

India. They could be paid any amount, since they have earned a lot and have switched over to other profitable business, leaving these sick babies in the laps of Government.

MR. CHAIRMAN: The hon. Minister,

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): Let me have the privilege to express my heart-felt thanks towards all those hon. Members who took part in the debate concerning this Bill and I would like to express my heart-felt thanks to those hon. Members also who could not speak because of limitation of time but had been present all through because they are the symbol, they are the real representatives and they are the embodiments of the working class....

MR. CHAIRMAN: You will continue your speech tomorrow.

HALF-AN-HOUR DISCUSSION
Former President's statement on
Railway Strike

MR. CHAIRMAN: Now, we take up the half-an-hour discussion. Shri Samar Guha.

SHRI SAMAR GUHA (Contai): It appears to me that Shri L. N. Mishra is a typical example of a person with an impervious conscience....

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): We know each other for 18 years.

SHRI SAMAR GUHA: If you prove otherwise today, I will be quite happy. Requests and appeals made to him either on compassionate grounds or on humanitarian grounds go unheeded. He is armoured with some kind of a peculiar fire-proof plaster perhaps. Any kind of fire-works does not affect him. He goes on smiling, he pursues his own course of action, his own line of action. He gave an assurance to the then President of India. Shri

Giriji, saying that all the railway men who participated in the strike will be taken back, except those involved in charges of sabotage or violent activities and that they will be taken back to their services after the strike and without any break in service. But unfortunately that assurance is not fulfilled. Mr. Giri is one of the founders of the All India Railwaymen's Federation. He is one of the founders of the trade union activities of the Railwaymen in the country. On the 10th October he expressed his agony and deep feelings for the workers. He said:

"Mr. L. N. Mishra, the Railway Minister agreed to abide by my advice but I don't know what happened later because he did nothing."

He has accused the Railway Minister of behaving in a manner.—what I would say, if not impervious,—in a way without any heart and sympathy. And such an attitude was not taken even by the secretaries of the old British days. He used these words:

"Even during the British period all employees were reinstated after a strike was over. There was never any victimisation and magnanimity dictated policy after victory."

Before going out of his office, he said:

"Whenever I get an opportunity I am going to demand that the dismissed employees be taken back and that the break in their service be condoned. I shall not let the matter rest where it is."

In another statement he has requested the Government not to make any distinction between the striker and non-striker, not to create an atmosphere of animosity between one section of workers and the others, so-called loyal and disloyal, but he made the request to bring about as early as possible normalcy in the functioning of the railways. There is no question of victor or vanquished, and that they should not take any vindictive attitude. He said:

[Shri Samar Guha]

"Workers should not be allowed to go back to work humiliated, but return with dignity; there should be no question of victimisation or break in service."

and then he said:

"There should be no question of victor or vanquished in a strike and both sides should bury the hatchet and forget that a strike had ever taken place".

He further said:

"The creation of permanent division among the workers in the industry as strikers and non-strikers is a great danger to industrial peace, and continued bitterness after a strike will effect efficiency and production."

I do not know whether the hon. Railway Minister will even agree to accept the advice given by the then President and now an elder statesman of our country. What was the reply given to by question? The hon. Minister has said: I quote:

"After the strike was called off unconditionally, Government took sympathetic view of the cases and decisions taken in the matter of taking back to duty the staff whose services had been dispensed with and in the matter of break in service as a result of their absence during the strike have been in the process of implementation since then with all possible promptitude."

It is probably more than six months now since the chapter of strike has been closed. But it appears to me that the dilatory policy, the dilatory tactics that has been adopted by the hon. Minister continues still. That chapter still remains open and it is not closed. The ill feeling is continuing, the spirit of bitterness is continuing and normalcy has not been restored back in the functioning of the Railways. What kind of promptitude? How are you going to fulfil the assurance that has been given by Mr. Mishra on the floor of this House that all of them, except those who were involved in acts of

violence and sabotage will be taken back, with all possible promptitude? This is the word used, in reply to my question. This has been the assurance on several occasions on the floor of this House. Recently, the General Secretary of the AIRF, Mr. P. R. Gupta met the Prime Minister and a fervent appeal to her to close the chapter and to bury the hatchet and to start a new and fresh chapter with a new hope for future development of the Railways. The Prime Minister agreed to that and she said that Government would abide by the assurance given to the House and to the railwaymen. The Railway Minister also said so. Just a few days before, Mr. N. G. Goray, Mr. Madhu Limaye, Mr. Dandavate and myself met the Prime Minister and a similar assurance was given to us. But what is the actual reply? Kindly look at the reply given to me by the Railway Minister in regard to my question as regards dismissal, removal, suspensions, termination of services of railwaymen etc. In his reply, the Minister has said that 7690 permanent employees have been taken back to duty so far and about 12,000 casual labour have been re-engaged. But, Government remained silent as to how many permanent railway employees and how many temporary railway employees have not been taken back yet. Again they say that 1,020 permanent employees are under suspension and about 3000 who have been dismissed have not been taken back and 9,000 casual labour have not been re-engaged. This is the reply given by the hon. Minister. But, in the memorandum which has been given to the Prime Minister by the AIRF, the figure has been put at about 22,000. These employees have not been taken back including 9,000 permanent staff. I do not know. I am subject to correction. I will be happy if this is a reduced figure.

Now, Sir, what is the reason? Government have said that with all possible promptitude, their cases will be dealt with. What stands in the way? Excepting cases where sabotage and

violence are involved, why are not the other cases being dealt with expeditiously? What is the reason? One of the reasons is that, you have delegated the powers to the Zonal Managers and to the lower level railway officials. These persons are not working properly. They are acting with certain kind of prejudice against certain set of workers. They are having a certain kind of vindictive attitude. You say you are sincere and that you want to take them back as early as possible. But, our experience is that suspensions continue, dismissals continue and victimisation continues because at the lower level, the persons to whom you have delegated powers are not working properly. I do not know whether you have given them a clear directive. If you have, what right have they to, or how dare they, violate it? They are not working as they should do.

In the meantime, we also find very strange cases. The High Courts of Calcutta, Andhra and Gujarat have given clear verdicts in a number of cases where they have declared dismissal, suspension and removal of permanent or casual workers as illegal. Even those cases have not been withdrawn. Why? Still, many cases are going on. Except for those cases which involve acts of violence and sabotage, you are not honouring the verdict of the court.

Recently, a further complication has been created by a report that has appeared in the press that on 22 November there was a meeting of the Managers and the Railway Board with the Minister. On 22nd the news appeared perhaps in the *Hindustan Times* or some other daily. It says:

"Mr. Mishra asked the zonal managers to establish a rapport with the staff. They should have a sympathetic approach to all the staff. He said that only such of the staff should be kept off duty who indulged in acts of violence or sabotage.."

Upto this it was quite all right, but then the report adds something else:

"...or intimidation and whose retention in the railways would be a serious source of indiscipline and setback to railway working".

Are you going to introduce these two conditions, intimidation and indiscipline? If you are, you have two weapons in the hands of the zonal managers and lower level officers which they can use in a blanket fashion. Anybody can be accused of having indulged in intimidation, anybody can be accused of having indulged in acts of indiscipline and thereby he will not be taken back. This is a very dangerous statement. I want a clarification whether the report that has appeared in regard to the introduction of these two conditions in regard to their being taken back to their offices is correct. If it is, you are giving blanket freedom to the zonal managers and others to utilise it against the assurances you have given.

I have been told by the General Secretary of the AIRF that neither at the central level nor at the zonal level or any other level are you having any dialogue or communication with the AIRF. How can you bring about normalcy and rapport in the circumstances? I want to know whether you have given any directive against dialogue, understanding or communication. Many letters have been addressed at various levels, to the Minister, to the Board, to the zonal managers. They are not even acknowledged. They do not wish to see the representatives of AIRF. Then how do you expect rapport to be established, if you really to bury the hatched and open a new chapter entirely forgetting the past. If you do not open a channel of dialogue and communication with the accredited leaders of the railwaymen.

Then there is a challenge posed. The AIRF has said they can help you reduce operational cost by Rs. 150 crores. You have not accepted it. There is another point. According to the Pay Commission recommendations, DA has to be paid consequent on in-

[Shri Samar Guha]

create in the price index. You are not giving this to them. Revision of pay scale is due to them, but you are not doing it. I want to know what steps you are going to take in this direction.

In conclusion I want to know (1) the number of workers who still remain dismissed, removed or suspended (2) the number of court cases other than those who were involved in acts of sabotage or violence that are before the court (3) the number of cases where the railwaymen have not been given back their quarters (4) the number of cases whether the representatives of the leaders of the AIRF have been transferred. There is a report that with a vindictive attitude you are transferring leaders of railwaymen from one place to another. How many of them have been so transferred? Are you opening a dialogue with the accredited representatives of the railwaymen? What is the time limit when you will fulfil your assurances that you will take back all railwaymen without break in service except those who are involved in acts of sabotage and violence and lastly are you going to honour and accept and implement the recommendations of the Pay Commission in regard to the revision of the pay scales as well as about giving them Dearness Allowance?

SHRI P. G. MAVALANKAR (Ahmedabad): I am happy that my friend Prof. Samar Guha has raised this question about the railway employees who have not yet been taken back by the Government according to their assurances. I will be brief in my question. Firstly how many times did the Minister meet the then President, Shri V. V. Giri, before, during and after strike. Can he kindly give a gist of the talks he had during those meetings? In reply to the question on 12th Nov. there is an annexure and there are four relevant extracts from the newspaper reports of the interview by Shri Kuldeep Nayar in the Statesman. There is a

report of Sri Giri's speech on October 10, on the occasion of the Seventy Five Birthday Anniversary of Shri Dange. Does the Minister accept the relevant extracts in that annexure as correct? If not has he contradicted those press reports. If he accepts these press reports obviously we should like to know whether the Minister has gone ahead in the direction of implementing the advice given by Shri V. V. Giri. This is what Shri Giri said, "even during the British period....." He says that after independence we should behave much more democratically and liberally because even under a foreign Government they behaved better with the people. So much more is now expected from the Government. What is the Minister's answer to that. He said that "magnanimity should dictate policy after victory". Can the Minister tell us whether they have been really dictated by considerations of magnanimity and generosity and are they still after the blood of some employees under some pretext. Are they really interested in looking at the whole problem with magnanimity? Thirdly Mr. Giri said "the workers should not be allowed to go back to work humiliated and there should be no victimisation or break in service". Does Mr. Mishra agree with this. If he agrees, can he say that he has not let any employee be humiliated or to suffer in terms of break in service? I think on 12th Nov. Shri Buta Singh gave the reply, as per the proceedings. There are three aspects. "Government took the sympathetic view," "Condonation of break in service in the process of implementation," "with all possible promptitude", these are the three aspects.

12.00 hrs.

This was on 12th November. Can he now tell us, between 12th and 27th November, whether he has been able to implement these three aspects of the answer given? How many employees were affected in terms of railway strike; how many were punished

under all kinds of punishment, dismissal, removal, break in service, charged because of sabotage and all that.

I want to ask a very pertinent question and, I hope, the Minister will give the answer and that is, whether it is a fact that a number of awkward and inconvenient employees who were otherwise found very difficult to deal with by some of their respective seniors were removed under the pretext of railway strike. I would like to have a categorical answer on that point as to whether any senior officers have taken the excuse of railway strike and remove this or that employee because of the strike.

He an also my friend, Mr. Qureshi have been saying again and again that a number of employees who were involved in acts of violence and sabotage are not going to be taken back. I would like to know how many of them were tried in a court of law for acts of violence and sabotage and whether their guilt was proved and, if it was not proved, then they must be presumed to be innocent and they must be taken back.

Finally, I would like to ask the Minister as to what is the meaning of the words "sympathetically" and "soon". If he is prepared to answer this question, also, does he think that it is the Railway Board's senior officers who are coming in the way of the Minister's assurances and promises being fulfilled both in Parliament and outside? I want to know whether the Railway Board officers are going over the head of their superiors, namely, the Minister and his colleagues.

Then, my good friend, Mr. Qureshi I read from Ahmedabad press report; he was recently there—gave some assurances publicly in a conference, very good assurances. I want to know whether the assurances given by Mr. Qureshi will be implemented by his

senior Minister, Shri L. N. Mishra, about the railway employees. It is one thing to say something in a conference of the railway employees to please and satisfy them and it is a different thing to implement them honestly and fully. I hope, the assurances given by him will be implemented.

Lastly, as Prof. Samar Guha said, I would also end by asking as to how long the Government will take in regard to taking back the employees. After all, as I have been repeatedly saying, the Railways is a national organisation. If you want the employees to be working satisfactorily with a sense of responsibility, with a sense of involvement don't keep them hanging. Please see that the matter is closed as early as possible, amicably and honourably.

” श्री कलशा निब 'मजदूर' (किस्-रिया) : सभापति महोदय, आज हमारा देश एक गम्भीर परिस्थिति में से गुजर रहा है, जिसमें सरकार की नीतियों के कारण जनता में असंतोष व्याप्त है। उस असंतोष का लाभ उठा कर प्रतिक्रियावादी शक्तियाँ एकजुट हो कर देश में जनतंत्र को खत्म करना चाहती हैं। इस संदर्भ में यह खुशी की बात है कि बकिंग क्लास एज ए होल प्रतिक्रियावाद की माजिशों और चालों में नहीं आयी है, और वह डट कर उसका मुकाबला कर रही है। इस स्थिति में क्या सरकार इस बात की प्रावश्यकता नहीं समझती है कि वह अपने कामों और नीतियों से हिन्दुस्तान की बकिंग क्लास का विश्वास प्राप्त करे, ताकि वह राइट रीएक्शनरी क्रोसिज के खिलाफ लड़ने में कामयाब हो सके ?

रेलवे मजदूरों की हड़ताल के सम्बन्ध में सरकार ने कई बलतियाँ की और मजदूरों को बर्बतपूर्ण दमन किया। क्या सरकार यह उचित नहीं समझती है कि उस दमन के बिकार हुए तमाम कर्मचारियों की समस्याओं को

[श्री कमला मिश्र 'मधुकर']

जल्द से जल्द हल करके उस समय को खत्म किया जाये?

क्या हाल ही में सरकार के लोगों के साथ झाल इंडिया ट्रेड यूनियन कांग्रेस के महासचिव, श्री बाने, की बातें हुई थी; यदि हां, तो उसके क्या परिणाम निकले हैं? अगर सरकार की ओर से कुछ प्रायश्चित्त दिये गये हैं, तो उन पर कब तक प्रभल किया जायगा?

यद्यपि सरकार ने रेल मजदूरों की समस्याओं को उदारतापूर्वक हल करने का वादा किया है, लेकिन खबरों से पता चलता है कि उस वादे पर प्रभल ठीक ढंग से नहीं हो रहा है, क्योंकि नौकरशाही जहाँ-तहाँ उदात्त अर्थशास्त्रियों के साथ बदले की भावना से व्यवहार कर रही है। इससे सरकार की नीतियों का भी उल्लंघन हो रहा है। अगर ऐसी बातें मंत्री महोदय के सामने आती हैं, तो वह उन अधिकारियों के खिलाफ क्या कार्यवाही करने जा रहे हैं?

क्या सरकार ने कोई सीमा-रेखा तय की है कि प्रभुक्त समय तक, 31 दिसम्बर, 1974 तक, इन सब समस्याओं को हल कर दिया जायगा, और 1 जनवरी, 1975 तक एक नया अध्याय शुरू किया जायगा, ताकि बर्किस क्लास और सरकार के बीच में जो एबनार्मल स्थिति पैदा हो गई है, उसको खत्म करके एक नार्मल स्थिति लाई जाये?

SARDAR SWARAN SINGH SOKHI (Jamshedpur): Mr. Chairman, Sir, so far as I could see, the half-an-hour discussion raised hinges upon the statement of the former President of India, Shri V. V. Giri. In fact, I have more suggestions than questions. I am really surprised to read the annexures to the question. When the Railway Minister agreed to abide by the advice of the President of India, I am sorry to see the annexure to the question, Shri V.V. Giri's statement dated the 10th October,

1974, why no immediate action was taken. After all, he was the President of India and he cannot lie.

As you know, Shri V.V. Giri was a labour leader. He started his career in the Railway, as a labour leader in Chakardharpur which falls in my district, Singhbhum. He was greatly honoured in his earlier days, his leadership was honoured because of his honesty. He knows the difficulties of the labour, of the railwaymen and of the poor people.

I think, even now it is not very late to accept Shri V.V. Giri's advice and reinstate the dismissed employees and condone the break in service.

Shri Giri has also expressed his concern over the approach of the Government which was not just or proper, as has been stated by him on 11-10-1974 in Bombay.

The workmen should not go back to work humiliated. There should be no victimisation or break in service. Then only they will be able to work with zeal and honesty.

Shri V. V. Giri may not be the President of India today, but he is a great patriot and Government should not fail to understand his feelings and the language he has used about the labour class.

There is no doubt that the railway strike was called off unconditionally, but it has been said in the reply to this question that condonation of break in service is in the process of implementation. But how long would this process take, I want to know from the hon. Minister. Is there any time limit? Should the railwaymen, with their families, be left to starve indefinitely?

I praise Shri L. N. Mishra, the hon. Minister for Railways, for his sincerity in tackling such a serious matter, and I would request him to do something for these railwaymen at the earliest.

"THE MINISTER OF RAILWAYS (SHRI L. N. MISHERA): Mr. Chairman, Sir, I am thankful to the hon. members for having raised this subject which has been exercising the minds of many people.

First I would like to take up the question of assurance to our former President, Shri V. V. Giri. He is one of the leaders whom I have held in the highest esteem and regard. But, unfortunately, after the strike and a few weeks before his retirement, the question of railwaymen came. Here I would like to repeat what I told him and what I told this House. I will not go beyond that. I told the House on 20th August, 1974:

"After the question of striking railwaymen was raised in the House on the 19th instant I contacted Shri Abdul Hamid, Press Secretary to the President, and got from him a text of the President's answer to the question submitted by the PTI correspondent. I quote the extract of the portion pertaining to the President's talk with me on this subject:—

I met the Railway Minister on the 17th and we both had a fruitful discussion regarding the reinstatement of all the employees not charged with sabotage or violence. He assured me that this will be resolved soon to the satisfaction of everyone. I want all Parties to unite in this effort. I am sure, justice will not be delayed."

I may add that I did assure the President that cases of individual railway employees would be looked into sympathetically."

I am keeping up my assurance all this time. This can be seen from the fact that based on individual appeals, 12,000 employees have been taken back. As stated earlier, nearly 85 to 90 per cent of the people who were thrown out of their jobs and who appealing have been taken back. I,

therefore, request the hon. Members not to misrepresent my statement. Mr. Giri is a national labour leader and he was one of the great Presidents of India.

"Regarding the strike situation I would like to assure Prof. Samar Guha that we have tried to handle it as softy and as sympathetically as possible. That is why about 80-90 per cent of the people who were affected and who appealed have come back to duty. 10 to 15 per cent are left out of these who appealed because of various reasons. Some have not appealed. In respect of some others, there were charges against them. I can give those figures also.

Prof. Guha wanted to know whether this charge of intimidation is a new thing. Intimidation was not a new theory. In my original statement itself. I have been saying it since April that before and during the strike several indulged in acts of intimidation and violence and those who have indulged in acts of intimidation and creating an atmosphere of terror will be severely dealt with. This is apart from other cognisable offences. Therefore, intimidation is not a new thing. But we have been taking a sympathetic view of the appeals filed by the workers. But a general amnesty is not possible. This cannot be done and this will not be done. But, at the same time, justice to individuals will never be denied.....

SHRI SAMAR GUHA: To-day, it is a question of rapport not only between the Railway Board and the railway workers but a rapport between yourself and ourselves. We want to see that this sad chapter is closed. You have said about those workmen who were involved in violence and sabotage. But what about others who were not involved in violence or sabotage? Will they not get the consideration that you give to others?

SHRI L. N. MISHERA: Exhaustive instructions have been sent recently. I have also had a meeting of the

[Shri L. N. Mishra]

General Managers after the strike of May. To-day is 27th and exactly six months ago the strike came to an end. We want to end this atmosphere. We want the co-operation from the workmen. So far as individual workers are concerned, I must say that they are behaving as responsible workers and they want to co-operate also and they want to join duty after fulfilling the conditions. But there are some organizations which mislead them and do not give them a correct lead. My grievance and grouse is against the leadership of the workers, against a section of the leadership.

Sir, I do not want to prolong the discussion. I just want to give certain figures. The total number of employees arrested were 19,883. These were the employees arrested. Now, out of them the number of persons released is 19,879.

That is to say, out of 19,000 and odd arrested, all have gone back to duty except four of them who are still under custody, that is, two under MISA on Eastern Railway and two convicted on N.F. Railway.

Then I come to released staff taken back on duty. This figure comes to 17,918. The number of cases in respect of which court or police proceedings are pending are 5,700. The cases which the Railways want to drop as not involving serious charges are about 3,350. Regarding 1,108 cases of convictions, 70 have been set aside by higher courts.

Regarding railway employees removed or dismissed or whose services were terminated, this figure comes to 16,749 including about 700 patrolmen whose services were no longer required. This is the position here. The figure of those who have not appealed comes to 2,500. The rest have appealed and every appeal will be heard. I give the assurance that we will give you an empathetic attitude and we do not want to victimise our workers. They are men of my family. How can I take any other attitude? But at times one has to be hard towards children also.

They have done great disservice to the country when the strike was on, causing great harm to the national economy.

So far as casual labour and substitutes discharged are concerned, this figure comes to approximately 21,000. Out of this, casual labour re-engaged comes to 12,000. Out of break in service of 5.91 lakhs, the break in service were condoned in respect of about 3.78 lakhs. The figure of suspensions total about 10,500 and the figure of persons taken back to duty comes to about 9,700. That means, those who are still under suspension are about 800 or so. So, this is the position here.

And, so far as the creation of an atmosphere is concerned, it is a thing which has to come from both the sides. The workers' organisations should take a helpful attitude and a realistic attitude. Just now my hon. friend asked me whether Mr. Dange saw me. Mr. Dange was to see me yesterday, but he could not come,—perhaps he was indisposed,—but a delegation came on behalf of the AIRF and I saw them. Three or four people were there. I had long discussion with them. They have given a list where they found that their workers were innocent but they were harassed and so on. I have asked the Member (staff) to look into it and if anybody is harassed we will see whether he can be taken back to duty and adequately compensated.

The hon. Member Mr. Mavalankar raised this question: How many times did I meet Rashtrapathi? I do not remember correctly, because Mr. Giri ji, was one of those Presidents whom I have been meeting very often. Our associations and our relations are very old.

I read his speech in Bombay on the occasion of Mr. Dange's birth anniversary. I would only say that his advice will get our utmost consideration and we are almost trying to follow his advice in most of the matters. He wants that there should not be two classes. We also want that there

should not be two classes, the strikers and non-strikers. The sooner we forget about it, the better it is for the organisation. We have to create a better atmosphere in the organisation. For increased productivity and for peaceful working in the Railways, it is necessary that there should not be two classes of workers those who did not go on strike having a feeling that they are superior to those who went on strike and those workers who went on strike trying to look down upon those who did not go on strike. Both of them should forget about it and work jointly with one mind, feeling that this is one organisation and that Railway belong to them, Railways is their property, the national property and the property of the working class.

Mr. Mavalankar wanted that workers should not be humiliated. They will never be humiliated. We will see to it that this attitude is not adopted. Then, it has been said that Railway Board has been coming in the way of the Minister. I do not think they are coming in the way. There is a feeling against the Railway Board. I have supported the Railway Board and I have said that they are a hard working lot. I have no complaint against them. I would make a request to the hon. Members. I would say that the Railway Board has been extremely cooperative in this matter. In the General Managers' meetings, their attitude has been very good. They speak in the same language as hon. Members speak. The only difference is that, whereas you may speak openly, they speak in closed doors.

Then, hon. Members asked for a deadline. In reply to a question by Mr. Banerjee, I have said that from the date workers file the appeal, they will be disposed of within six weeks. This continues. In regard to those who have filed appeals, and whose appeals have not been disposed of, I will see to it that invariably they are disposed of within six weeks time. I will see to it that more than six weeks

time is not taken. For that what do we need? We need the full cooperation of the working class organisations. Some of the organisations are helpful. But, there is a strong section among the working class, who are thinking in political terms. They are not functioning as trade unions. I will read out what I have got with me. This has hurt me. When I saw this, I felt very much. This is a circular sent by Mr. George Fernandes to different unions. I will read that out.

This is an extract from George Fernandes's letter No. AIRF/24 dated 20-9-74 to the unions relating to the agitation in Bihar. I quote:

"There cannot be any railwayman, as there cannot be any citizen of our country, who will be in disagreement with the broad objectives of the movement that is currently going on in Bihar. In fact, people all over the country including working people are engaged in similar movements in a big or a small way. Both the Central and the State Governments are adopting an attitude which is not only hostile to the people but is even violent. The Governments consider that the only way of dealing with people's demands and urges is by shooting them down or by otherwise ruthlessly suppressing their movement. In the recent railway strike we have gone through such an experience.

While there can be no two opinions on whether the railwaymen should actively participate in a movement like the one which is going on in Bihar today, there can be no question of our having any doubt about sympathising with its aims and objectives. Similarly, there can be no question of the railwaymen doing anything which will cause physical or any other kind of harm to the people of Bihar who are today fighting with such great courage and fortitude."

[Shri L. N. Mishra]

If this movement is politicalised, if the AIRF is to follow this path, I do not know whether those colleagues of ours, especially in charge of the South Eastern Railway agree with this kind of circular. I got this circular from one of the units of the AIRF. If you like, I can lay it on the Table tomorrow.

SHRI C. M. STEPHEN (Muvathupuzha): Please do.

SHRI L. N. MISHRA: It is not with me now, but I can lay it tomorrow. If George Fernandes wants to utilise this strike for political purposes and the railwaymen in Bihar want to paralyse the transport system in Bihar, it will be a real difficulty for Government. You ask for symathetic treatment....

SHRI P. G. MAVALANKAR: On a point of order. The Minister read out a certain portion of a circular supposed to have been written by Shri George Fernandes....

SHRI L. N. MISHRA: His organisation.

SHRI P. G. MAVALANKAR: Except what he has said, I do not know about it. It is supposed to have been written by George Fernandes to the railway employees. I could understand the Minister quoting a paragraph or two of the circular to the railway employees. But after quoting, he goes on criticising.

SHRI L. N. MISHRA: Of course. I have to give my reaction. How can I accept that position?

SHRI P. G. MAVALANKAR: Will you or they give the ruling?

To the extent he quoted from the circular, I kept quiet because he wanted to do it in support of his argument that the railways are being politicalised. But my point of order is that he is quoting and then criticising in so many details someone who is not able to defend himself here.

Will it be right for the Minister to quote extensively from some passage of somebody and then go on criticising him knowing full well that such person who has been criticised has no way of defending himself?

SHRI C. M. STEPHEN: He is dealing with the Unions. They cannot be physically present here.

श्री रामावतार शास्त्री (पटना) : समापति महोदय, मेरा प्वाइन्ट ऑफ़ ऑर्डर है।

श्री सवरगुह : मेरा प्वाइन्ट ऑफ़ ऑर्डर तो नहीं है, लेकिन आप ने मुझे कहा था कि आप बाब में मौका देंगे, इस लिये गुप रहा। मैं आप से यह आग्रह करता हूँ कि आप बाब में मुझे थोड़ा टाइम दें, एक-दम हाउस को एडजार्न न कर दें, मुझे एक-दो सवाल उनसे पूछना हैं, इस लिये इस वकत मैं उनको डिस्टर्ब नहीं करना चाहता हूँ।

श्री रामावतार शास्त्री : मेरा प्वाइन्ट ऑफ़ ऑर्डर यह है कि भारत इण्डिया रेलवे मेंट्र फेडरेशन के चेयरमैन श्री जार्ज फर्नान्डीस ने जो स्टेटमेंट निकाला है या सफ़ुलर ज़ेबा है, उसका खण्डन उन्हीं की एक यूनिट साउथ ईस्टर्न रेलवे मेंट्र यूनियन ने किया है कि यह सफ़ुलर गलत है और उन्हें इस तरह के सफ़ुलर ईशू करने का कोई प्राधिकार नहीं है।

SHRI L. N. MISHRA: I know that.

SHRI P. M. MEHTA (Bhavnagar): On a point of order. The time of the House has not been extended and the business thus transacted is not a legal or constitutional one. If the House wants to sit for a longer time, its pleasure should be taken first.

समापति महोदय : अब से पहले मैं अपने मोरालिज केन्द्र की प्रस्तावनाई वेहता के बारे में सब संख्या—ने इतने दिनों से नोक सबा में है और अन्धी तरह से जानने है

कि वह केवल शक्ति या स्वीकार या डिप्टी स्वीकार को भी बेचर पर हो, जब वह हाउस को एजजार्न करता है, तभी हाउस एजजार्न होता है। ध्यान दीजिए पर अगर जरूरत होती है और ज्यादा कम लग जाता है और किसी को धमकी देना होता है तब हाउस की इजाजत से ही जरूरत पड़ती है। ऐसी हालत में मुझे ताज्जुब है कि आप जैसे जिम्मेदार मेम्बर ने हाउस की कार्यवाही को किस तरह से इस्लीमल डिक्लेयर कर दिया, जब कि आप भी बुद्ध उस में पार्टिसिपेट कर रहे हैं। आप तो बहुत संजीवा प्रादमी हैं, मैं ने एक कॉलिस दे दी।

जहाँ तक माननीय मावलंकर जी के पीछे आकर आर्डर वा ताल्लुक है मेरा खयाल है कि वह पीछे आकर आर्डर नहीं है। उन्होंने एक तबज्जह दिखाई है कि जो सर्कुलर कोट किया है रेल मंत्री ने और जो उन्होंने अपने बयान वा इजहार किया है उसके बारे में एक तबज्जह दिखाई है। मैं समझता हूँ अगर कोई भी मिनिस्टर या मेम्बर किसी भी अखबार या सर्कुलर को कोट करता है तो उस कोट करने वाले पर उसकी रेस्पॉसिबिलिटी होती है। माननीय मिश्र जी इसके लिये रेस्पॉसिबिल हैं। आप जब भी क्वेश्चन करेंगे वह इसके लिये रेस्पॉसिबिल हैं कि यह सर्कुलर जार्ज फरलान्डीज का भेजा हुआ है।

श्री पी० बी० मावलंकर : कोट करने के बाद उसके सिलसिले में अपनी सफाई देनी शुरू की। मैं ने कहा था कोट कर सकते हैं। लेकिन कोट करने के बाद क्या सफाई देने का उनको अधिकार है? जो व्यक्ति यहाँ पर मौजूद नहीं है उसके बारे में सफाई देने का अधिकार क्या उनको है?

सभापति महोदय : मेरा खयाल है कि यहाँ रोब तुज मोहन राम जिसका होते हैं और वह बेचारे यहाँ मौजूद नहीं होते हैं।

श्री कजल मिश्र 'मधुकर' : सभापति जी, मंत्री जी ने अपने जवाब में कहा है कि . . . (ब्यवसाय)

सभापति महोदय : मिश्र जी, इनके स्टेटमेंट के बाद।

SHRI L. N. MISHRA: This I quoted from the circular issued by the AIRF,—the Chairman or the President of which is Mr. George Fernandes. A copy was given to me by a very responsible worker of the AIRF. I do not want to divulge his name. I shall lay it on the table of the House if you like. Shri Guha and other colleagues said we should take a reasonable and sympathetic attitude. There can be no two opinion about it. I am with you. Instead of a blanket amnesty in general I am prepared to go into individual cases. If these appeals could not be disposed of with the present staff of officers I am prepared to increase the number of officers to deal with these appeals so that they are disposed of within six weeks from the date of the receipt of the appeal. I appeal to the railwaymen that they should take up this new challenge vigorously and they should go back to their duty and do as they have done it before. I must say that in the last six months the performance of the Indian Railways has been really good and perhaps never before was it so good as during the last six months.

SHRI SAMAR GUHA: In regard to the appeals by individual railwaymen will he kindly make one of his colleagues, either Mr. Buta Singh or Mr. Qureshi deal with this matter and give him that specific charge? Many workers may not know that individual appeals have to be made and so will the hon. Minister issue a fresh circular. Are you going to increase the number of officers who will deal with these appeals? I did not want to bring any ginger in my speech. Towards the last part of your speech

[Shri Samar Guha]

you said something and I want to challenge. What is the verity of this circular: How can anybody say that such a circular has been issued? Apart from that in this circular there is nothing which says that the railways have to be sabotaged and there should be violence and there is nothing whatsoever in regard to the operations in Bihar.

Only one point more. Is it not a fact that the Railway authorities have pursued double standards and partisan attitude in regard to allowing special trains to Patna and ticketless travel to Patna for the Congress and CPI demonstrations as against demonstrations organised by the supporters of J. P. where the trains had been diverted and no persons allowed even with valid tickets.... (Interruptions).

MR. CHAIRMAN: This is not a relevant point.

SHRI SAMAR GUHA: No ticketless travel should be allowed in the case of anybody, whether he is a Congress worker or a CPI worker or a J. P. follower and there should be no diversion of trains in the case of one or the other.

श्री रामावतार सास्त्री : क्या यह बात सत्य है कि 10 नवम्बर को जब इमान्सट्रेट्स पटना आ रहे थे तो श्री जयप्रकाश नारायण

के समर्थक बलों के लोगों ने ट्रेन पर हमला किया, उनको मारा, पीटा?
(जयप्रकाश) . . .

SHRI P. G. MAVALANKAR do you permit him? The Manager said that four persons have been convicted under MISA. How can they be convicted under MISA?

MR. CHAIRMAN: Arrested.

SHRI P. G. MAVALANKAR: He said, convicted. I want to know whether the acts of violence and sabotage were proved in a court of law.... (Interruptions).

श्री एल० एम० मिश्र : मुझे ज्यादा कुछ नहीं कहना है। मैं यही कहना चाहता हूँ कि जैसा कि माननीय समर गुहा जी ने बताया अफसरों को बड़ाने से कैसे जल्दी डिस्चार्ज थाफ हो जायेंगे, यह मेरा प्रयास रहेगा कि करें। और जो हमारे हड़ताली भाई बाहर रहे है उनको काम पर लाने की मैं पूरी कोशिश करूँगा।

MR. CHAIRMAN: The House stands adjourned to meet again tomorrow at 11 A.M.

12.40 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 28, 1974/Agrahayana 7 1896 (Saka).