of India. What is their total number ? That total number I would like to know. Are they trying to build a parallel kind of armed force which will compete with the Defence forces. They want to build up a big empire of the armed people under their direct control. I do not see why should they do this at all. CISF is an armed force. They do possess arms. If you want to give them better arms and train them better, that is a different matter. But they have not said anything about that. ...

SHRI VIRDHI CHANDER JAIN : That is the matter.

SHRI INDRAJIT GUPTA : That is the matter ? I do not know. They should say that. The object is that they are to see—first of all the people who are working in these undertakings, that is, our workers on whom ultimately the successful operation of these undertakings depends and not on the CISF, it depends on the people working inside and who are our own public sector workers and if some people are there, and this can be everywhere, who may indulging in some thefts, the job of the CISF is to detect them, prevent them and search them sometimes when they go in and go out as the various bodies like—you know, watch and ward and that type of people used to do before CISF came into existence. I do not see that there is any necessity for such a big piece of legislation. It will only encourage them, as Prof. Rup Chand Pal correctly said, to use this new power in a very oppressive and repressive manner against the workers. There is no guarantee at all against that. For example, this arrest without warrant which is being provided for. It says that any member of the CISF, even an ordinary constable or jawan can arrest

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anybody without a warrant. I think in similar types of legislation which we have got, there is at least some provision that nobody below a certain rank can exercise this power. Here, there is no safeguard at all. Any ordinary constable or jawan of the CISF can go about arresting people without warrant. I object most strongly to this. There are ranks of people here—head constables, Naiks, etc. in this organisation but when it comes to the power to arrest without warrant, there is no limitation whatsoever. Even an ordinary constable who may be himself involved in some way or other with some miscreants or may be in collusion with some people, as we can see, if he is given such a power that he can arrest anybody without warrant, I think it is liable to very serious types of misuse. This power cannot be given and it must be restricted, making it clear that nobody below a certain rank can exercise this power. Here any member of this force can do it.

Then, Sir, about the right to form association, I remember, Sir, that in 1979-80, after that big agitation had been suppressed, these people were assured—I was looking up and I have got the old records. They had some discussions with the Deputy Prime Minister, with the officials of the Home Ministry and with the Inspector General of the C.I.S.F. This was in October 1979. A statement was issued, signed by Mr. R.P. Pandit, Chief Convener of the Association, Mr. K.R. Nair, Member of the Central Negotiating Committee and Mr. P. Manoharan Nair, Member of the Central Committee of the Association.

Here, they say in this Statement that they were given a sympathetic hearing by the Home Minister. Then, they had discussions with the Inspector-General and the Government has agreed to approve of the formation of associations in the C.I.S.F. units. That is to say, it was agreed that at the units level, they would be allowed to form associations specifically for the purpose of representing their grievances. They must have some channel or there must be some

channel. You cannot close all channels and choke them off.

MR. DEPUTY-SPEAKER : I think there will be association of trade unions.

SHRI INDRAJIT GUPTA : Not trade unions. It was an association. That was also restricted to the units level. They were told that they cannot have associations at the State level or at all-India level. They will not be permitted. But, they will be allowed to have associations at units level for representing their grievances.

Here, of course, everything is ruled out. They are threatened with dire punishment and penalty they join or establish or form an association at any level. What is this ? I think they are absolutely acting like blind people. They will land themselves in some trouble later on. This is not the way that you can treat your employees. There must be some reasonable way of dealing with these things. Therefore, I agree that there is a big scope here for misuse. He should give the matter a second thought. Just because something has been drafted and brought here it does not mean that it cannot be improved or rectified. Sir, I do not have much to say about this. But, I would say that the right to form or join appropriate associations, through which they can represent their grievances or their demands or whatever they may be, is essential. This right must be given to them. The power to arrest without warrant first of all, I think, is an odious thing. It should be removed altogether and nobody should be arrested without warrant. If they insist on keeping such an abnoxious clause, then, it must not be restricted to any ordinary constable or jawan. They should not be given such a draconian power. It must at least be restricted to some level of officers. Officers below that rank should not be allowed to exercise this power.

I would also finally suggest that the Minister should look into the assurances which were given at that time. He will find that there were two types of assurances given—one was that the cases of a large number of people who had been suspended, who had been dismissed and victimised and all that in various ways,

would be sympathetically considered. And, as far as possible, those victimisation measures would be vacated; the suspension orders would be withdrawn. The second assurance was about the formation of association at the units level. Now, it seems to me that the Congress Government is trying to outdo the Janata Government at that time. The Janata Government carried out a very big repression and, perhaps they were panicstricken. I believe they were quite panick when the C.I.S.F. unrest took place. The panick is not a good counsellor. In a mood of panick, they behaved in that manner. But, these Congress leaders went round at that time assuring these C.I.S.F. that if ever they came back to power, they would treat them very generously, leniently and all that kind of thing. It is time, I think, for them to show whether they are really serious about the assurance which they gave. May be, at that time, they were in the Opposition. Now that they have come back to power, they should not have the slightest hesitation in honouring this assurance. So, I would like Mr. Laskar when he replies to the debate to speak about these things. As far as this Bill is concerned, I consider it to be a dangerous type of Bill. It is totally unnecessary and it will not add to better protection or security by simply declaring it to be an armed force. So, I am totally opposed to this Bill and I suggest to the hon. Minister to withdraw it and bring it again after suitable amendments and it need not be incorporated as part of the armed force at all.

SHRI S. A. DORAI SEBASTIAN (Karur) : Mr. Deputy Speaker, Sir, I welcome the Central Industrial Security Force (Amendment) Bill, 1963. This amendment is long overdue. In appreciation of the adage 'Better late than never', I have to say that this will receive acclaim from all sides of the House.

When the parent Bill was passed 15 years ago, the Central Industrial Security Force had 2,000 officers and men. Today, the strength of the Force is about 49,085 officers and men. They are deployed in 115 industrial undertakings.

All these years the CISF men were the butt of ridicule from the public.

Their writ would run only within the precincts of the public sector undertaking. Anyone can commit robbery or a dacoity and if he is not caught within the precincts of the Undertaking, the CISF had no authority to arrest him outside the compound of such a public undertaking. The State police would also not take cognisance of the offence committed by such a person within the precincts of the undertaking.

This amendment enables CISF to become the armed force of the Union at par with Central Reserve Police. Now this force would be able to provide security to the vital industrial undertakings.

Here, I would like to point out the necessity for ensuring that this force becomes a real security force. There are widespread rumours that the CISF men are in collusion with the workers and employees of industrial undertakings and they pilfer the stores and components with impunity. Sir, whenever the public sector undertakings are disposing of scrap material and industrial wastes by auction or tender, the bidders remove excess material over and above the bid value with the connivance of the CISF men. I Rs. 10 lakh worth of goods are removed in one industrial undertaking in one year you could imagine how much would go out from 115 units. Crores worth of goods are moved out every year. The public money is being taken away by the men who are supposed to save the stores. Actually they collude with the bidders and remove the good every year. It has become a common phenomenon in every industrial undertaking. I would like the hon. Minister to look into it and take some steps to stop this pilferage by employing some more people or adopting other methods.

We have now Central Reserve Police, Indo-Tibetan Border Force, BSF and such other armed forces of the Union which are complementary to our Armed Forces.

I would like to suggest that a high-level Committee should be constituted to find out the deficiencies in the working of these para-military forces and suggest remedial

[Shri S. A. Dorai Sebastian]

steps. There is need for doing so because of frequent reports of thefts of fire-arms from these forces. There have been reports that the fire-arms found with captured dacoits of Chambal Valley bore the marks of CRP, CISF, BSF etc. I do not want to make wild allegations about collusion of men belonging to these forces with anti-social elements, but our Home Minister will confirm what I am saying. While we make CISF as the armed force of the Union, adequate steps should be taken to ensure proper protection of their Armouries. In the first week of this month, arms from two armouries were reported to have been stolen. It may be a far-fetched suggestion. Yet I make bold to say that there is need to declare the Organisation of Civil Defence also an armed force of the Union, so that they are endowed with the authority to prevent recurring communal clashes in the country.

Sir, as our colleague, Mr. Satyanarayan Rao and other friends just before were telling that the power to arrest those people should not be vested below the rank at least of Deputy Commissioner or Deputy Superintendent. Otherwise the ordinary constable will take this power and he will always collude with the people who are also just taking out the properties from the undertakings and that it will cause enormous loss to our country. To that extent I would say that unless he has got the Warrant order from the Court or any higher authority, he should not be permitted to arrest the people. With these words I conclude.

DR. A. KALANIDHI (Madras Central):
Hon. Mr. Deputy-Speaker, Sir, on behalf of the DMK, I rise to oppose the Central Industrial Security Force (Amendment) Bill.

This Bill seeks to make the force an armed wing of the Union. This is like the simple imprisonment being converted into life term imprisonment.

The establishment of this force is a classic example of the encroachment of the Centre in the State Sector. The State autonomy is being impinged upon by

this kind of an enactment. The CRP is there to subserve the interests of the Centre in the States. Now CISF will be a complementary force. It will be the force of oppression of the workers in the Public undertakings. It may not be out of context to mention about Mr. Amal Rai, in his book 'Inter-Governmental Relations in India' has dealt with this point. He had this to say that :

“unnecessarily central control tends to create tension in relations between the Centre and the States. No wide-spread Union-State conflict is ensured. This can be attributed to uni-party rule in both the Central and the State.”

Now, Sir, the picture has changed. Many of the regional parties have come to the State power. The same view was expressed by Dr. A.L. Mudaliar, who was a veteran Gynaecologist by profession, a senior statesman and who was Vice-Chancellor of Madras University for two decades. Dr. V.K. John expressed the same opinion in the Madras Legislative Council also. The same opinion was expressed by my Party founder, the late Dr. C.N. Annadurai, who was popularly known as Anna. He while answering to the questions in the Press Club of India in New Delhi said :

“Under the present Constitution powers which strictly came under the States' spheres are being slowly taken over by the Centre.”

He further pointed out that :

“An ideal Centre was one which left sufficient powers to States and kept just enough powers to itself to protect the integrity and sovereignty of the country.”

Sir, the time has come to review the question regarding the deployment and operation within a State of Central forces like the CRP and the Central Industrial Security Force bearing in mind that maintenance of law and order is the primary concern of the States.

Sir, some time back, the soldiers in the BSF posted at Manali Oil Refinery and Madras Harbour resisted the oppressive treatment of the Commandants. They took procession. Unfortunately, instead of listening to the grievances, they were transferred to different corners of the country.

I am afraid that this Bill will take away the right to form associations or unions. On this point also, I oppose this Bill.

With these words, I conclude.

श्री मूल चन्द डागा (पाली) : उपाध्यक्ष महोदय, मेरे से पहले उधर से बोलने वाले वक्ताओं ने अपनी सारी बात कह दी है। ऐसा मालूम देता है कि उन्होंने दो तरह की बातें की हैं। एक अच्छे और विद्वान पार्लियमेंटेरियन ने कहा कि रेलवे प्रोटेक्शन फॉर्म जिस पर साठ करोड़ खर्च किया जाता है उसका परिणाम यह निकल रहा है कि आज भी कम से कम एक अरब की चोरी रेलों में हो रही है। यह उन्होंने कहा है, मैं नहीं कहता हूँ। उन्होंने यह भी कहा कि इन चोरियों के पीछे हाथ भी इन्हीं का होता है।

उपाध्यक्ष महोदय बहुत बड़ी पूँजी, बीस हजार करोड़ की पूँजी हमारी इन पब्लिक अंडरटेकिंग में लगी हुई है। रिटर्न हमें इनसे केवल तीन परसेंट मिलता है। बार-बार उधर से भी कहा जाता है कि ये अंडरटेकिंग ठीक से काम नहीं कर रही है। दो हजार से बढ़ते बढ़ते कर्मचारियों की तादाद 49000 हो गई है। अंडरटेकिंग भी बढ़ते बढ़ते 175 के करीब हो गए हैं। बहुत बड़ा सुरक्षा का सवाल इनके साथ जुड़ा है। 64 अरब का डिफेंस का बजट है। डिफेंस की फैक्ट्रियां तक में यूनियन वाले कुछ लोग जो नेता होते हैं, बहुत ज्यादाती

करते हैं। नेतागिरी बहुत बुरी चीज है। एंटीशोशल एलीमेंट्स भी नेता बन जाते हैं, वे भी पैदा हो जाते हैं। वे लोग जो ईमानदारी और नेक मजदूर होते हैं उन पर हावी हो जाते हैं। वे भले, मेहनत से काम करने वाले मजदूरों पर हावी हो जाते हैं और भयंकर रूप धारण कर लेते हैं।

आज हिन्दुस्तान में जितने भी इलेक्ट्रिसिटी बोर्ड है सब घाटे में चल रहे हैं। स्टील के क्षेत्र में क्या हो रहा है, मंत्री महोदय बैठे हुए हैं, उनको मालूम ही है। बड़े बड़े स्टील प्लांट आपने लगाए हैं, वहां पर भी इन एंटी सोशल एलीमेंट्स का जो एोल होता है, उससे आप भी वाफिक है। इलेक्ट्रिसिटी बोर्ड्स में इंजीनियर्स से काम करने वाले लोग डरते नहीं हैं बल्कि उनको वे धमकियां देते हैं। वे वहां पर डिसिप्लिन एनफोर्स नहीं इस कारण कर पाते हैं मैं एक आफिस में गया उसने लेबर को कहा कि तुम्हारा यह काम है। पांच सात लेबर लीडर आ गए। मैं उनको पहचानता नहीं था। आकर वे अपशब्द बोलने लगे। बेचारा इंजीनियर चुप रह गया। मैंने बीच में टोका तो बेचारे इंजीनियर ने कहा कि मैं तंग हूँ 15 hrs.

इनके हाथों और अगर शिकायत करता हूँ तो मेरे अधिकारी कहते हैं कि तुम कंट्रोल नहीं कर सकते हो। ये एंटी-सोशल एलीमेंट मजदूरों पर हावी हो जाते हैं और ये लोग भले व ईमानदार मजदूरों से पैसा खाते हैं और उनके पैसे से एंशो-आराम करते हैं। हिन्दुस्तान में एक बात और फैलाई गई है, आप उस आसपैक्ट को भी देखें। आज हिन्दुस्तान में लेबर ईमानदारी से काम करना चाहता है। कोरिया, ब्राजील के उदाहरण मिलते हैं कि वहां मजदूर कितना प्रोडक्शन करते हैं। हिन्दुस्तान का भगवान जानता है कि कितना प्रोडक्शन ठप्प हो

[श्री मूलचन्द डागा]

जाता है। अगर अंडरटेकिंग में सिक्वोरिटी फोर्सें खुद मिल जायें तो उस समय क्या किया जाये? जब रेलवे की चोरियों में रेलवे प्रोटेक्शन फोर्स के लोग शामिल हो जायें तो उस समय क्या कदम उठाये जायें?

आप कहते हैं कि प्रिवेंटिव मैजर्स लेंगे। वारन्ट का क्या मतलब आप लगाते हैं? एक आदमी पब्लिक सर्वेंट है, उस पर अगर कोई हमला करता है तो उस समय कहियेगा कि आपको पकड़ने के लिये वारन्ट लेकर आता हूँ? जिस किसी को भी पकड़ा जाता है, 24 घंटे उसे रखा जाता है उसके बाद पेश करना पड़ता है। इसमें वारन्ट का क्या मतलब है? विद् आउट वारन्ट अरेस्ट कर लेंगे, उस समय अगर प्रिवेंटिव मैजर्स नहीं लेंगे तो क्या करेंगे। अगर कोई चोरी कर रहा है तो क्या यह कहेंगे कि ठहरो वारन्ट लेकर आता हूँ तब तुम्हें पकड़ूंगा। वारन्ट की डेफिनिशन क्या है? Under Sections 332 and 333 of IPC, it is not necessary to have it. You can arrest any person. But then within 24 hours, you have to produce him before the Magistrate for a remand.

यह बात मेरी समझ में नहीं आई कि आप क्यों इतना परेशान हो रहे हैं?

श्री कृष्ण चन्द्र हाल्दर : आप तो क्रिमिनल लायर हैं।

श्री मूलचन्द डागा : आप इस तरह से देश को नुकसान पहुंचाते हैं। मैं अर्ज कर रहा हूँ कि जब राज्यों में कई जगहों पर आन्दोलन हो गया था, उस समय क्या हालत थी। जनता का उन्हें समर्थन नहीं था। मुझे पता नहीं कि आप जनता वालों

ने जाकर उन्हें मदद दी हो? जनता जानती थी। मैं कहना चाहता हूँ कि एकट में कहाँ माना है? उन्होंने कहा कि अगर खतरा है, चोरी की संभावना है, सरकमस्टान्सेज है तो उसको पकड़ सकते हैं। मैं अभी नहीं समझ सका कि विद् आउट वारन्ट का क्या सवाल है।

इसलिये यह जो एकट लाये हैं, उसका परपज है। केवल मजदूरों और काम करने वालों के लिये नहीं, लेकिन सिक्वोरिटी फोर्सें जो काम करती हैं, अगर वह भी गड़बड़ करती है तो उनके खिलाफ भी कार्यवाही हो सकती है।

MR. DEPUTY SPEAKER : Mr. Satyanaran Rao said that there may be misuse of it. You suggest some medicine for it.

SHRI MOOL CHAND DAGA : The question is for preventive purpose. What is the question of misuse, I do not understand, because, after all, it is IPC. There are certain bailable offences. You can arrest any person. But then you have to release him on bail.

SHRI KRISHNA CHANDRA HALDER : Misuse can always be there.

SHRI MOOL CHAND DAGA : Suppose you require a warrant within one hour or two hours and the Magistrate is not there and the other officers are also not there. How can you get a warrant? By the time you get it, he will run away with the property.

MR. DEPUTY SPEAKER : When somebody has been arrested without a warrant, have you ever argued on behalf of the person who had been arrested without a warrant in your life as a lawyer?

SHRI MOOL CHAND DAGA : Sir, under Section 51 of the Criminal Procedure Code, one can be arrested.

SHRI M. SATYANARAYAN RAO :
Section 151, Cr. P.C., not 51.

SHRI MOOL CHAND DAGA :
Then, what happens if it is a bailable offence, then he will be released. If it is not a bailable offence he has to be produced before the Police authorities within twenty-four hours.

SHRI A. NEELALOHITHADASAN NADAR : Then a person cannot be arrested.

SHRI MOOL CHAND DAGA : He has put a pertinent question. The Deputy-Speaker had asked whether one can be arrested without a warrant or not. When the suspicion is there, one can be arrested.

SHRI M. SATYANARAYANA RAO : Mr. Deputy-Speaker, any person can be arrested without a warrant under section 151 Criminal Procedure Code, if there is any likelihood of a cognizable offence being committed.

SHRI MOOL CHAND DAGA : No. Please try to understand. If there are suspicious circumstance, if one person found in suspicious circumstances, he can be arrested. Suppose a Policeman finds a person in a street in suspicious circumstances, he can arrest that person. He can get a warrant and arrest him.

AN HON. MEMBER : It is not that easy.

SHRI MOOL CHAND DAGA : He can say, whatever he likes. He will do whatever he can do.

It is your opinion. You can go through the provisions.

AN HON. MEMBER : How can he be arrested ?

SHRI MOOL CHAND DAGA : You can think over it. He can do it. I say that in suspicious circumstances, one can be arrested.

If you read it, you will see. See Clause 10 about Section 15 A. It says—

"15A. (1) No member of the Force shall, without the previous sanction in writing of the Central Government or of the prescribed authority,—

(a) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions labour unions or political associations; or....."

So, if he gets the sanction of the Government, then he can.

In the Statement of Objects and Reasons, it is mentioned—

'.....an urgent need has been felt for making the Force an armed force of the Union and for giving some additional powers for dealing with the problems of security of the industrial undertakings. It is therefore proposed to amend the Central Industrial Security Force Act.'

इन 13 सालों में गवर्नमेंट को जो अनुभव हुआ है, उसके आधार पर यह बिल लाया गया है। अगर सशस्त्र फोर्स के सदस्य हतलड़ न करते, तो यह सवाल ही पैदा न होता। कुछ पार्टियों ने उनको बहुत उकसाया, जिसके कारण उन लोगों की नौकरी चली गई। अब वे पश्चाताप करते हैं। जो लोग एक एक हजार रुपये महीना पाते थे, कुछ लोगों के उकसाने पर वे बड़े जोश से सड़कों पर आ गए, लेकिन इसका परिणाम यह हुआ कि वे नौकरी से हाथ धो बैठे। अगर रक्षा करने वाला ही कानून अपने हाथ में ले ले, तो क्या होगा? कहा गया है कि इससे स्टेट्स में इन्टरफीयरेंस होगा। इसमें इन्टरफीयरेंस का क्या सवाल है?

SHRI SOMNATH CHATTERJEE :
After your visit to Canada you have charged.

SHRI MOOL CHAND DAGA : Whatever I have to say, I am saying. You are also a lawyer. You can say. I think it is not a bad Bill, and I am supporting it.

MR. DEPUTY-SPEAKER : Shri Harikesh Bahadur.

श्री हरिकेश बहादुर (गोरखपुर) : माननीय उपाध्यक्ष महोदय, अभी डागा साहब का भाषण मैंने सुना। डागा साहब का भाषण सुनने के बाद मुझे ऐसा लगा कि कनाडा से लौटने के बाद इनमें काफी परिवर्तन हो गया है। बहुत पहले एक बार रक्षा मन्त्री ने कहा था कि डागाजी एक ऐसे गोल कीपर हैं जोकि अपनी तरफ ही ज्यादा से ज्यादा गोल स्कोर करते हैं लेकिन अब लगता है डागा जी ने उस आदत को छोड़ दिया है क्योंकि अब वे दूसरी तरफ भी गोल कर रहे हैं।

जो विधेयक मदन में प्रस्तुत किया है वह एक काला विधेयक है और मैं इसका विरोध करता हूं। जबसे यह सरकार आई है तभी से इस प्रकार के बहुत सारे काले कानून इस सदन के द्वारा बनाए गए हैं। यद्यपि हमने उनका हमेशा विरोध ही किया है लेकिन उसका सरकार के ऊपर कोई प्रभाव नहीं पड़ा। नेशनल सेक्योरिटी ऐक्ट के नाम पर, एसेंशियल सर्विसेज मेंटिनेन्स ऐक्ट के नाम पर और इण्डस्ट्रियल डिसप्यूट्स ऐक्ट आदि के नाम पर इस सरकार ने पर्याप्त कानून बना लिए हैं जिनके द्वारा वर्किंग क्लास को दबाया और कुचला जा सकता है। यह कानून भी उसी श्रेणी में आता है। इस सरकार को सत्ता की कितनी भूख है और कर्मचारियों का दमन करने के लिए उसे

कितने अधिकार चाहिए, इसका प्रदर्शन इस कानून के माध्यम से हो जाता है। वास्तविकता यह है कि सरकार ने मानवीय मूल्यों को नष्ट करने का फैसला कर लिया है और लोगों के प्रति सहानुभूति का रास्ता बंद करने का फैसला कर लिया है। यह भी कहा जा सकता है कि यह जो कानून बन रहा है इसमें अन्तर्राष्ट्रीय मुद्रा कोष से जो धन उधार लिया गया है, उसका भी हाथ है। सम्भव है कि अन्तर्राष्ट्रीय मुद्रा कोष के द्वारा जो बहुत सारी शर्तें लगाई गई हैं, उनमें एक शर्त यह भी हो कि कर्मचारियों का दमन करने और उन पर प्रतिबन्ध लगाने के लिए इस तरह का कानून बनाना होगा।

MR. DEPUTY SPEAKER : No power on earth can crush the working class. And you are mentioning it in the month of May.

SHRI HARIKESH BAHADUR : You are absolutely correct but this point should be understood by the Government. They are of the opinion that they can crush the entire working class. That is why, I am opposing this. तो मैं यह कह रहा था कि अन्तर्राष्ट्रीय मुद्रा कोष के दबाव में आकर कहीं इस प्रकार का कानून बनाने की साजिश न चल रही हो।

दूसरी बात मैं यह कहना चाहता हूं कि बिना बारन्ट गिरफ्तारी का जो प्रावधान किया जा रहा है उसका निश्चित रूप से दुरुपयोग किया जायेगा। सत्ता पक्ष के कुछ माननीय सदस्यों ने भी इस प्रकार की आशंका व्यक्त की है। मैं सत्यनारायण राव जी को बधाई देना चाहता हूं कि उन्होंने इस प्रकार की आशंका व्यक्त की और इसको सही रूप में समझने की उन्होंने कोशिश की है। डागा जी से भी मैं यही उम्मीद करता

था लेकिन कनाडा से वापिस आने के बाद लगता है उन्होंने अपना रास्ता बदल दिया है।

SHRI MOOL CHAND DAGA : Suppose, this amendment 'without warrant' is removed, will you then support the Bill?

SHRI HARIKESH BAHADUR : No. The motive behind the Bill is that the Government wants to suppress the working class. That is why we are opposing this Bill which is nothing but a link in that chain of repression.

मान्यवर, मैं कह रहा था कि इस प्रकार के कानूनों को बनाने से केवल दमन का रास्ता अख्तियार करने में सरकार को सफलता मिलेगी। इससे कोई सुधार नहीं हो पाएगा। आज भी बड़े-बड़े उद्योगों में जहां पर कि सी० आई० एस० एफ० के जवान लगे हुए हैं, वहां भी यह सुनाई देता है कि चोरियां होती हैं। उदाहरण के तौर पर गोरखपुर जिले में एक खाद का कारखाना है वहां सी आई एस एफ सुरक्षा के लिए नियुक्त की गई हैं। वहां प्रायः चोरी होती रहती है। वहां तमाम कर्मचारियों और दूसरे लोगों ने बताया है कि वहां चोरी होती है। कारखाने के कुछ लोगों की मिली भगत और सी० आई० एस० एफ० के कर्मचारियों के द्वारा ये चोरियां की जाती हैं। इतना सख्त कानून बनाकर जब आप इतने अधिकार उनको और दे देंगे और फिर कहें कि इससे प्रभावशाली ढंग से चोरियां रुकेंगी, यह बात मेरी समझ में नहीं आती है। उनके हाथ में इस तरह का अधिकार देकर आप चोरी को रोकना चाहते हैं, इससे चोरी तो नहीं रुकेगी किंतु वे आसानी से चोरी कर सकते हैं। इस कार्य को बढ़ावा देने के लिए ही आप ऐसा कर रहे हैं। इससे चोरी में कमी आएगी, ऐसा मैं नहीं समझता हूं, क्योंकि

आजकल की स्थिति ही इस प्रकार की है। सरकार को ऐसा अधिकार देने के बजाय सी० आई० एस० एफ० की सुविधाओं की ओर ध्यान देना चाहिए था जिसकी वजह से आज चोरी रुकती नहीं है। वे इसको रोक पाने में अपने को असमर्थ पाते हैं। उसको रोकने की विशेष इच्छा नहीं रखते हैं। बल्कि उससे लाभ उठाने की इच्छा रखते हैं। इस सरकार ने अगर उनके पिछले आन्दोलनों पर ध्यान दिया होता और उन आन्दोलनों के कारणों को दूर करने के लिए कुछ कदम उठाए होते, उनको कुछ अधिक सुविधायें मिली होतीं, उनके जीवन में कुछ बेहतरी आती और यदि मुस्तैदी से चोरी वगैरहा को रोक पाने में वे अपने आपको कुछ समर्थ पाते, तो कुछ फायदा होता, लेकिन इस प्रकार का अधिकार दे देने से तो निश्चित रूप से इसका दुरुपयोग होगा। इसमें दो राय नहीं हो सकती।

मैं यह भी कहना चाहता हूं कि इस सैन्ट्रल इन्डस्ट्रियल सिक्क्योरिटी फोर्स को जिस प्रकार पावर्स देने की कोशिश की जा रही है, उसके पीछे सरकार की मंशा क्या है, यह बहुत आसानी से समझी जा सकती है। जितनी भी ऐसी ताकतें हैं, जो कि सरकार के हाथ में हैं, उन सारी ताकतों को दमन की ताकत बनाने के लिए सरकार शुरू से यह प्रयास करती चली आ रही है। उसी श्रेणी में यह भी आता है, जिसका कि हम सब लोग विरोध कर रहे हैं।

मैं इस पर और अधिक न कुछ कहते हुए, सिर्फ माननीय मंत्री जी आपके माध्यम से अनुरोध करूंगा कि वे इस विधेयक को अभी भी समय है, वापिस ले लें और सोच-समझकर कोई दूसरा विधेयक लायें, जिसके द्वारा वास्तव में चोरी को रोका जा सके

[श्री हरिकेश बहादुर]

और बड़े-बड़े उद्योग धन्धों को सही तरीके से सुरक्षा प्रदान की जा सके।

श्री चन्द्रपाल शैलानी (हाथरस) : उपाध्यक्ष महोदय, केन्द्रीय औद्योगिक सुरक्षा बल कानून 1968 में संशोधन करने के लिए यह विधेयक जो माननीय गृह मंत्री द्वारा सदन में पेश किया गया है, मैं उसका पुरजोर शब्दों में समर्थन करता हूँ। हालांकि उस तरफ के बैठे हुए साथियों द्वारा कहा जाता है कि ज्यादा से ज्यादा इन्डस्ट्रीज का नेशनलाइजेशन होना चाहिए, जो अपने आपको प्रगतिशील कहते हैं, काम्यूनिस्ट कहते हैं, मजदूरों और गरीबों के रहनुमा कहते हैं, मसीहा कहते हैं। हमारे उधर के भाई इस बात के समर्थक हैं, लेकिन मुझे उनकी अकल पर थोड़ा तरस आता है, जब मैं यह देखता हूँ कि यह इतना महत्वपूर्ण विधेयक है और वे इसका विरोध कर रहे हैं। वे इस आधार पर विरोध कर रहे हैं कि यह मजदूरों के हक में नहीं है। श्रीमन्, इससे पहले कि मैं अपनी बात को प्रारम्भ करूँ, मैं यह बतला देना आवश्यक समझता हूँ...

MR. DEPUTY-SPEAKER : If Mr. Harikesh had remained on the other side, he would not have opposed it. Similarly, if you had remained on the opposition side, you would not have supported it.

श्री चन्द्रपाल शैलानी : माननीय उपाध्यक्ष जी, देर-सवेर मेरे ये साथी भी इस बात को समझ जायेंगे। मैं निवेदन कर रहा था कि हमारे देश में बड़ी तीव्र गति से औद्योगिक विकास हो रहा है।

श्री गिरधरी लाल व्यास : उपाध्यक्ष महोदय, बड़ी प्रैक्टिकल बात कही है।

श्री चन्द्रपाल शैलानी : यह विकास निरन्तर बड़ी तेजी से हो रहा है। हमारी लोक-

प्रिय सरकार ने बहुत से उद्योग सरकारी क्षेत्र में खोले हैं, चाहें वे सेन्ट्रल गवर्नमेंट के अण्डरटेकिंगज हों या स्टेट गवर्नमेंट के अण्डरटेकिंगज हों। बहुत से ऐसे कारखाने, मिलें, प्रतिष्ठान जो प्राइवेट सैक्टर में चल रहे थे, लेकिन किसी कारणवश सिक हो गये थे, बीमार हो गये थे, उनको सरकार ने टेक-ओवर किया और उनको अपने मैनेजमेंट के अण्डर चला रही है। जब देश में निरन्तर औद्योगिक विकास हो रहा हो, तो यह भी जरूरी हो जाता है कि इन औद्योगिक प्रतिष्ठानों के लिये एक प्रभावशाली और मजबूत सुरक्षा-प्रणाली होनी चाहिये। जिसमें आधुनिक यन्त्रों और तकनीक का उपयोग भी बहुत जरूरी है।

श्रीमन्, आम तौर पर हम यह देखते हैं कि जो छोटे उद्योग धन्धे हैं, जो प्राइवेट सैक्टर में चलते हैं, जिनको कोई लाला या कोई अन्य व्यक्ति चलाता है, उनमें भी इस तरह की सम्भवनायें रहती हैं—लोग तोड़-फोड़ करते हैं, चोरियां हो जाती हैं, उपद्रव हो जाते हैं। ऐसी हालत में जब केन्द्रीय सरकार या राज्य सरकारें बड़े-बड़े प्रतिष्ठानों को चलाती हैं तो उनकी व्यवस्था तो बहुत बड़ी बात है। जिस कारखाने या प्रतिष्ठान में सैकड़ों-हजारों की तादाद में मजदूर कर्मचारी काम करते हों, वहां की व्यवस्था को सुचारू रूप से चलाना कोई मजाक या हंसी-खेल की बात नहीं है, इसलिये वहां पर ऐसी फोर्स की अत्यन्त आवश्यकता है।

जिन मेरे साथियों ने इस बिल का विरोध किया है, मैं उनको यह कहना चाहता हूँ कि उनकी मंशा कोई पवित्र मंशा नहीं है, केवल सरकार का विरोध करने के लिये, चूंकि ये लोग सरकार की नीयत पर डाउट रखते हैं, इसलिए इसका विरोध कर रहे हैं। विरोध

के लिये विरोध किया जाय—यह कोई समझदारी या बुद्धिमत्ता की बात नहीं है। इनका कहना है कि इस कानून से हड़ताल को रोकेंगे, मजदूर को अपनी बात नहीं कहने देंगे, मीटिंग नहीं करने देंगे, गोली चलायेंगे, तोप चलायेंगे, मारेंगे—ये सारी निराधार बातें हैं जिनका मैं बहुत ही स्पष्ट शब्दों में विरोध करता हूँ, क्योंकि इस बिल की मंशा ऐसी कतई नहीं है कि मजदूरों को हड़ताल करने से रोका जाय या मीटिंग करने से रोका जाय या उनको अपनी बात कहने से रोका जाय। अब किसी में समझने की इतनी क्षमता हो तो समझें, लेकिन इनमें इतनी समझदारी नहीं है। इसमें मेरा या मेरी सरकार का क्या कुसूर है?

आये दिन हम यह देखते हैं कि औद्योगिक संस्थानों में हड़तालें, तोड़फोड़, डकैती, उपद्रव, आगजनी होती रहती हैं, जिनसे हमारे उत्पादन को बहुत नुकसान पहुंचता है। इसका केवल उत्पादन पर ही असर नहीं पड़ता, बल्कि बहुत सी बनाई हुई चीजें चोरी चली जाती हैं, डकैतियां हो जाती हैं, आगजनी हो जाती है। इन चीजों की रोकथाम के लिए एक सशक्त और ताकतवर बल का, फोर्स का होना बहुत जरूरी है और मेरा अपना विश्वास है कि जो प्रोविजन्स इस बिल में सरकार ने रखे हैं, वे बहुत गंभीरता से सोच-विचार करने के बाद रखे हैं और सरकार यह चाहती है कि हमारा देश आगे बढ़े और उसका औद्योगिक विकास तेजी से होना चाहिए। इसके लिए और भी ताकतवर बल का होना अत्यन्त आवश्यक है।

हम अक्सर यह देखते हैं कि हमारा देश समाजवाद के एक महान रास्ते पर चल रहा है और हम यह चाहते हैं कि हमारे देश

में समाजवाद पूरी तरह से स्थापित हो जाए ताकि यहां पर जो अमीरी-गरीबी का फर्क है, छोटे-बड़े का फर्क है, मालिक-मजदूर का फर्क है, यह समाप्त हो जाए और समाजवाद के रास्ते पर चल कर यहां का हर इन्सान, वह चाहे किसी धर्म का हो, किसी महजब का हो, किसी जाति का हो, किसी बिरादरी का हो या किसी वर्ग का हो, उसका समान अवसर मिले। जब हम समाजवाद की बात करते हैं और समाजवाद के रास्ते पर चलने की बात करते हैं, तो हमें यह भी देखना पड़ता है कि समाजवाद के रास्ते में कौन-कौन सी दिक्कतें हैं, कौन-कौन सी बाधाएं हैं। मैं ऐसा समझता हूँ कि सबसे बड़ी बाधा यहां का पूंजीवाद है। आज बड़े बड़े पूंजीपति बड़े-बड़े उद्योग धन्यों को अपने कब्जे में किये हुए हैं और अपने मन के मुताबिक उन की व्यवस्था को चलाते हैं।

एक बात मैं यह भी कहना चाहता हूँ कि बड़े-बड़े प्रतिष्ठान जोकि प्राइवेट सैक्टर में हैं, उनमें भी अपनी अलग से फोर्स रखते हैं। उनकी अलग वर्दियां हैं, अलग वेज उनके होते हैं, उनकी अलग परेड होती है और उसमें उनको यह सिखाया जाता है कि किस तरह से आफत के समय या मुसीबत के समय उन प्रतिष्ठानों की रक्षा करनी चाहिए। जब प्राइवेट सैक्टर की ग्रन्डरटेकिंग्स में इस तरह की व्यवस्था है, तो हमारे जो सरकारी क्षेत्र के प्रतिष्ठान हैं, बड़े-बड़े मिल और बड़ी-बड़ी फैक्टरियां हैं, उनकी व्यवस्था के लिए अलग से एक बल क्यों नहीं होना चाहिए। ये लोग इसका विरोध क्यों करते हैं, यह मेरी समझ में नहीं आता। कलकत्ता, हिन्दुस्तान का सबसे बड़ा शहर है और वहां पर बड़ी-बड़ी ग्रन्डरटेकिंग्स हैं और इस सम्मानित मदन के हमारे

[श्री चन्द्रपाल शैलानी]

जो सम्मानित सदस्य कम्युनिस्ट लोग हैं, जो यहां पर बैठे हुए हैं, जब वहां पर बड़ी-बड़ी अन्डरटेकिंग्स में हड़ताल होती है, तब मैं समझता हूं कि बड़े आराम से, चुपके से पूंजीपतियों के इशारे पर ये चलते हैं और वहां पर लोगों को इस बात के लिए प्रेरित करते हैं कि कारखाने में इस तरह की गड़-बड़ होनी चाहिए। मैं कहना यह चाहता हूं कि इनको परेशानी किस बात से है। परेशानी इस बात से है कि जो अपने को मजदूरों का नेता कहते हैं, अपने को उनका रेह-बर समझते हैं, वे ही लोग मजदूरों को हड़ताल करने के लिए उकसाते हैं, जिससे उत्पादन कम होता है, उत्पादन ठप्प हो जाता है। जो मजदूरों और मालिकों के बीच में झगड़े होते हैं, उनकी तह में घुस कर देखा जाए, जो पुराना इतिहास है, उस को उठा कर देखा जाए, तो उसमें उन लोगों का हाथ होता है, जिनके वेस्ट्रेड इन्ट्रेस्ट्स होते हैं और जो अपने स्वार्थ के लिए ये झगड़े करा देते हैं। कहीं पर मजदूरों से आग लगवा देते हैं, कहीं पर प्रोडेक्शन ठप्प करा देते हैं अननेसेसरी हड़ताल करा कर, जिससे हमारे देश का उत्पादन कम होता है और जिससे राष्ट्रीय लोस होता है। इन तमाम चीजों को देखते हुए, यह बहुत जरूरी है कि औद्योगिक प्रतिष्ठानों में जो फोर्स हो, उसको हर तरह से आर्मंड किया जाए और उसकी ताकत को बढ़ाया जाए और उसको मजबूत किया जाए।

इस विधेयक का उद्देश्य मजदूरों की आवाज कुचलना या उनके किसी अधिकार को छीनना नहीं है। यह बात मैं आपसे पहले ही निवेदन कर चुका हूं। अगर इस तरह की बात होती, तो हम भी इसका विरोध करते और सरकार से आग्रह करते कि वह इस

बिल को वापस ले ले। हम यह देखते हैं कि हमारी पब्लिक अन्डरटेकिंग्स में करोड़ों और अरबों रुपये की सम्पत्ति लगी हुई है और बहुत बड़ी तादाद में इस देश का धन उनमें लगा हुआ है। उनकी रक्षा करना, देखभाल करना और उनको सजोय रखना भी सरकार का फर्ज है। बड़ी-बड़ी अन्डरटेकिंग्स, जहां पर फैलाद बनती है, इस्पात तैयार होता है जैसे राउरकेला, दुर्गापुर, भिलाई और बोकारो, उनकी रक्षा होनी चाहिए। इसके अलावा फर्टीलाइजर्स और चीनी बनाने के बहुत से उपक्रम हैं, अन्डरटेकिंग्स हैं। इनकी संपत्ति के रख-रखाव के लिए और व्यवस्था को शांतिपूर्वक चलाने के लिए इस तरह के बल की बहुत बड़ी आवश्यकता है।

फौज से बहुत से लोग छोटी उम्र में रिटायर हो जाते हैं। उन्होंने हर तरह की ट्रेनिंग ली हुई होती है और उनको अनुभव होता है। प्राइवेट सैक्टर अन्डरटेकिंग्स में भी फौज और पुलिस के रिटायर्ड लोगों को रख लिया जाता है और उनको हवलदार, जमादार, सिपाही जैसे पद दिए जाते हैं। इसलिए मेरा सुझाव है कि इसमें भी फौज, सी० आर० पी०, बी० एस० एफ० में से रिटायर्ड लोगों को रख लिया जाए। एक्स सर्विसमैन को इसमें वरीयता दी जानी चाहिए।

हमारे बहुत से पब्लिक अन्डरटेकिंग्स ऐसे हैं जहां पर बहुत महत्वपूर्ण सामान बनता है। सेना का सामान हवाई जहाज और रेल गाड़ियों का सामान वहां पर बनता है। इस तरह के सामान की अगर चोरी होती है तो यह देश के लिए अहितकर होगा। इसके लिए अगर मजबूत बल नहीं होगा तो इन चीजों की हिफाजत कैसे होगी। इस वास्तविकता को समझने की आवश्यकता है।

मैं देश की नेता श्रीमती इंदिरा गांधी और माननीय गृह मंत्री जी को बधाई देना चाहता हूँ कि उन्होंने बड़ी समझ-बूझ से गहराई और गंभीरता से विचार करने के बाद इस बिल को सदन में रखा है। मुझे विश्वास है कि जो लोग इसको काले कानून की संज्ञा दे रहे हैं उनको भी मद्बुद्धि आएगी। इस कानून के बनने से दुर्व्यवस्था लूटखमोट, चोरी और भ्रामात्मिक तत्वों की गतिविधियों पर रोक लगेगी। इन चीजों को रोकने के लिए यह बल कारगर सिद्ध होगा। उत्पादन बढ़ाने में भी इससे सहायता मिलेगी। इन शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

श्री राजेश कुमार सिंह (फिरोजाबाद) : इंडस्ट्रियल मिक्चरिटी एक्ट 1968 में आया था। उस समय मैं कार्यवाही देख रहा था। उस वक्त यह आशंका व्यक्त की गई थी कि यह कानून स्टेट-सेक्टर संबंधों पर प्रश्नवाचक चिन्ह लगा देगा। उस वक्त भी लोगों ने यह व्यक्त किया था कि यह किस तरह का कानून गृह मंत्री महोदय बना रहे हैं। यह बंगाल की "दो मुंहा सांव" कहावत जैसा है।

इस बिल के बारे में कुछ कहने से पहले मैं माननीय गृह मंत्री जी का ध्यान इंडियन कांस्टीट्यूशन के आर्टिकल 245 की तरफ दिलाना चाहता हूँ। इसमें यूनियन और स्टेट के संबंधों के बारे में कहा गया है—

Article 246—"Subject-matter of laws made by Parliament and by the Legislatures of States." I read clause (4) of article 246 :

"Parliament has power to make laws with respect to any matter for any part of the territory of India not included in a State notwithstanding that such matter is a matter enumerated in the State List."

Now, I will read out Seventh Schedule (Article 246)—Union List :

"Defence of India and every part

thereof including preparation for defence and all such acts as may be conducive in times of war to its prosecution and after its termination to effective demobilisation.

Naval, military and air forces ; any other armed forces of the Union."

Now, I come to List II-State List.

"Public order (but not including the use of any naval, military or air force or any other armed force of the Union or of any other force subject to the control of the Union or of any contingent or unit thereof in aid of the civil power).

Police (including railway and village police) subject to the provisions of entry 2A of List I.

एक कांस्टीट्यूशन से संबंध रखने वाली बात है और वह यह कि उस वक्त वाँच एंड वार्ड जब था तो आपने उसे मिक्चरिटी फोर्स बना दिया। अब उसे आर्म्ड फोर्स बनाने की बात कर रहे हैं। मैं आपके माध्यम से यह अनुरोध करूंगा कि इंडस्ट्री की हिफाजत के लिए गृह मंत्री जी बड़े चिंतित हैं और उद्योग मंत्री जी बहुत ही कम चिंतित हैं। मेरा खयाल है, उन्होंने इनसे विशेष रूप से कहा नहीं होगा। खैर, इसमें सबसे बड़ा प्रश्न कानून का आ जाता है। सरकार को कांस्टीट्यूशन में संशोधन लाकर यह अधिकार दे देने चाहिए कि जहां भी सेक्टर की इंडस्ट्री होगी, वहां वे मनमाने ढंग से और मनमाने कानूनी तरीकों से अपनी इंडस्ट्री को संचालित कर सकेंगे। वह चाहें तो इसमें सजा भी दे सकेंगे, ऐसा संशोधन लाना चाहिए। आप इस बात पर जोर दे रहे हैं कि स्टेट और केन्द्र के संबंध मधुर होने चाहिए। इसके लिए आपने सरकारिया आयोग भी नियुक्त कर दिया है। इसमें एक प्रश्न यह उठ खड़ा होता है कि स्टेट के

[श्री राजेश कुमार सिंह]

मामलों में केन्द्र की दखलन्दाजी कम होनी चाहिए। आपने आगाम और दूसरी जगहों पर भी देखा होगा कि सेंट्रल रिजर्व पुलिस फोर्स या लोकल पुलिस द्वारा गोली चलायी गई। ऐसी स्थिति यहां भी पैदा हो सकती है। आपने जो अधिकार दिए हैं, उनमें एक तो गिरफ्तारी का अधिकार है। आपका कहना है कि इन्डस्ट्री के उत्थान के लिए यह जरूरी हो गया है। अभी एक माननीय सदस्य समाजवाद की बात बता रहे थे। पता नहीं, किस किताब में इन्होंने समाजवाद की परिभाषा पढ़ी है। सरकार के लोग यह नहीं कह सकते कि लोकतंत्रीय प्रणाली को खत्म कर देंगे। अगर सरकार की मंशा यही है कि मजदूरों को दबाने के लिए इस फोर्स का इस्तेमाल किया जायेगा तो मैं सही मायनों में कहना चाहता हूं कि यह सरकार की एक बहुत बड़ी गलती मानी जायेगी। यह पता लग गया था कि सरकार की मंशा साफ नहीं है क्योंकि वह मजदूरों की हितैषी नहीं है। यह भी कहा गया है कि अन्डरटेकिंग में लोग सामान उठाकर ले जाते हैं। मैं तो यह कहूंगा कि प्रधान मंत्री जो के बंगले के पास से भी चोरी हो जाती है। उसका कुछ पता नहीं लगता। पहले जो वाच एंड वार्ड था, यह बहुत अच्छा था। लेकिन अब जो आपने बना दिया है, इसमें अधिकार देने की गुंजाईश नहीं है।

मैं उत्तर प्रदेश विधान सभा का सदस्य रहा हूं। मुझे वहां अन्डरटेकिंग को जाकर देखने का मौका मिला है। मैंने उन अन्डरटेकिंग में देखा कि वहां एक नई हकूमत बादशाही की, नवाबों की, सुलतानों की है। मैनेजमेंट के हितों को बचाने के लिए इस फोर्स का इस्तेमाल किया जाता है। अब भी इसको और अधिक अधिकार जो दिए जा

रहे हैं, वे उनके हितों को बचाने के लिए ही दिए जा रहे हैं। ला एंड आर्डर के प्राबलैम से निपटने का तरीका यह नहीं है। अगर किसी जगह उपद्रव होता है, किसी इंडस्ट्री में हड़ताल होती है तो क्या राज्य सरकारें आपकी मदद नहीं करती हैं, क्या उसकी फोर्स ला एंड आर्डर मैनेज करने के लिए पहुंचती नहीं है? बहुत से राज्यों में गैर कांग्रेसी सरकारें हैं यह बात सही है। पश्चिमी बंगाल में गैर कांग्रेसी सरकार है। क्या कभी ऐसा मौका आया है कि जब आपने किसी अन्डरटेकिंग में ला एंड आर्डर मैनेज करने के लिए राज्य सरकार से कहा हो और उसने इंकार किया हो? अवश्य भेजी होगी। इस वास्ते मैं नहीं समझता हूं कि इसकी कोई आवश्यकता है और इस फोर्स को और शक्ति प्रदान किए जाने की जरूरत है। इसमें कानून व्यवस्था को कायम रखने के मार्ग में बाधाएँ ही उत्पन्न होंगी, उलझने ही बढ़ेंगी, और कुछ नहीं। समाधान करने के बजाए इससे आप उलझने ही बढ़ाएंगे।

आपने इसमें कहा है :

“10. After section 15 of the principal Act, the following section shall be inserted, namely :—

“15A. (1) No number of the Force shall, without the previous sanction in writing of the Central Government or of the prescribed authority,—

(a) be a number of, or be associated in any way with any trade union.”

अगर कहीं मैनेजमेंट के द्वारा अधिकारियों के द्वारा गलत आदेश दिया गया तो वे लोग इसका विरोध नहीं कर सकेंगे, उस आदेश को मानने के लिए इनको बाध्य होना पड़ेगा, उसका प्रतिकार करने का या उसका विरोध करने का उनके पास कोई रास्ता नहीं रह जाएगा। इंडे और कानून की वजह से उन-

को उस आदेश को मानने के लिए बाध्य होना पड़ेगा। इस अधिकार का मिसयूज होना स्वाभाविक है।

जो वातावरण पूरे देश के पैमाने पर बना हुआ है, उसको देखते हुए संविधान के निर्माताओं ने राज्यों और केन्द्र के अधिकारों को विभाजित किया था। उसको मढ़े नजर रखते हुए आपको सोचना चाहिये कि क्या वाकई में इस बिल की आवश्यकता है और क्या इस को फिल हाल वापिस नहीं लिया जाना चाहिये? इस बिल के विरुद्ध जो प्रतिक्रिया होगी और तीव्र प्रतिक्रिया होगी वह आपको कुछ दिन बाद देखने को मिल जाएगी। हम राज्यों और केन्द्र के सम्बन्ध मधुर करना चाहते हैं। इससे वे मधुर नहीं होंगे। इसके द्वारा तो ऐसा लगता है कि हर राज्य में केन्द्र की सरकार एक फोर्स अंडरटेकिंग के माध्यम से रखना चाहती है। यह चीज एक तानाशाही स्वरूप ले सकती है। इस वास्ते आने वाले दिनों में इसकी प्रतिक्रिया बहुत बुरी होगी। मैं एक बार फिर आपसे कहना चाहता हूँ कि सरकार इस बिल को वापिस ले ले। अब भी वक्त है, आप गम्भीरता से इस पर विचार करें और इस बिल को वापिस ले लें।

श्री वृद्धि चन्द्र जैन (बाड़मेर) : सेंट्रल इंडस्ट्रियल सिक्योरिटी फोर्स एमेंडमेंट बिल जो पेश है इस पर मैं अपने विचार सदन के समक्ष रखना चाहता हूँ। मैं विशेष रूप से यह कहना चाहता हूँ कि क्लॉज 9 को बिल्कुल डिलीट कर दिया जाना चाहिये। इसकी कोई आवश्यकता नहीं है। यह मैं इसलिए कहता हूँ कि आई० पी० सी० और क्रिमिनल प्रोसीजर कांड में सब प्राविजन हैं। जो भी पब्लिक ड्यूटी पर होता है, क्लैक्टर हो, सिक्योरिटी अधिकारी हो, होम सैफ्टरी हो, उस पर अगर एंसाइल किया जाता है तो

उसके लिए धारायें 332 और 353 हैं। इस के वास्ते प्राविजन है। इस वास्ते आवश्यकता नहीं है कि विशेष प्रावधान इसके लिए किया जाए। मैंने इसका विशेष अध्ययन किया है और मैं इसकी कोई आवश्यकता नहीं समझता हूँ। ऐसा आप चाहते हैं तो आपको क्रिमिनल प्रोसीजर कोड को चेंज करना पड़ेगा, उसमें एमेंडमेंट करना पड़ेगा। अन्यथा इस प्रकार का चेंज जो क्रिमिनल प्रोसीजर कोड में आप बिना एमेंडमेंट लाये कर रहे हैं और इतनी पावर्स ले रहे हैं, यह उचित नहीं है।

दूसरी बात एसोसियेशन, संगठन के बारे में है। राजस्थान में हमारा अनुभव रहा है कि जब पुलिस का संगठन हुआ और इन्होंने आन्दोलन किये तो उसमें पुलिस का अनुशासन गिरा है। अगर पुलिस में और सिक्योरिटी फोर्स में अनुशासन नहीं रहता है तो वह किसी भी तरीके से रक्षा का कार्य नहीं कर सकती, वह सुरक्षा नहीं कर सकती। अगर वह राजनीति में भाग लेंगे। ट्रेड यूनियनों से संबंधित होंगे तो वह किसी भी तरीके से अनुशासन में नहीं रह सकते, अपने कर्तव्यों को अदा नहीं कर सकते और जिन सार्वजनिक प्रतिष्ठानों की सुरक्षा के लिये उनकी नियुक्ति की गई है उनके लिये वह कार्य नहीं कर सकते हैं।

इसके लिये जो प्रोवीजन बनाये गये हैं, उनकी मैं सपोर्ट करता हूँ। डिसिप्लिन के सम्बन्ध में जो प्रावीजन बनाये गये हैं वह भी जरूरी हैं। अगर कोई बिना छुट्टी लिये जाये और समय पर वापिस न आये तो इस तरह से सर्विस में रहने से अनुशासन नहीं रहेगा। जिस तरीके से मिलिट्री में कोई अगर अनुशासन भंग करता है और उसके सम्बन्ध में कदम उठाये जाते

[श्री वृद्धि चन्द्र जैन]

हैं, उसी प्रकार के प्रावीजन में समझता हूँ कि यहां भी किये गये हैं। ऐसे प्रावीजन सही किये गये हैं।

आर्मंड फोर्स के बारे में मि० पाल ने कहा कि सिक्योरिटी फोर्स का मतलब ही आर्मंड फोर्स होता है। बिना आर्मंड के कोई सिक्योरिटी कर नहीं सकता। इसमें कोई ऐसी बात नहीं है, इसलिये आर्मंड की आवश्यकता रहेगी, इसके लिये कोई भी इंकार नहीं कर सकता। पब्लिक एन्टर प्राइजेज, जैसे स्टील के बोकारो प्रोजेक्ट हैं, उनके लिये प्रोटेक्शन की आवश्यकता है उनके लिये माडर्न वैपन्स की पूरी व्यवस्था करें जिससे वह उस संस्थान की रक्षा कर सकें। यह व्यवस्था होनी चाहिये। इसके लिये जो प्रावीजन किया गया है, वह बिल्कुल सही किया गया है।

यह बात जो शैलानी साहब ने कही कि फोर्स में एकमिलेटी फोर्स को प्रायर्टी दें, परसेन्टेज फिक्स कर दें कि इतने परसेंट उनको एम्पलाय किया जाना चाहिये, यह सुझाव सुन्दर है और मैं समझता हूँ कि इसके लिये तो प्रावीजन होगा ही, अगर नहीं भी किया हो तो इसका प्रावीजन किया जाना चाहिये।

इन्हीं शब्दों के साथ मैंने अपने विचार इस बिल के समर्थन में रखे हैं और जो मैंने उचित नहीं समझा उसका विरोध किया है।

SHRI CHITTA BASU (Barasat) : Sir, as you know, right from the time of the introduction of the Bill, we from this side, have been expressing our vigorous opposition to this kind of move.

This Bill is to be viewed from different angles. It is to be viewed from the angle of the interests of the workmen who are

working in the Central Public Undertakings.

15.50 hrs.

(SHRI F.M. MOHSIN in the chair)

This Bill has also very serious implications regarding the conditions of work and life of the members of the Force itself. Naturally it is expected that the hon. Members of this House would also apply their mind as to what extent this Bill will safeguard the interests and improve the conditions of life and work of about 50,000 men working in this Force. It is also necessary, as some hon. Members have already pointed out, that this Bill has to be viewed from the standpoint of improving the industrial relations in public undertakings. Naturally it is expected that the House would also apply their mind to this whether these measures improve the industrial relations in the public sector units for greater production and productivity, and I say without any reservation that we are for greater production and greater productivity in the public sector undertakings; not only that we also want that the public sector undertakings should be taken to the position of 'commanding heights'. Of course, I know, there are some friends who are habitually leftists-baiters; they are free to make their own observations. But the House should not forget that a section of the Opposition—I do not say, the entire Opposition—is committed to the public sector philosophy and wants further improvement in the public sector management also.

From these different angles, let us analyse the Bill. I do not want to take much time of the House; I would just remind the hon. Minister who is piloting this Bill now of the speech or the points made by the then Home Minister, Shri Vidya Charan Shukla, when he piloted the original Bill in 1969, highlighting the object of the original Bill which was then turned into an Act. I would only remind him to remember the particular objective for which this Security Force was created. He was very clear and he said, 'The main thing is that we want to streamline and make the watch and ward organisation

of the industrial undertakings owned by the Government of India efficient and better. Mr. Atal Bihari Vajpayee was there in the House and he raised certain questions regarding the competence of Parliament to enact such a measure. I am not going into that aspect now because that is irrelevant today. The parliament passed that Bill and it is now an Act and it has been working for the last 13 years; it is not relevant today to say to what extent the State Governments were opposed to this measure. This is known. My point is this. The original object of this Force was merely to act as a watch and ward staff. The nature of job of the watch and ward, whether in a public sector industry or in a private sector industry, is more or less the same, namely, to ensure security of the instruments, equipment, etc. Now the Government itself feels that, in order to ensure proper security of the public sector undertakings, it is necessary to raise an armed force. 'Armed Force' in what sense? Nobody has said that the CISF have no arms. They are not an unarmed force. I just want to ask this : is it the object of this amending Bill to further arm them or provide them with sophisticated arms. Now, they may be having some rifle. Do the Government propose to give them a sten gun ?...

SHRI SOMNATH CHATTERJEE :
Or a missile.

SHRI CHITTA BASU : ...or a nuclear weapon ?

SHRI ATAL BIHARI VAJPAYEE :
Carbine.

SHRI CHITTA BASU : I do not know all the names. Anyway the object of the Government is not to offer and not to give them sophisticated arms. Therefore, I think, as I told on the occasion of the introduction, that this amending Bill is contradictory to the object for which the parent Bill was enacted.....

SHRI SOMNATH CHATTERJEE : It is a sinister move.

SHRI CHITTA BASU : This is not permissible. This does not speak well of the intention of the Government. If they want to have another force like that of CRP or something like that with a particular function to be performed, they could have brought forward some other Bill. By amending this Act and converting an innocent CISF into an armed force, I have got a great suspicion. It affects the workmen working in the industry, as has been rightly pointed out. In many public sector undertakings—I do not say that there is no pilferage and there is no theft—there are pilferages and there are thefts and in many cases, these pilferages or thefts would not have been possible had there been no collusion between the CISF and some of the misguided workmen. Does this Bill break the nexus between the CISF and the misguided or anti-social worker in the industrial units? Does it break the Anexus, does it break the linkage? No. on the contrary, it helps the CISF to spread their links. Take an ordinary constable. Now this Bill provides him the authority or power to arrest without warrant. He just goes and says, 'Either you do this thing or I am going to arrest you.' You are correct. 50,000 constables, 50,000 strong men working in this force—it is 49,000 so about 50,000—so the 50,000 members of this force are being given a blanket power of arresting anybody, even a simple worker. Can you imagine? My hon. friend there—I congratulate him that he did really understand the implications of it. Unfortunately, Mr. Daga said that anybody can be arrested at any time without warrant.

MR. CHAIRMAN : The provision was there in the old Act.

SHRI CHITTA BASU : Therefore, I implore upon you to understand the implications.

SHRI M. SATYANARYAN RAO :
There was no provision in the old Act. That is why this amendment.

SHRI SOMNATH CHATTERJEE : This is a new provision which is being introduced.

SHRI CHITTA BASU : All those aspects I am not discussing just at the moment. Mr. Laskar, you understand the magnitude of the power you are giving to 50,000 ordinary members of the force. This does not, according to me, improve the working condition within the public sector industries. It will only create further tension in the industrial relations. Therefore, the Government, in its wisdom, should not pursue the Bill on this count at least.

Secondly, how does the Bill affect the members of the force? It has been rightly pointed out very clearly that to take a lesson from the experiences of Bokaro disturbances of the CISF. I do not like to describe in details what happened. But that was due to the fact that there was no grievance settling machinery for the members of the force. Do you want the 50,000 members of the force should be slaves under you?

16 hrs.

This is the indication of your mind. You want that 50,000 youngmen of our country, organised in a force, should remain slaves. They would not have their grievances. They cannot give vent to their grievances. There is no grievance discussion machinery let apart the consideration of the right to form association, right to join union and right to join a political party. I think even for their willing to join a class they will have to seek permission from the Government.

Therefore, Sir, this very vitally affects the condition of life, condition of work, democratic rights, hopes, aspirations and even the minimum right of a citizen. You want to convert them into slaves. I must say Independent India never visualised such a kind of fascist attitude that 50,000 members of a force can be made slaves.

Sir, that point of view does not help to improve discipline within the force. Discipline is not one-way traffic. Discipline implies some kind of motivation also. Discipline is not mechanism. It cannot be mechanically imposed. Discipline means acceptance; acceptance means motivation and motivation means the raised sense of values. You want to devalue man. Therefore, Sir, from that angle I would say the Bill is pernicious. No man having a conscience; no man having an iota of democratic spirit or democratic value will accept it. I would appeal to my friend opposite to have some iota of value for the man. You want to de-value man and by de-valuing man you want to rule. It is not possible.

Sir, naturally this force will create tension among the workers. It will not improve the industrial climate and shall not add to the further enlargement of production and productivity. As I said earlier we feel that there should be new management culture in the public sector industries and this management culture can be based on democratisation. By saying good-bye to democratisation you cannot increase productivity and production. My friends who are interested in increased productivity and production should change their mind and attitude and they should agree that this kind of one-way traffic, one-way approach and one-way attitude is not going to help them.

Sir, even at this late stage would the Hon. Minister agree to review these two particular points? If they are willing to withdraw the Bill, it is good for the country, good for democracy, good for the public sector industries and good for everybody. If they do not agree to withdraw the Bill, would they consider that at least there should be some sort of mechanism for grievance settlement for the Members of the Force, as the Policemen's Associations have under certain conditions under which the authorities have given them the permission to form association of Policemen? Therefore, Sir, I think they would consider to incorporate certain machinery for the grievance

settlement of the Force. Secondly, if they at all want to give the power to arrest, why should it not be limited to a particular level of Officers. These two points, I think, need serious consideration.

Lastly, I have one apprehension that once they are part of the Armed Forces, these 50,000 Members of the force will be under the effect of Article 310. Their services will be dispensed with or they may continue in service during the pleasure of the president. This might be one of the intentions. They are not giving them sophisticated arms; they are not being given missiles. They are being given ordinary rifles or at best Lathis; and they are being nomenclatured as Armed Forces.

Therefore, Sir, don't make a mockery of them. If you are to make them regular armed force, then make them Armed Force. If you want to deploy army to manage the industry, you deploy the army, and that you have done also. In some of the State Electricity Boards, the Board Chairman has been an army man. In some Universities, you have put some army men. Then, if you want to rule this sector by army, then have army properly equipped. If you want industrial relations are to be governed by the army rule, then say we want to have that kind of force which can govern industrial relations. Sir, this is a very bad and pernicious trend. I call it militarisation. There is militarisation in the economy, there is militarisation in administration. Now there is militarisation in industrial relations. Therefore, if you want to have that, do it boldly. Face it openly. But, Sir, you have heard from Shri Indrajit Gupta that their benign leader, Shrimati Indira Gandhi has assured these Members of the force during the Bokaro trouble that if the Congress (I) is brought back to power, all the grievances of the force will be considered with sympathy.

This is the dichotomy. This is the duality. The Deputy Speaker had been pleased to comment that workers have got nothing to lose but the whirlwind.

Despite the militarised attitude, despite the despotic attitude, despite all these things, the workers will remain what they are they will remain where they are. There will be a ruling party, there will be a ruling class to ensure democracy in this country.

श्री केयूर भूषण (रायपुर) : माननीय सभापति महोदय, इन्डस्ट्रियल सेक्यूरिटी फोर्स के सम्बन्ध में जो बिल आया है, उस का मैं समर्थन करता हूँ इसलिए कि यह एक राष्ट्रीय कर्तव्य है कि हमारे जो राष्ट्रीय संस्थान हैं, उनकी रक्षा की जाए। हमें जो अनुभव हो रहा है वह यह है कि हमारी जो राष्ट्रीय सम्पत्ति है, उसमें कुछ लोग विशेष रूप से तोड़फोड़ करने में लगे हुए हैं। हमारे विकास की वह एक आधारशिला है चाहे वह लौह इस्पात का कारखाना हो या ऊर्जा का या अणु-विज्ञान का। राष्ट्र में जो विकास की गति आज सामने दिखाई दे रही है, उसका आधार ये ही सब स्थान हैं और आज दुनिया की दूसरी ताकतें भी हमारे इस विकास को देखकर चकित हैं और उनकी आंखें चुंधिया गई हैं और चारों तरफ से इनको विकृत करने का एक प्रयत्न हो रहा है। ऐसे समय में वहां पर एक सशक्त बल का होना बहुत ही आवश्यक है।

मैं एक औद्योगिक स्थान के नजदीक का रहने वाला हूँ। भिलाई का इस्पात कारखाना वहां से नजदीक पड़ता है और उसमें बहुत सारी हमारी पूंजी लगी हुई है। वहां पर ऐसे असामाजिक तत्व मौजूद रहते हैं जो वहां पर तोड़फोड़ करने का प्रयत्न करते हैं। क्या उसकी रक्षा के लिए सशक्त बल की आवश्यकता नहीं है, एक सक्षम बल की आवश्यकता नहीं है, जो कि इस तरह के असामाजिक तत्वों की रोकथाम कर सके। ऐसी स्थिति में अगर वहां पर सेक्यूरिटी फोर्स को केवल एक साधारण चौकीदार की हैसियत दे दी जाए, तो क्या वह इंडस्ट्री

[श्री केयर भूषण]

सुरक्षित रह सकेगी। मैं ऐसा समझता हूँ कि उनको जो एक फोर्स की हैसियत दी गई है, यह बहुत ही आवश्यक महसूस होता है। आज हम यह महसूस करते हैं कि अगर वहाँ पर असामाजिक तत्व मौजूद रहते हैं, तो वे वहाँ पर उत्पादन को रोकने का प्रयत्न करते हैं। इतना ही नहीं, आज तो यह खतरा भी पैदा हो गया है कि पूरी तरह से उसको नष्ट-भ्रष्ट करने का प्रयत्न होता है। तो वहाँ पर जो फोर्स है, उसमें इतनी क्षमता होनी चाहिए कि वह उन्हें गिरफ्तार कर सकें, उन्हें मुकदमों के लिए खड़ा कर सकें और तुरन्त ही कारगर कदम उठा सकें। इन औद्योगिक संस्थानों के अन्दर जो फोर्स को कुछ अधिकार दिये गये हैं, ये सही ही मालूम होते हैं।

अभी हमारे विद्वान सदस्य ने दोनों तरह की बात की। इन्होंने कहा है कि इसको बहुत अधिक अधिकार दे दिया है और साथ ही साथ वह भी कहा है कि इन अधिकारों के देने से कुछ तरीके से आम लोगों के अन्दर एक दहशत पैदा होगी मगर इसके साथ ही उनको पूरी तरह से ज्ञान है कि अगर हम इनको पूरी शक्ति नहीं देंगे, तो हमारे औद्योगिक प्रतिष्ठानों की सुरक्षा नहीं हो पाएगी। इसलिए यह अत्यन्त आवश्यक है। मैं उन्हीं की चीजों को दोहराना चाहता हूँ। क्या यहाँ पर ऐसी संस्थाएँ नहीं हैं जो बिल संस्कृति, संगठन और खेल-कूद के नाम तैयार की गई है और देश को विकृत करने में उनका सबसे अधिक हाथ है। मैं पूछना चाहता हूँ कि क्या यूनियन के नाम पर ऐसे लोग सक्रिय नहीं हैं जिनका मजदूरों के हित से कोई संबंध नहीं है? केवल ट्रेड यूनियन को तोड़ने के लिए ही वहाँ पर कायम रहते हैं। क्या हम अपने शक्तिशाली कर्मचारी

को जिसका राष्ट्र के निर्माण में बहुत बड़ा योगदान होने वाला है, ऐसी विकृत संस्थाओं में जाने का अवसर देंगे? विश्व की महान संस्कृति के रूप में हमारे भारत का विकास होता है और आगे भी होता रहेगा। साम्प्रदायिकता के आधार पर जिस संस्कृति का नाम लिया जा रहा है क्या उसका सदस्य होने के लिए हमें इनको छूट देनी होगी? सारे देश के जो रक्षक हैं, उन्हें भी यह तोड़ने का प्रयत्न होगा। ऐसे संगठनों में जो क्लब, संस्कृति और धार्मिक संगठनों के नाम से क्यों न हो, उसके अन्दर वह न भी रहे और तटस्थता के साथ देश के विकास में योगदान दे तो मुझे ऐसा लगता है कि आज की परिस्थितियों में यह बहुत ही आवश्यक है। राष्ट्र के निर्माण में जिनका बहुत बड़ा योगदान है, वे कर्मचारी भी पूरे तरीके से राष्ट्रीय वृत्ति के और तटस्थ हों। दलगत राजनीति में भी हमने देख लिया कि किस तरह से राष्ट्रीय भावना को छोड़कर दलों के हित को देखा जाता है। अगर उसी आधार पर यूनियन बनाने का अधिकार दिया जाए तो क्या होगा? जिन देश के रक्षकों के ऊपर सबसे बड़ी जिम्मेदारी है, अगर वह बंट जाए तो देश की रक्षा करने वाला कौन होगा? हम केवल कर्मचारी निर्माण नहीं कर रहे हैं। हमें यह देखना होगा कि हम जो सिक्योरिटी फोर्स बना रहे हैं वह केवल रक्षा के लिए है, यहाँ से वहाँ पहुँचाने वाला कर्मचारी नहीं बना रहे हैं। क्या इसी उद्योग के आधार पर हमारे राष्ट्र का निर्माण आधारित है? हम यह जानते हैं कि इसकी रक्षा करना राष्ट्र के हित का सबसे बड़ा कार्य है, उसको हम बनाने जा रहे हैं। इसको अगर फोर्स की संज्ञा दें तो मैं समझता हूँ हम बहुत ही अच्छा कार्य कर रहे हैं। उसे यह न लगे कि मैं चपरासी या चौकीदार हूँ। उसे यह महसूस होना चाहिए कि वह

भारत की फोर्स का आदमी है। जिस तरीके से बार्डर सिक्योरिटी फोर्स का सिपाही हमला रोकने के लिए खड़ा है, उसी तरीके से देश के भीतर की रक्षा करने वाला यह भी हमारी एक फोर्स है। जिस तरीके से हमने इसे फोर्स की हैसियत दी है उसी प्रकार सुविधाएं भी देनी चाहिए। जिस प्रकार मिलिटरी फोर्स को सुविधाएं मिलती हैं, उसी प्रकार इसको भी मिलनी चाहिए। वहां का एक साधारण सा सिपाही भी यह समझे कि मैं फोर्स का सिपाही हूँ। हम क्यों यह समझ बैठते हैं कि उनको जो कानूनी अधिकार दिए हैं, वे उसका दुरुपयोग करेंगे? हम इस बात को भी मानते हैं कि जितना उसको हम अधिकार और विवेक देते हैं तो उस अधिकार का विवेकपूर्ण उपयोग होगा। उधर से यह मांग हो रही है और इस मांग पर मुझे ताज्जुब होता है, विवेकपूर्ण व्यक्तियों के द्वारा मांग की जा रही है कि उच्च अधिकारियों को ही आप अधिकार दें। यह तो उच्च अधिकारियों की तानाशाही स्थापित करने वाली बात हुई। उस तरफ से हम यह सुनते आ रहे हैं, समय समय पर हमको ताकत को नीचे के वर्ग में बिखेरना चाहिये और सिपाही के भी वही अधिकार हों जो एक ऊंचे अधिकारी के हैं। जब हम प्रजातांत्रिक प्रणाली को मानने वाले हैं तो हमको चाहिए कि हम ऊंचे अधिकारी को भी वही अधिकार दें जो छोटे कर्मचारी को देते हैं। मुझे पूरा विश्वास है कि वे विवेकपूर्ण ढंग से इन अधिकारों का उपयोग करेंगे। विवेक के साथ साथ नियमों में हम उनको भी बांधें। इस वास्ते इन अधिकारों के दुरुपयोग की गुंजाइश नहीं होगी।

देश की आवश्यकताओं को देखते हुए, देश की स्थिति को देखते हुए और एक

शक्तिशाली राष्ट्र बनाने के लिए उद्योगों की सुरक्षा के लिए, राष्ट्र की सुरक्षा के लिए अगर एक सिक्योरिटी फोर्स का निर्माण हमने किया है तो यह हमारी राष्ट्रीय आवश्यकता की तरफ जो शासन ध्यान दे रहा है, और जिस प्रकार से वह जागरूक है, उसके लिए मैं उसका अभिनन्दन करता हूँ।

PROF. NARAIN CHAND PARASHAR (Hamirpur): Sir, many things have been read into this Amendment Bill, which are not there. I wonder as to what our friends from the opposition are trying to find out in this. It has a limited purpose. The purpose is that in the light of experience and expansion that has taken in the strength of the CISF some measures have become necessary. As stated in the statement of objects and Reasons, the Force has grown from 2000 to 49000 and now be deployed in more than 115 industrial undertakings.

We have great respect for the State Governments. This Bill is not anti-State Governments in any way, as is being painted. It is not an interference in the working of the State Governments or in any way reducing their powers. But sometime, it so happens that what is sought to be achieved is not achieved because there is no proper authority in the proper places. For example, in the Railways GRP and all other Forces are working. But what happens? They are drawn from the State services and they are not in the direct control of the Railways. The result is that there is a lack of cohesion and efficiency. We have to think of all these things. Also central undertakings are an important investment on the part of the nation. And it is the duty of the Government to see that this investment is used for the purpose for which it is being invested. It is nation's money. Therefore, an orderly operation towards production and productivity is the point that is being made out.

We can agree to some of the objections which the Members from the Opposition have made. For example, I would very much like to see that this provision of arrest without warrant is not abused or misused. There should be some machinery or some mechanism and some scope

[Prof. Narain Chand Parashar]

for seeing that this is not misused. Secondly, I can also see some weight in the argument being advanced by them about debarring them from forming associations and all that. These two limited arguments can be looked into by the Government. I would request the hon. Minister to pay attention to these because, as stated in the Statement, we have already sections 332 and 353 of IPC to deal with such situations. You are now bringing them also. One of our friends said that this clause is not needed. It is not that it is not needed, it may be there and the clause will not operate. The operation would be again under Sections 353 and 332 IPC, that is going to be there. But the point is that in the use of this machinery the persons who are to be arrested without warrant, they are protected properly and there is no misuse, that is to be ensured. Similarly, adequate protection is to be given for the welfare activities and their grievances and all these things. So, if these two points are covered, then I think there is no objection to the passing of this Bill and there should be no objection because if the Central investment is there in the name of nation, you are putting some money from the poor man's pocket right into one big industrial force, then you also have the duty to ensure that this money is used properly and the whole business undertaking that is there or industrial undertaking that is there goes on an even keel. If it does not go, whose fault is this? Therefore, it does not mean, in any way, any disrespect to the State authority. The State Governments are well within their power to have their law and order machinery and all that and this force will also operate under IPC and all other laws of the land. This is not going to be any super law or, as our friend Mr. Chitta Basu imagined, sten-guns are being provided. Nothing. There is no point. The point is that the ordinary law of the land will still work and they will be there and if adequate safeguards are provided and the machinery and the mechanism for providing these two outlets is also thought of and properly established, I think the measure would be welcome.

Secondly, I would like to point out two or three things. One of these things is that most of the people who are in the low-paid category, they are employed from different States and sometimes it so happens that a person from Himachal Pradesh is being employed in Bokaro and sometimes he is employed in some oil refinery and all that and he wants to come near his home and there are establishments, but the administration turns a deaf ear. They would still want him to stay there on one excuse or another. So, there should be a rational policy as to after how many years you would, transfer that fellow to a place nearer his home, may not be in his own home State. If there is no industrial undertaking in his own home State, you cannot immediately create an industrial undertaking simply for the sake of that fellow but there may be some nearby. Therefore, that aspect has to be looked into. This is a human element. You cannot expect a class IV person or an ordinary constable to go all the way from Assam to Himachal Pradesh or from Kashmir to let us say Tripura and then go all the way. You may say well, he is having a good job. No. He is a poor and hard-pressed man and he enters your service for the sake of earning livelihood and you should take pity on him. Therefore, some arrangement should be made in which he is brought near home in due course of time.

It has been said that we should provide for adequate reservation for the members of Ex-servicemen into this. I learn that at present there is a token provision, token reservation. I would suggest that at least 20 per cent of these posts to be filled in this category should be from the Ex-servicemen because that will serve as a two-fold purpose—No. 1 we will utilise the experience of a life time in the service of the nation on another sector which is also very vital for the nation and, secondly, those people who want to be rehabilitated, they will also get an outlet and they will be rehabilitated properly and those who retire early from the Armed Forces will get an opening there. I very much wonder as to what was the need of these high-sounding phrases as the use of the word 'militarisation' or something of this type?

There is nothing of the sort. This is a simple civil measure aimed at regulating and providing a regulatory aspect of our process, that is, industrial activity in the country and to give arms; to give better powers or more powers to the people who are manning this force does not mean that they are all going to be misused. Our concern should be that they are not misused. Mere giving of power is not bad. It is in the nature of the functioning that this is required because, as you see, violence is on the increase and there are so many problems. As the number increases, when the operations start growing up and expanding, they grow not only in size and shape but they also grow in complexity. So, the complexity of the whole operation and the industrial complexities and other activities that are going on, require this new measure. I am happy the Minister has brought it. I would just caution him about these two sentiments that have been expressed in the House regarding the misuse of the authority for arresting without warrant and, secondly, providing for an outlet for the grievances of the people who are working in these forces. With these two safeguards, this measure would serve the purpose for which it is brought forward.

SHRI SOMNATH CHATTERJEE : Sir, I am sorry, I cannot support the Bill. Now it is emerging from the speeches of the members on the other side, Shri Satyanarayana Rao and Prof. Parashar, that they have reservations, at least with regard to two features of this Bill. If you see the Statement of Objects and Reasons, there are four principal features which have been mentioned, out of which already reservation has been expressed by two very senior members of the House about the propriety or at least the way in which it has been brought, so far as these two features are concerned.

It is mentioned in the Statement of Objects and Reasons that the scope and strength of the force have been increased because they are looking after very important public sector undertakings. We take it that all public sector undertakings are important. As Shri Chitta Basu has rightly said, we yield to none in our support of the public sector; we yield to

none in our desire to see that the public sector not only succeeds but thrives. We want to see that the public sector expands. Therefore, you cannot say that you alone are concerned with the public sector; in fact, we are more concerned about the public sector.

The argument given is that since the public sector is expanding, this force has to be expanded and, therefore, it has to be turned into an armed force. But not one word has come from the Minister as to the need for it. There is not one word in the Statement of Objects and Reasons as to why you should make it an armed force. As has been correctly mentioned, the term "armed forces" has a specific connotation. It does not mean a force with arms. Previously also they were not a non-violent force. They were not fighting with words; they were fighting with instruments, with lathis, guns and what not. Therefore, it is not as if for the first time they are being given arms, but they are being put on a particular pedestal and a particular status is being given to them. They become part of the defence services of this country.

Even though they are to be utilized for safeguarding the industrial undertakings, the moment they are called 'armed forces', certain consequences follow. As has been pointed out already, they lose the protection of article 311 of the constitution, which provides the minimal protection to the Government employees; they lose that right. So, they can be dismissed on a moment's notice, or even without notice and they cannot do anything. Secondly, against the armed forces you cannot take so many actions; even for the purpose of initiating prosecutions, a particular procedure has to be followed. I would like to know why the Statement of Objects and Reasons does not say that.

I would request the Hon. Minister to kindly explain why it has been found necessary to convert it into an armed force within the meaning of this particular law. The other powers which have been conferred, like the power to arrest without warrant, could have been conferred on them even without their being called the

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armed forces. Similarly, the restriction with regard to entering into trade unions or other associations could have been imposed, because there are certain other Government employees, who have similar constraints, so far as entering into unions or associations is concerned. Therefore, all these powers which have been conferred here could have been conferred without converting it into an armed force. Therefore, I would like to know the rationale of making it into an armed force except for two purposes—to give them such overriding power as will create an atmosphere that now the people will have to deal with an armed force, a defence force, which creates a particular sentimental or mental attitude towards this force : secondly, to make them beyond approach in the sense that not easily they can be tackled; and thirdly, to bring it within the sphere of public order which, under the Constitution, is the domain of the State Government, an armed force within its territory, within its power of performance or jurisdiction, an armed force which, under the Constitution, is quite outside the sphere of the civil administration of the State.

Kindly see the State List which has been read out. List II of the Constitution. Seventh Schedule says, "Public order except with regard to the armed forces." Therefore, to make it doubly sure, nobody can contend that you are infringing on the jurisdiction, therefore they are being converted into an armed force. Let the country be taken into confidence and let the House be taken into confidence on what is the single rationale or one or more criteria for converting it into an armed force. Not a word has been said about it in the Statement of Objects and Reasons, not even in the opening observations of the hon. Minister.

The next two points are there on which we find that support is also forthcoming from the other side, namely, why do you give this power even to a person who will be called henceforth, after this Bill is passed, Head Constable? As Mr. Chitta Basu rightly pointed out, indiscriminately you are giving power to every-

body in this force to do what? Kindly remember that even under ESMA (Essential Services Maintenance Act), this power has not been given, i.e., power to arrest without warrant to any officer below the rank of Sub Inspector. *Inter-rptions*). Here what is the special criterion, special training or special qualification of members of CISF that they will be given power to arrest without warrant? Kindly take the trouble of looking at clause 9(b) I would request the hon. Minister to go through clause 9(a) (ii), which is supposed to be sub-clause 9(a) (1) (ii) on page 4, which says :

"arrest any person who has been concerned in, or against whom a reasonable suspicion exists of his having been concerned in, or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing, a cognizable offence" etc. etc.

Now, kindly see what power has been conferred. A person is arrested without any warrant. We are very sorry to say this, but nobody from both sides of the House can deny. We are not happy that there are pilferages going on in public sector undertakings, there are thefts going on. We are not happy, but you have to accept the reality. I know of a case which has been reported to me—I was not there—that a scrap dealer who had purchased certain scraps from a public sector undertaking at an auction, could not take delivery of the goods which he had purchased until he agreed to part with a substantial portion of the profits which he was to earn. Now, who is demanding this? The members of this force. There are black sheep in every field of our life. Nobody can deny. Previously there were some people who would go and complain against them to the civil police that they are not allowing me to bring the goods or that he is obstructing me. I am a purchaser of goods and so and so is obstructing me. Now civil police will have no jurisdiction over the armed forces. Now if a constable in the CISF asks for a bribe, what will hap-

pen? Who will go to whom to make a complaint? If somebody is bold enough to persist in complaining against such employees or against a Constable or a Head Constable, then the power is there—that in a reasonable suspicion, that you were concealing your presence or doing something which might have amounted to commission of a cognisable offence. Suspicion is sufficient and then whether that suspicion was correct or not, one has to go and get it tested in the court of law which is a time consuming process. In the mean time he goes to jail without even a warrant, without magistrate applying his mind, without any reasonably senior people trained in a disciplined manner being able to decide whether there is suspicion or not about the commission of cognisable offence. For whose benefit is this being given? Shall we have force in this country in the name of protecting public sector undertakings without the control really of anybody which is not subject to the common civil laws of this land, which will be treated to be of a specific or special dispensation, that they, can arrest people without warrant? What is the necessity?

MR. CHAIRMAN : Please see page 14 of the Bill.

It is there in the present Act.

“11(1) : Any supervisory officer or member of the Force may, without any order from a Magistrate and without a warrant, arrest any person who has been concerned in, or against whom a reasonable suspicion exists of his having been concerned in, or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing, a cognizable offence relating to...

(i) the property belonging to any... ..

SHRI SOMNATH CHATTERJEE : I am thankful to you for pointing this out.

Supervisory Officer or any Member of the force. No doubt, it will include anybody without any order from the Magistrate certain things have been done. But now these people are being converted into armed forces. And if that is there, why is a separate clause being inserted now?

SHRI NIHAR RANJAN LASKAR : I will clarify.

MR. CHAIRMAN : Powers are only being extended now. Powers of arresting without warrant was already there.

SHRI SOMNATH CHATTERJEE : But I think it is being much widened now.

MR. CHAIRMAN : It covers assault, and voluntarily causing hurt to the present amending bill.

SHRI SOMNATH CHATTERJEE : For it there should be a particular provision in the law. Kindly see (b), proposed amendment (d). The object is very clear in sub-section (ii). The word ‘supervisory officer’ shall be omitted. Some sort of restriction was put—that they ought to be supervisory officers. That is even being omitted. Our submission is you are giving powers to armed forces which are not necessary, you are making them armed forces for which we do not see any justification. The force is there. Is it or is it not, let it be clearly known from the Government. The intention is not only they should not be permitted to be in a position to ventilate their grievances as it happened earlier during 1979 and also along with that give them such position of importance that they can conduct themselves in a manner which will make them special class of citizens to assuage their feeling that they are very important people.

Sir, at these same time, what is being done? Not only the Constitutional protection is taken away from them and they are converted into armed forces with wider power but at the same time their own problems are not being solved. Nobody could say at that time as Shri

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Indrajit Gupta rightly pointed out and reminded everybody that those who were in the Opposition at that time were very much concerned about their conditions of service, their living conditions, their pay scale, their complaints, their difficulties and their housing problems. Great concern was shown by the present Prime Minister then in Opposition and when out of power. What is the provision now being laid down? They cannot join any trade union any labour union or any political association or class of trade union except purely organisations social, recreational and religious in nature. Who will decide what is the religious organisation? Who will decide whether it is a recreational organisation? It has been left to the Government and the decision of the Central Government shall be final. Therefore, you need not bother about it. You will say, "This is final. I have decided and you cannot join this organisation." And they cannot take part in demonstration etc. etc for any purpose as may be prescribed. I do not know what is the real intention. I do not know by this type of legislation, at one stroke, are you going to gain the confidence or the willing cooperation of the employees who are the members of the force? You give to the 50,000 employees a halo by converting them as part of the armed forces and at the same time you denude them of all the Constitutional and civil rights. It seems there is a total confusion in the Government's thinking. Therefore, my submission before this House is—that is why, we oppose this Bill—according to us, it is not necessary. So far it is not thought to be necessary. We do not know why it is necessary. It is draconian. According to me, a grotesque attempt is being made to strengthen the strong-hold of the autocratic regime of administration over these forces. This is a trick on them. You may agree or you may not agree. It is to minimise the powers of the State and to reduce the powers of the State Government to maintain public order.

I would end by putting a question to the hon. Minister. Give us instances where this force could not look after or discharge their duties any-where in this country or in any establishment in this

country and for the better performance of which you are asking this power. Not a simple example has been given.

SHRI ATAL BIHARI VAJPAYEE :
It is a very pertinent question.

SHRI SOMNATH CHATTERJEE :
Which factory or which undertaking you have not been able to look after properly because they are not today as armed forces or because they did not have the additional powers of arrest without warrant. As the hon. Chairman has pointed out, they have already powers. Or they could not perform well because the trade unions rights, given or not were being exercised by them? There should be some concrete objective and some basis before bringing a legislation which is so much controversial and which is also opposed partially and partial reservations have been expressed by the ruling side. Therefore, this is a legislation, I would request the hon. Minister to have a second thought about it, at least refer it to a Select Committee. Let there be a fuller discussion as it was referred to the Select Committee originally when it became an Act. From watch and ward, you are making a battalion of army or a company of army or whatever it is called. Therefore, this is not a move in the right direction and I oppose this Bill. I hope the hon. Minister will seriously think about it.

श्री गिरधारी लाल व्यास (भीलवाड़ा) :
सभापति महोदय, सेन्ट्रल इंडस्ट्रियल मैक्यूरीटी फोर्स के सम्बन्ध में जो बिल प्रस्तुत किया गया है, मैं उसका समर्थन करता हूँ। (व्यवधान) मैं जोरदार शब्दों में इसका समर्थन करता हूँ और सी.पी.एम. के हमारे जो भाई हैं, उनके दिमाग में यह बहम है और वे यह समझते हैं कि दुनिया भर के मजदूरों का प्रतिनिधित्व ये ही करते हैं और इनके सिवा मजदूरों की बात कोई दूसरा नहीं करता है।

श्री चित्त बसु (बारसाट) : आप तो उनके प्रतिनिधि नहीं हैं।

श्री गिरधारी लाल व्यास : हम मजदूरों के प्रतिनिधि हैं और मजदूरों की भलाई के लिए ज्यादा काम करते हैं। इसलिए इनको इस बात का वहम नहीं होना चाहिए कि मजदूरों के प्रतिनिधि ये ही हैं। मजदूरों की भलाई के लिए जितना काम कांग्रेस सरकार ने किया है। श्रीमती इन्दिरा की सरकार ने किया है उतना शायद किसी ने नहीं किया है। ये बंगाल के लोगों की बात करते हैं। वहां पर सी०पी०एम० की सरकार होते हुए भी इन्होंने वहां पर मजदूरों के लिए कोई काम नहीं किया है और श्रीमती इन्दिरा गांधी की सरकार ने बहुत काम किया है। आप ब्रेकार की पैरवी करते हैं और आपकी पैरवी में कोई दम नहीं है। आप उन लोगों को भड़काने की कोशिश करते हैं, आप इस देश में गंदर फैलाने की कोशिश करते हैं, आप मजदूरों में बगावत खड़ी करने की कोशिश करते हैं और जितने भी एडजेक्टिव्स इनके बारे में लगाए, वे कम हैं। इसलिए मैं आपसे यह निवेदन करना चाहता हूं कि ये लोग जो हैं ये फालतू की पैरवी उनकी करते हैं और बिलावजह लोगों को गुमराह करने का प्रयत्न करते रहते हैं। आप यह देखिये कि इनकी जो यूनियन सीटू है और हमारी यूनियन इनटक है, तो ये मजदूरों को आपस में लड़ाते रहते हैं और लाठी आदि चलवाते रहते हैं और इसी में ये विश्वास करते हैं। इनका काम मजदूरों को भड़काना और उनको गलत रास्ते पर ले जाकर प्रोडक्शन को कम करने का है। रात-दिन ये भगड़े करवाते रहते हैं और इस तरह की गतिविधियों को रोकने के लिए यह कानून लाया गया है।

PROF. RUP CHAND PAL : Is he speaking on the Bill ?

श्री गिरधारी लाल व्यास : माननीय

सभापति महोदय, इनके द्वारा कितनी ट्रेड यूनियन चलती हैं, उनकी हालत आप देखिये वे भगड़े करवाती रहती हैं। सी०पी०आई० के नेता श्री इन्द्रजीत गुप्त ने यहां पर कलकत्ता पोर्ट के बारे में बताया कि वहां क्या होता है। कलकत्ता के पोर्ट में कोई भी सामान सुरक्षित नहीं है। वह कौन ले जाता है। वह ले जाने वाले भी सीटू के लोग हैं और कोई दूसरा आदमी नहीं है।

SHRI SOMNATH CHATTERJEE :
Kindly give him more time.

Such comic interludes are very entertaining.

श्री गिरधारी लाल व्यास : मैं तो यह भी कहूंगा कि बिहार और बंगाल में कोयले की क्या हालत है। मैं माननीय गृह मन्त्री जी से निवेदन करना चाहता हूं कि ट्रेड यूनियन के जितने भी लोग और खास तौर पर सी०पी०एम० के जो लोग हैं, वे इसमें सारी गड़बड़ करते हैं। बिहार और बंगाल में जितनी भी कोयले की चोरी होती है, वह ट्रेड यूनियन के लोगों की मदद से होती है और उन की मदद से कोयला स्मगल होता है। इस का पता लगाने के लिए आप को निश्चित तरीके से कोई कार्यवाही करनी होगी। इन का जो सारा केडर चलता है, वह किसी और चीज पर नहीं चलता है, बल्कि वह कोयले के ऊपर ही चलता है। अगर मंत्री जी इन के केडर को बन्द करना चाहते हैं तो कोयले की चोरी को रोकिये। इस चोरी को रोकने से इन का केडर सारे का सारा समाप्त हो जाएगा इसलिए मैं आपसे कहना चाहता हूं कि कोयले की दलाली में अकेले इन का हाथ है। ये ही लोग सारी गड़बड़ कर रहे हैं और कोई नहीं करता है।

[श्री गिरधारी लाल व्यास]

मैं यह भी निवेदन चाहता हूँ कि दूसरे और कल-कारखाने हैं और आप ने पेट्रो-इन्डस्ट्री के बारे में सुना होगा कि आप के आदमी मद्रास के अन्दर पाइपलाइन में छेद कर के तेल की चोरी का धन्धा करते थे। वे कौन लोग कर रहे हैं? इस प्रकार की हालत इन्होंने पैदा कर दी है।

सभापति महोदय (श्री एफ० एच० मोहसिन) : जब आप अपने भाषण में आप कहते हैं, तो यह चैअर पर बात आ जाती है। इसलिए 'आप' मत कहिये बल्कि 'वे' कहिये।

श्री गिरधारी लाल व्यास : मैं 'आप' शब्द वापस ले लेता हूँ। मैं आपने अपने साथियों के लिए 'आप' शब्द का प्रयोग कर रहा था। अगर 'आप' शब्द का प्रयोग आप ठीक नहीं समझते हैं, तो मैं इस को विडूँ करता हूँ और इस के बाद 'वे' कहूँगा।

सभापति महोदय : चैअर को एड्रेस करना पड़ता है।

श्री गिरधारी लाल व्यास : मैं चैअर को ही एड्रेस करता हूँ, दूसरों को तो मैं समझता ही नहीं हूँ कि वे यहां पर बैठे हुए हैं।

इसलिए मैं आपसे यह निवेदन कर रहा था कि मद्रास के अन्दर पाइप लाइन के अन्दर छेद कर के जो तेल चुराया, यह किन लोगों ने चुराया, माननीय गृह मंत्री जी इस का पता लगाएं। बड़ौदा में जो पाइप लाइन के द्वारा तेल की गड़बड़ की गई है, वह किसने की है? ये ऐसे लोग हैं जो मजदूरों का नाम लेकर अपने स्वाध

के लिए काम करते हैं। ये सारे पैसे का उल्टा-सीधा स्तेमाल करते हैं। इसी प्रकार, स्टील प्लान्ट्स में जो कचरा निकलता है उसको भी लोग-बाग बाहर ले जाकर डाल देते हैं। उस कचरे में फिश प्लेट्स वगैरह चली जाती हैं। इस प्रकार लाखों रुपए का स्टील इस कचरे में चला जाता है। वह किसकी वजह से? माननीय गृह मंत्री जी इस बारे में पता लगाएं। यह भी मालूम करें कि ये लोग किस तरीके से करोड़ों रुपए का नुकसान कर रहे हैं। मैं राजस्थान के खेतड़ी प्रोजेक्ट के बारे में आपको कहना चाहता हूँ।

श्री राजेश कुमार सिंह : मैं माननीय सदस्य से यह स्पष्टीकरण चाहता हूँ कि क्या इनका मतलब किसी विशेष व्यक्ति से है, जिसके लिए ये बार-बार कह रहे हैं।

श्री गिरधारी लाल व्यास : आपसे कोई मतलब नहीं है। जिनके लिए कह रहा हूँ वे लोग अच्छी तरह से समझ रहे हैं। मैं खेतड़ी प्रोजेक्ट के बारे में आपसे जिक्र कर रहा था।

प्रो० रुप चन्द पाल : यह कहां पर है?

श्री गिरधारी लाल व्यास : **आप लोग जानते हैं, यह कहां पर है? यह हमारे राजस्थान के अन्दर है।

SHRI SOMNATH CHATTERJEE : How many people from your State are earning lot of money from our State? Have we ever objected? What is this use of the word? **

MR. CHAIRMAN : I will look into the record and it will go out.

That should go. If you intervene, he will take more time. Please sit down.

SHRI SOMNATH CHATTERJEE : I am not insulting him.

SHRI GIRDHARI LAL VYAS : I am also insulting him. I regard him. He is my brother.

MR. CHAIRMAN : Please don't make commentaries.

श्री गिरधारी लाल व्यास : खेतड़ी में कांपर प्रोजेक्ट है। इस प्रोजेक्ट के एक बहुत बड़े उच्च अधिकारी ने वहां से लाखों रुपए का सीमेंट लाकर अपना बंगला बना लिया। ऐसे लोगों को चैक करने के लिए कोई व्यवस्था होनी चाहिए।

प्रो० रूप चन्द पाल : आपका दोस्त होगा।

श्री गिरधारी लाल व्यास : दोस्त तुम्हारा होगा। ट्रक के ट्रक बिजली की मोटरें निकलवा दी। उसको पकड़ने वाला कोई नहीं है। इतनी बड़ी-बड़ी इन्डस्ट्रीज के लोग चोरी करें और हमारे भाई उसका विरोध करें, यह बात समझ में नहीं आती। बीस हजार करोड़ रुपए का इन्वेस्टमेंट होने के बाद भी अगर देश सेल्फ सफिशियन्ट नहीं होता तो यह हमारे लिए बड़ी दुर्भाग्यपूर्ण स्थिति है। पता नहीं हमारे मृत्युनारायण जी ने किन कारणों से इसका विरोध कर दिया? मैं कहना चाहता हूँ कि यह बिल बिल्कुल जायज है। एक आदमी अगर किसी इन्डस्ट्री का सामान चुराकर ले जा रहा है और ले जाते वक्त कांस्टेबल उसको गिरफ्तार नहीं करता है तो इससे इन्डस्ट्री की प्राप्ति धीरे धीरे चली जायेगी। उसी वक्त उसको गिरफ्तार करना चाहिये, इसमें कोई दो रायें नहीं हैं। यह अधिकार बिल्कुल वाजिब है। एक कांस्टेबल सरकारी ड्यूटी अंजाम दे रहा है, गुंडे और बदमाश आकर उस पर आक्रमण करते हैं, उसकी जान को खतरा

पैदा हो जाता है, उस अवस्था में ऐसे लोगों को अगर समय पर गिरफ्तार न किया जाए तो फिर बाद में इसका कोई फायदा नहीं है। पावर आफ एरेस्ट कांस्टेबल को जो दिया गया है यह बिल्कुल वाजिब है।

आर्म्ड फोर्स बनाने की जो बात कही गई है वह भी विचारणीय है। आर्म्ड फोर्स बनाते हैं तो यह एक स्वागत योग्य कदम होगा। इससे उनमें डिमिप्लिन आएगा, इंस्टालेशन की रक्षा करने का भार, दायित्व उनके कंधों पर आएगा और आर्म्ड फोर्सिस जिस तरह से देश की रक्षा करती है उसी तरह से अगर इसको भी बना दिया जाए तो इनमें भी सैम आफ डिमिप्लिन आएगा, ड्यूटी निभाने की जिम्मेदारी आएगी और यह निश्चित रूप से एक प्रशंसनीय चीज होगी। आज रेलों के बारे में कहा जाता है कि लोग बाग जो चोरी करते हैं उसमें इन्हीं आदमियों का हाथ होता है। अन्य इन्डस्ट्रीज में भी यही हालत है। इन लोगों की मिली भगत के बिना करोड़ों रुपये का सामान नहीं आ सकता है। इस संस्था को और डिमिप्लिंड बनाया जाए, इस प्रकार के लोगों से इसको भरा जाए जिनके दिल और दिमाग में जिम्मेदारी की भावना हो, सैम आफ डिमिप्लिन हो, जो देश के प्रति अपने कर्तव्य को समझते हों तो ये पब्लिक मैक्टर अंडर-टेकिंग की रक्षा कर सकेंगे और इससे देश का उत्पादन बढ़ाने में योगदान हो सकेगा, देश को आगे बढ़ाने में मदद मिल सकेगी और यह एक बहुत महत्वपूर्ण चीज होगी।

जिन भाइयों ने गलत नीति अपना कर सरकार के अच्छे कदम का केवल विरोध करने के लिए विरोध किया है, उनसे मेरा नम्र निवेदन है कि इस भावना को वे त्याग दें। देश सर्वोपरि है। देश का उत्पादन बढ़ाने

[श्री गिरधारी लाल व्यास]

के लिए, देश को आर्थिक तौर पर आगे बढ़ाने के लिए, अपनी योजनाओं को सफल बनाने के लिए हम सब का कर्तव्य है कि इसमें हम भी अपना योगदान दें। इन शब्दों के साथ मैं इस बिल का स्वागत और समर्थन करता हूँ।

PROF. RUP CHAND PAL : I have a suggestion to make. Mr. Vyas should be taken in the Force—to discipline him.

श्री हीरालाल आर० परमार (पाटन) : इस विधेयक का मैं समर्थन करता हूँ। कुछ समस्याओं की ओर मैं आपका ध्यान आकर्षित करना चाहता हूँ और कुछ सुझाव भी देना चाहता हूँ। तीन साल में जो कुछ मैंने देखा है वह मैं आपके माध्यम से मंत्री महोदय की सेवा में निवेदन कर देना चाहता हूँ। हमारे देश में 207 पब्लिक अंडरटेकिंगज हैं। मैं पब्लिक अंडरटेकिंगज कमेटी का सदस्य था। मैंने एक बात देखी है। अधिकारी और डायरेक्टर लोग भी चोरी करते हैं। इस वास्ते इसको भी ठीक ढंग से देखने और सम्भालने की जरूरत है। मैं एक उदाहरण देना चाहता हूँ। मद्रास फर्टिलाइजर लिमिटेड के अन्दर एक दिन में कम से कम साढ़े चार लाख बैग वारदाने के, खरीदे जाते हैं, खाली बैग खरीदे जाते हैं। आज तक उनके लिए कोई कोटेशन नहीं मांगे गए। गवर्नमेंट की जो जूट कम्पनियां हैं उनसे भी माल नहीं लिया जाता है। मिल जुल कर प्राइवेट कम्पनी वालों से बैग ले लिए जाते हैं और इसमें वे लोग करोड़ों की चोरी करते हैं। हमारा देश आजाद हुआ। हमने अंग्रेज को निकाल दिया, राजाओं को निकाल दिया, राज शाही को निकाल दिया लेकिन इनकी इस ठेकेदारी को हम नहीं निकाल पाए हैं, ठेकेदारों की ठेकेदारी को निकाल नहीं सके हैं। 207 यूनिट्स में आज भी यह ठेकेदारी

चलती है। मजदूरों के भी ठेकेदार होते हैं। चार छः रुपये रोजी मजदूर को दी जाती है और इस तरह से हजारों मजदूरों और लाखों लोगों का ये खून चूस रहे हैं। उनको सही रोजी नहीं दी जाती है। अधिकारी और डायरेक्टर लोग मिल जुल कर चोरी करते हैं।

एक और उदाहरण मैं देना चाहता हूँ। इंडियन एयरलाइंस और एयर इंडिया बम्बई में करीब साढ़े चार सौ स्वीपर हैं। स्वीपर्ज का ठेकेदार मि० दाख्वाला बारह साल से एक ही आदमी चला आ रहा है। कम से कम पंद्रह बीस लाख का ठेका उसको ही दिया जाता है और बम्बई में स्वीपरों को, सफाई करने वालों को 4.6 रुपया रोज दिया जाता है। मैं यह प्रार्थना करना चाहता हूँ कि जब राजा को, राजाशाही को निकाल सकते हैं, जिसके राज्य में रात नहीं होती थी, अंग्रेजों को निकाल दिया तो ठेकेदारों को निकालने में क्या दिक्कत हो रही है? मेरी राय में अधिकारी वर्ग और दूसरे लोगों को इन ठेकेदारों को खत्म करना चाहिये।

सिक्किम और बंगलोर में एच०एम०टी० कम्पनी घड़ियों के सारे पुर्जे बनाती है लेकिन केस और चैन नहीं बनाती है। वहां पर मैनेजर और दूसरे अधिकारियों की पत्नियों की एक कम्पनी है जिससे ये केस और चैन ली जाती हैं। उस कम्पनी से कोटेशन भी इसके नहीं लेते हैं। 10, 12 साल से एक ही कम्पनी से चैन और केस लिये जाते हैं, इस पर सरकार को ध्यान देना चाहिये।

गुजरात में आयल एंड नैचुरल गैस कमीशन का प्रोजेक्ट है। वहां से हर दिन कम से कम 2 टैंकर आयल की चोरी होती है। एक टैंकर में 12 हजार लिटर तेल आता है और कच्चे तेल का दाम 2 रुपये लिटर है इस

तरह से दो टैंकर के तेल का दाम 50,000 रुपये होता। यह 50 हजार रुपये रोज की वहां चोरी हो रही है। हम तेल निकालने के लिये करोड़ों रुपया खर्च कर रहे हैं लेकिन इस चोरी की तरफ कोई ध्यान नहीं दे रहे हैं।

वहां पर तेल निकालने के लिये 350 बैल (कुएं) हैं। इन कुओं पर तीन पालियों के तीन आदमी के हिसाब से भी गार्ड रखे जायें तो 1,000 आदमियों को रोजी मिलेगी जिससे यह चोरी बन्द हो सकती है। मेरा सुझाव है कि हर कुएं पर गार्ड की व्यवस्था की जाये।

अहमदाबाद में एन० टी० सी० की 12 मिलें हैं। आज इन मिलों के अफसर और मैनेजर जो कोयला खरीदते हैं उसमें बहुत सारा पत्थर खरीदते हैं। कपड़े को कलर करने के लिये 1 किलो कलर की कीमत 50 रुपये होती है, लेकिन उसका दाम 500 रुपये तक दिया जाता है। वहां पर जो अच्छा माल तैयार होता है, उस पर भी डैमेज का सील लगाकर 2 नवम्बर में बेचा जाता है। यह भी बहुत बड़ी चोरी है। मेरा निवेदन है कि रात में चोरी करने वाले कम चोरी करते हैं लेकिन यह दिन में चोरी करने वाले लोग बहुत बड़ी चोरी कर रहे हैं। इस चोरी को करने में जो अफसर और डायरेक्टर लगे हुए हैं, उनको पकड़ने के लिये सरकार को कोई ठोस कदम उठाना चाहिए।

गुजरात में ओ०एन०जी०सी० में स्वीपरो को पार्ट टाइम पर रखा जाता है और 50 रुपये महीना उनको दिया जाता है। यह समझ में नहीं आता है कि वह 3 घंटे काम करके कहां काम करने जाये और किस तरह से 50 रुपये महीना में अपना काम चलाये,

कैसे उसका गुजारा चलेगा? मेरा सुझाव है कि ऐसे स्वीपरो को रोजी देने के लिये मंत्री जी इस पर ध्यान दें।

इसी तरह से एफ० सी० आई० में एक किलो गेहूं का ट्रांसपोर्टेशन चार्ज 45 पैसे पड़ता है। करोड़ों रुपये का गेहूं खरीदने के बाद उसको 3, 4 बार ट्रांसपोर्टेशन में घुमाया जाता है और इस तरह से 1 किलो पर 45 पैसे ट्रांसपोर्ट का पड़ जाता है। बाद में कह दिया जाता है कि गेहूं खराब हो गया और समुन्द्र में फेंक दिया। मुझे इसमें शक है कि वह गेहूं खरीदा भी जाता है या नहीं? इस तरह से करोड़ों रुपये की चोरी होती है। मैं मंत्री महोदय से कहना चाहता हूं कि वह इस बारे में जरूर ध्यान दें।

मंत्री महोदय जो बिल लाये हैं, उसका मैं समर्थन करता हूं और निवेदन करता हूं कि चोरी के वजाय दिन में जो चोरी हो रही है उससे निपटने के लिये वह कुछ कदम उठाये और गंभीरता से इस मामले को देखें और जो मैंने सुझाव दिये हैं उनपर विचार कर दिन की चोरी से निपटने के लिये कानून बनायें।

श्री चतुर्भुज (भालावाड़) : सभापति महोदय, मैं समझता हूं कि सरकार अपने उपक्रमों और उद्योगों की सुरक्षा के बारे में खंडवार विचार कर रही है। आवश्यकता इस बात की है कि वह रेलवेज, सभी पब्लिक अंडरटेकिंग और इंडस्ट्रीज की सुरक्षा के बारे में संयुक्त रूप से विचार करें। अगर सरकार चाहती है कि हमारे उद्योगों का उत्पादन बढ़े और मजदूर राष्ट्र भक्ति की भावना से प्रेरित हो कर काम करें, तो उसे डाक-तार, रेलवेज और अन्य सभी उद्योगों के लिये समान व्यवस्था करनी चाहिए।

[श्री चतुर्भुज]

केवल एक बड़ी भारी सिक्युरिटी फोर्म कायम करने से ही हमारे उद्योगों में होने वाली चोरी और तोड़-फोड़ खत्म नहीं हो सकती। आज देश में ला एंड आर्डर की जो हालत है, वही हालत कारखानों में भी हो जाएगी। कानून और व्यवस्था की यह स्थिति 50 परसेंट पुलिस की वजह से है। सरकार जो फोर्म बना रही है, उसके सदस्य कारखाना में चाहे जिसको मारेंगे, पीटेंगे और परेशान करेंगे। इससे पब्लिक सेक्टर के उद्योगों में अराजकता पैदा हो जाएगी, लेबर के खिलाफ बड़ा भयंकर वातावरण बन जाएगा और लेबर उसमें घुटन महसूस करेगा। लेबर उत्पादन को बढ़ाना चाहता है, लेकिन अगर कर्मचारी-वर्ग में टकराव हो जाएगा, तो फोर्म के सदस्य कोई भी मन-माना आरोप लगा कर मजदूरों को गिरफ्तार करेंगे और उसके लिए वारंट की जरूरत नहीं होगी।

मैं मंत्री महोदय से अनुरोध करूंगा कि कि सरकार देश-हित, मजदूरों के हित और उत्पादन के हित में इस बिल को वापस ले और सभी पार्टियों के लीडरों की आम सहमति से एक ऐसा बिल लाए, जिसमें सभी सरकारी प्रतिष्ठानों और उद्योगों के लिए संयुक्त व्यवस्था हो, मजदूरों के हितों को सुरक्षा और उत्पादन-वृद्धि का ध्यान रखा जाए और फोर्स के काम करने की पद्धति निर्धारित की जाए।

श्री राम प्यारे पनिका (राबट्सगंज : सभापति महोदय, मैं गृह राज्य मंत्री द्वारा प्रस्तुत केन्द्रीय औद्योगिक सुरक्षा बिल (संशोधन) विधेयक का पुरजोर समर्थन करता हूं। मेरे संसदीय निर्वाचन-क्षेत्र में बहुत से केन्द्रीय और प्रान्तीय उपक्रम स्थापित हैं। वहां के लोगों की यह भावना है

कि जब 2,000 करोड़ से अधिक रुपया इन औद्योगिक प्रतिष्ठानों में लगा हुआ है, तो सरकार को उनकी सुरक्षा के लिए कठोर कदम उठाने चाहिए। हमारे यहां सुपर-थर्मल पावर स्टेशन है। वहां पर कोई चाहे जितना सीमेंट ले सकता है। सीमेंट का भाव 65 रुपये बोरी है, लेकिन वहां पर सीमेंट गवर्न-मेंट के लेवी वाले सीमेंट से भी सस्ता 15, 20 रुपये में मिलता है। इसका कारण यह है कि वहां पर बड़े पैमाने पर चोरी होती है।

मैं यह नहीं मानता कि सरकारी औद्योगिक प्रतिष्ठानों में जो घाटा हो रहा है, उसका कारण केवल यह चोरी ही है, लेकिन चोरी उसका एक बड़ा कारण अवश्य है। इस चोरी का दुष्परिणाम यह है कि एक तरफ बड़े बड़े अधिकारियों के नैतिक स्तर में गिरावट हो रही है और दूसरी तरफ आस-पास के फायदा उठाने वाले लोगों के चरित्र में भी गिरावट आ रही है। जब से यह बल बना है, इन 3 वर्षों में उसकी संख्या में उत्तरोत्तर वृद्धि होती गई है। वह 2,000 से शुरू हुआ था और आज 49,000 सदस्य इसमें काम कर रहे हैं। इसके बावजूद यह केन्द्रीय औद्योगिक सुरक्षा बल कारगर साबित नहीं हो रहा है क्योंकि उसको मौके पर गिरफ्तार करने का अधिकार नहीं है। विपक्ष के माननीय सदस्यों ने यह आशंका व्यक्त की है कि गिरफ्तार करने की शक्ति देने से निर्दोष व्यक्तियों को तंग किया जा सकता है। मैं मंत्री जी से अनुरोध करूंगा कि जब वे नियम बनायें तो उसमें ऐसी व्यवस्था करें कि उनको गिरफ्तार करने का अधिकार तभी रहेगा जबकि मौके पर मामान जा रहा हो। फिर चाहे मैनेजमेंट वाले ही क्यों न हों उनको भी गिरफ्तार कर लिया जाना चाहिए क्योंकि

बिना मैनेजमेंट के मिले हुए ऐसा होता सम्भव नहीं होता है। हमारे यहां एक पावर हाउस है, उसके लिए रेलवे स्टेशन से सामान जाता है। उसमें स्टोर कीपर और दूसरे अधिकारी मिले हुए हैं जिसकी वजह से सामान स्टोर पर जाने के बजाए दूसरी जगह पहुंच जाता है जबकि स्टोर में उसकी आमद और उसका कंजमेशन भी दिखा दिया जाता है। जब इस हद तक करप्शन फैला हुआ हो तो सरकार के लिए ऐसे सख्त कानून बनाना लाज्मी हो जाता है।

इसमें सिपाहियों के साथ-साथ कमाण्डेंट को भी मैजिस्ट्रेट के अधिकार दिए गए हैं। यह भी कोई अनुचित बात नहीं है। मैं समझता हूं यह बिल सामयिक है और आकांक्षाओं की पूर्ति के लिए आवश्यक है। मैं मंत्री जी को बधाई देता हूं कि उनका ध्यान इसकी ओर गया। मैं विरोध पक्ष से भी निवेदन करना चाहता हूं और श्रीमान जब आप बोल रहे थे तो आपको भी मैं सुन रहा था, आपके बहुत विचारों से मैं सहमत भी हूं, लेकिन आज ऐसा बिल लाने की आवश्यकता थी और मैं आशा करता हूं कि सारा सदन सर्वसम्पत्ति से इस बिल को पास करेगा और मंत्री जी से भी मेरा अनुरोध है कि वे आपकी भावनाओं को रूल्स बनाते समय अपना दृष्टि में रखेंगे।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं।

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI NIHAR RANJAN LASKAR):
Mr. Chairman, Sir, I was sitting all through this discussion since morning and I was hearing with attention most of the points that were raised by my friends on the other side and also from our side. Of course, many friends of the Opposition, have raised certain points on which they have doubts and apprehensions. I would clarify them. But many of them

have, just for the sake of Opposition, put forward their opposition to this Bill and have made on points, To some of the valied points which some of the Members from the Opposition have made Members from this side have aptly replied, but I will add some more points to them.

When I was initiating this debate, I had referred to the fact that the whole idea behind bringing forward this Bill has been to make the force more effective and efficient in the discharge of its duties. That is the whole idea. I think on this point several Members on this side have already explained.

While discussing the various provisions of this particular Bill, Hon. Members from the Opposition have raised four or five doubts. I will deal with your point in the last, Mr. Chairman, Sir.

Shri Rup Chand Pal, who initiated the discussion, said that this amending Bill will encroach into the State's domain and the State's autonomy will be infringed. The second point raised by most of the Members here and those opposing was about the conferment of the power to arrest without warrant.

The third point is with regard to taking away the right to form associations or unions. Then the last point is, which Mr. Chitta Basu said, that this will deteriorate the industrial relations in public sector undertakings. These are the main points to which I will reply. He also said, what was the necessity of giving the character of armed force to this force? This force, for the last 13-14 years, has been functioning. In this period, some difficulties and deficiencies have been noticed in the effective functioning of this force. That is why we have brought forward this amending Bill. What are the pressing reasons for amending the Act? This was asked, Sir (1) Some units of CISF are deployed in the North-East in States like Assam and Nagaland where conditions are highly disturbed and acts of violence and sabotage are frequently committed in this area. The CISF should have the capability of meeting the threat posed by

[Shri Nihar Ranjan Laskar]

underground insurgents and saboteurs. Secondly, the protection of oil installations, etc. has assumed greater importance. Such complexes are highly vulnerable sabotage and we require a better equipped force for their protection. That was the idea. Then also we have decided to protect, by this force, our atomic and other power stations, research centres, Uranium Mining Project etc. Such installations are again prime targets for sabotage by groups and individuals hostile to our country. So, these are not only necessary in the interest of our country but it is also necessary that these people should be fully equipped so that they will be able to protect these vital installations. Another reason which has come to our notice is that the CISF personnel deployed in the coal fields around Dhanbad have organised attacks by gangs of criminals and anti-social elements who are generally armed with fire arms, country-made bombs etc. So, it is necessary that a sense of security should prevail in this area so that the production of coal which is vital to our interest may not suffer. Therefore, more effective force is necessary to protect this area also.

I think the following advantages would accrue in giving this force the character of an armed force:

(i) This will immediately give them better discipline, better training, better equipment for dealing with problems of security of vital undertakings not only in this area but in other areas also, which I had just mentioned.

(ii) It will help us, by giving this character, to deal with violent crimes against industrial undertakings in the coal-belt areas which I have already mentioned.

(iii) There is another important matter. In the case of hostility with foreign power, we have to deal with commandos' attacks on vital installations. The most important thing will be — if we give them that character — that they will be able to deal with intruders into prohibited places, which only members of armed force can do. As you know, most of the prohibit-

ed places are those places where our public sector undertakings are situated. They have been declared as prohibited areas. Now, what are they called under the existing provisions? The CISF is police. They are not declared as armed force. So, they have no power to arrest or do anything to these intruders who just intrude into these prohibited places. Once we declare them that force under this provision, then they will have the power to arrest the intruders. So, these are the benefits which will accrue to them if we change this character.

Now, the first point that has been raised amongst some of the points raised by my friend Shri Indrajit Gupta — he is not here — is about the machinery. He said that there is no machinery. But, we are not prohibiting them from forming associations; we are only limiting them. But he says that there is no machinery at present. He says that there is no machinery whereby they can air their grievances before the authorities. It is not correct. Such a machinery has been set up. There is a staff council in which the representatives of the Force meet the Home Minister and all grievances are discussed and suitable methods are taken to remove their grievances. So, there is a machinery to look into their grievances.

Then some Members enquired—I think it was my friend Shri Gupta — and generalised it, that the CISF people have been responsible for some of the theft in those areas. He also mentioned indirectly one or two cases. One thing, I can tell them. There has been a sharp reduction in crimes in all the undertakings where the CISF has been installed or deployed. So, it is not correct to say that by deployment of these forces things have not improved. Things have definitely improved, where they have been employed. There may be one or two occasional cases here and there but to generalise and say that they are responsible for this and that they are not doing their job properly, is not correct.

Then, it was also said the CISF is already carrying arms. This is true. But the object is to give this Force the legal

character of an Armed Force so that proper discipline and efficiency can be achieved.

About associations, I have already said that associations in the disciplined forces have proved disastrous in some cases. And this is also a disciplined force. Once this is declared as a disciplined force, it has to act under certain discipline. I have already said that they have to accept responsibility. They have to take prior permission of the Government. If the government gives permission, this will be formed.

The first point I have mentioned or that has been raised is that there are serious inroads into the domain of the States and that we pass this amending Bill, there will be further inroads into the domain of the States. It is not a fact. The CISF will continue to be Force responsible for protection and security of the industrial undertakings, but it will have the character of any Armed Force of the Union in the same manner as we have in our other Armed Forces like the B.S.F., CRPF, etc.

There is another point which I think the Chairman had clarified. That is about arrest without warrant. Under the existing Act also, if you look into the CISF Act, the persons have the power of arrest, search and seizure without warrant, relating to the property of the undertakings. It is now proposed to be extended further. I will now say why we are extending it. It is to extend the power of arrest without warrant to offences against persons where such offences are committed either against a Member of the Force. It was not previously there in the existing Act, against a Member of the Force or against persons engaged in, or carrying on the work of the undertakings and involving imminent danger to life.

This is a limited extension for enabling the members of the Force to discharge their responsibilities effectively.

If some body is doing some mischief, or assault a member of the force, then

they can not act. If a CISF officer is insulted, they have no power to protect him. By this we are giving him a little more power so that they can protect themselves.

While offences in respect of which power of arrest is being sought are listed in IPC as cognizable offences, there is no provision under which members of the Force could arrest the offenders under the present Act. In the working conditions in the field, particularly while guarding highly sensitive undertakings, it is essential that members of the Force charged with the responsibility of security and protection should have the power to arrest without warrant in such cases. But after arrest the offenders will be handed over to the local police. I think my friend, Mr. Daga, has explained it ably.

It would be seen from the above that the proposed amendments are entirely within the legislative competence of Parliament and these do not infringe any State subject.

About forming of associations, I have already explained this. But in this connection, the correct Constitutional position is that under article 19(4) it is permissible to make a law imposing reasonable restrictions on the exercise of the right of association in the interest of sovereignty and integrity of India or public order or morality. In the present case, it is not proposed to abrogate the right of association but merely to impose certain restrictions. These restrictions are identical with those imposed on members of BSF. Such restrictions are essential for proper maintenance of discipline and discharge of duties by members of Armed Forces.

It has also been pointed out that this Bill will deteriorate the industrial relations of the public sector undertakings. I deny the charge that the management might use the Force against the trade unions. CISF has been functioning for the last 13 years in public sector undertakings and there has not been a single occasion where it has been found to be acting in

[Shri Nihar Ranjan Laskar]

any way detrimental to the legitimate labour activity nor have they interfered with industrial relations. The amendment merely seeks to make the existing Force into a more effective legal instrument in order to enable them to discharge their responsibility effectively. At the same time, it is necessary that unlawful activities, like assault and violence, on persons engaged in carrying on the work of the undertakings, by any group of 7 persons should be effectively checked. So, this is the main idea behind this Bill.

I do not agree with the suggestion that this Bill be referred to be Select Committee again because this had already gone to the Select Committee and it was discussed there thoroughly. Now, there is a necessity to make a law immediately.

I hope this House will agree and pass this Bill.

SHRI AMAL DATTA (Diamond Harbour): Arising out of what the Minister has just replied in reply to what you, Sir, had asked, namely what was the necessity of giving new powers to the CISF, the Minister has said two things. One is the specialised requirement of a particular industry namely, the oil industry and the specialised requirement in a particular area, namely the North-Eastern area. Now, there is already a specialised protection force such as the Railway has got, the Railway Protection Force. Why not something on that line was conceived? Since the Petroleum Minister is also here, perhaps a reply should be immediately given because by saying that petroleum, which is a very valuable industry no doubt, requires specialised treatment in the way of protection, and this particular area also requires it, therefore, in the whole of India you give power of this arbitrary nature. This is sought to be justified. This should be clarified since the Petroleum Minister is here.

SHRI NIHAR RANJAN LASKAR: I have already said that this will give a legal sanctity to the Force. For example, I have said 'prohibited area'. Most of the industrial undertakings have been

declared as prohibited area. Unless it is declared as such, they have no power to act. So, once it is declared as such, they have the power to arrest and stop intrusion.

MR. CHAIRMAN: The question is:

"That the Bill to amend the Central Industrial Security Force Act, 1968, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now we take up clause by clause consideration. The question is:

"That clauses 2 to 14 and the Schedule stand part of the Bill."

The motion was adopted.

Clause 2 to 14 and the Schedule were added to the Bill

Clause 1, the Enacting Formula and the Title Were added to the Bill

SHRI NIHAR RANJAN LASKAR: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

17.37 hrs.

STATEMENT RE: SHOW OF GAS
IN WELL DRILLED IN RAZOLE
(ANDHRA PRADESH)

MR. CHAIRMAN: Now there is a notice from the Minister for Energy to make a statement just before the House adjourns but if he is in a position to make it now, I call him.