

be discussed and we should get a reply as these incidents are going on for the last so many years. (*Interruptions*)

SHRI RAMESH CHENNITHALA: These are happening in West Bengal also. Why don't you discuss about West Bengal then? (*Interruptions*)

PROF. SAVITHRI LAKSHMANAN (Mukundapuram): Sir, I thank you very much for allowing me to raise an important matter regarding the ED employees connected with the Postal Department all over the country. The ED employees, even after completing 20 or more years of meritorious service, are not getting job security and other facilities. So, I urge upon the Government to regularise their service.

Simultaneously, the promised second promotion, after completing 26 years of service in the Postal Department, is also not implemented except in the Engineering Section of the Department. This matter also may be looked into. If the Dearness Allowance exceeds 50 per cent of the basic pay, then that excess may be added to the basic pay of that employee so that he or she may get the opportunity to have a slight increase in the pension after he or she retires.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Sir, I want to bring to your notice a very tragic incident which has taken place in Chilakaluripeta in Guntur District of Andhra Pradesh. Two farmers were killed when they were in the queue to get the fertilizers. In fact, I went to the village of one the persons who died. A small farmer having a small hut, Mr. Ankamma Choudhury was killed in Kavuru village of Guntur District was killed. Several farmers are critically ill in the hospital and many more have received bullet injuries. The police are shooting the farmers like birds. The hon. Finance Minister, while replying to the Budget discussions, should give a categorical

assurance that the Government would continue the subsidies on fertilizers. This is a peak period when farmers require fertilizers. Otherwise, this is going to bring about a lot of turmoil throughout the country and many more farmers have to lay their lives. I appeal to the Government to make a concrete and categorical assurance that they will continue to give the subsidy and come to the rescue of the farmers.

12.36 hrs.

RE. REINSTATEMENT OF RAILWAY EMPLOYEES

[*English*]

SHRI SOMNATH CHATTERJEE (Bolpur): Apart from supporting Shri Rao, I wish to raise the question of the Railway Minister's assurance of sympathetic consideration of the cases of the dismissed railway employees whose reinstatement was earlier announced by the previous Government. We wanted the Railway Minister to implement that decision. In the course of his reply to the Railway Budget, he has stated that he would consider it sympathetically. We wanted an answer then and there, but he said that he had to go to the Cabinet first and all those formalities had to be gone through. So far as this Government is concerned, I hope there is a functioning Cabinet. Anyway, we said that we would wait till the first of August. Today is the Fifth of August. I would like to know what the hon. Minister has to say on this. Will that decision be implemented? When will it be implemented? We want a categorical reply today and he must announce it. We agreed to wait because of your kind intervention on that day when you said that some time might be given to them to go through the modalities. Now, about 10 to 12 days have elapsed and I would request the hon. Minister to announce it today. He must tell us the date on which they would be reinstated.

SHRI NIRMAL KANTI CHATTERJEE: On that day, we sought your permission to sit in the well. You said that he would be responding. His response is as narrated by Shri Somnath Chatterjee. If he does not respond, we may have to go into the well! (*Interruptions*)

SHRI RAM VILAS PASWAN: What has been doing all these days? (*Interruptions*)

SHRI SOMNATH CHATTERJEE: We must have a reply in the House.

THE MINISTER OF RAILWAYS (SHRI C. K. JAFFER SHARIEF): Mr. Speaker Sir, I am glad that you are here in the House. On that day, you were kind enough to intervene in the matter. It is true that I have said that I would have a sympathetic consideration of the issue. Let me tell you one thing. Just see the amount of pressure that they are trying to bring upon me! (*Interruptions*) When I have heard you patiently, you must also here me... (*Interruptions*) Sir, the earlier Government has taken the decision. My esteemed friend and distinguished predecessor, Shri George Fernandes is very much here. I have gone through the records. What has he done? I have not found any pressure brought upon him by you people at that time. He had categorically stated that he was not going to take those who had indulged in criminal activities. With regard to the rest of the employees, he had said that he was going to take care of them. This was his assurance.

SHRI GEORGE FERNANDES: Sir, as regards his reply, to use the word 'misleading' is an understatement. It is a misnomer to say 'misleading'. The Minister is obviously not aware of what is being discussed in the House. On 8th September 1990, an order was passed by me. It was written in my hand and it had ordered the reinstatement of every employee who had been removed under Section 14(2). It is not just reinstating those

persons. A large number of employees had died in the meanwhile, many had retired and some were due to retire in a year or two. Therefore, in that Order, I said that in respect of all those persons—those who had died, those who had retired and those who were due to retire—they might be given certain options. Those who were about to retire might have the option of either resuming the service or having one of their wards employed. In case of those who have died or retired, we must provide employment to at least one of their wards. In respect of remaining employees, they should have the option of either retiring or having one of their wards employed. This is one thing.

Secondly, I had also ordered that all the employees must be reinstated with retrospective effect from the date of termination of their services. Whatever promotions they were entitled to if their services had not been terminated, those promotions should be made available to them.

I fail to understand how the Minister can now stand up in the House and make a Statement which is totally unrelated to facts as they are. Obviously, the Railway bureaucracy which is, quite clear, capable of misleading Ministers and people who have to stand up and answer questions here, have misled him. I would urge the Minister to go back to his bureaucracy; find out the order which is written in my hand, and also a subsequent order in which every point has again been elaborated because the Railway Bureaucracy in the first instance did not implement the order which I passed, and then come here to make a statement in the House.

SHRI NIRMAL KANTI CHATTERJEE: Or he can modify his statement here and now.

SHRI GEORGE FERNANDES: All that he has to do is to sign exactly where I had signed, just next to my signature.

SHRI C. K. JAFFER SHARIEF: Sir, unfortunately he didn't teach me all the other techniques. He can derail and again put it on the track but I cannot do that. I am incapable of doing that. (*Interruptions*) Sir, he has been good enough to interrupt but I was only telling the House what I got through the records. As regards the order which he had written in his own hand-writing, I assure him and other Members of the House that I will certainly go into that. (*Interruptions*)

SHRI GEORGE FERNANDES: Sir, if I was not present in the House at this moment, the Minister would have gone on misrepresenting the facts. (*Interruptions*) It is not a laughing matter. A Member can be absent from the House. How can the Minister make such a Statement.

SHRI C. K. JAFFER SHARIEF: Knowing that you are present in the House, I made the Statement.

SHRI GEORGE FERNANDES: Sir, You have to protect my rights. If I were absent at this moment, this would have gone on record. Is it permissible for a Minister to make a statement without knowing the facts?

MR. SPEAKER: I don't know what is written in the file and what is not written.

SHRI SOMNATH CHATTERJEE: (Bo'pur): Sir, probably the Minister could not read his hand writing.

SHRI C. K. JAFFER SHARIEF: Sir, my friend, Shri George Fernandes knows a lot. He pounces so much as if the other man gets frightened. After all we belong to same stock. Please don't try to do this, at least with me.

Coming back to the subject, as I assured, I have directed the Ministry to prepare the Memorandum and take it to the Cabinet. It is in the process and it will go to the Cabinet. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: Kindly remember, Sir, because of your intervention on that day we did not pursue that matter again. I said that at least the Minister should commit here that he will go to the Cabinet with a favourable recommendation. And, Sir, you said that when the Minister said that he will consider it sympathetically, I can take it so.

MR. SPEAKER: I said, legally it is an assurance.

SHRI SOMNATH CHATTERJEE: It is still better for us. Then, I would like to know what is the meaning of this assurance. It is very easy to say that we are preparing papers. I would like to know what papers are to be prepared; and how long will he take to prepare them, so that we can insist on him on the confirmed date given by him. (*Interruptions*) The House cannot be taken for a ride. We cannot be taken for a ride like this. We thought it was a matter of a little time for the purpose of going to the Cabinet. (*Interruptions*) He must make it clear, otherwise I shall make the charge that we were misled and you, Sir, were also misled. You should protect us and protect the dignity of the House. Sir, it is not a laughing matter. He cannot laugh it away like this. It is not a matter to be taken lightly or casually. Hundreds of people are involved and their fate is involved and their families are starving. They were dismissed without even a pretence of an Inquiry. No charge sheet. Nothing.

Sir, draconian laws have been taken recourse to. He must give a reply.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, I request you to ask the hon'ble Minister of Railways to give an assurance.

(*Interruptions*)

MR. SPEAKER: Mr. Khurana, what were you saying?

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, this matter is often raised in the House. During the term of previous Lok Sabha also it was raised and at that time the Minister of Railways was...*(Interruptions)*... You kindly direct him*(Interruptions)*

MR. SPEAKER: I cannot issue direction in each and every matter. If I do so, it would mean that I am running the Government.

(Interruptions)

SHRI MADAN LAL KHURANA: Because it was said so on that day in the House. Therefore, we need protection from you. *(Interruptions)*

[English]

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): We want an assurance from him. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY (Katwa): We want a categorical assurance in this House, now. In the past, many times, we have raised this and don't we feel for the people who have been dismissed? What is happening to their families and to their children? Don't you have any human concern for the people? Why this much time is being taken? Without any Inquiry, they were dismissed. Are we living in a civilised country or not? What is that? They are not in big number—may be 400 or so. As a House, we can direct the Government. *(Interruptions)*

[Translation]

SHRI HARI KEWAL PRASAD (Salempur): Mr. Speaker, Sir, hon'ble Minister is not speaking the truth. He has misled Mr. George. I say, he had made a commitment. Now, please do not mislead the House. Please say in clear words that order was issued by the previous Government. Please look into that file. Please give a cate-

gorical assurance that dismissed railway employees will be reinstated on humanitarian grounds. Government had also given assurance about the employees who died on duty. Please do not mislead the House. Please say in clear words...*(Interruptions)*

[English]

SHRI LOKANATH CHOUDHURY (Jagatsinghpur): I want to raise a point of propriety. One Minister says that they have not put pressure on the previous Minister and the previous Minister gives a categorical statement as to what he has written. This House should have some dignity. So, I feel that apart from the injustice done to the workers the hon. Railway Minister has brought down the dignity of the House. I want your ruling on this. May I know by stating this whether he had brought down the dignity of the House or not?

MR. SPEAKER: Please do not ask for a ruling.

(Interruptions)

SHRI C. K. JAFFER SHARIEF: It looks to me as if the human sympathy is the monopoly of one section of the House. *(Interruptions)* Please bear with me. This is very unfair if you go on talking and do not allow others to talk. *(Interruptions)*

SHRI LOKANATH CHOUDHURY: The point of propriety is that the House should have some dignity.

(Interruptions)

SHRI C. K. JAFFER SHARIEF: Sir, the question is what I had committed during my reply to the debate. It will go to the Cabinet. I said that it is under process. I have directed the Ministry to prepare the Memorandum for taking it to the Cabinet.

[Translation]

SHRI MADAN LAL KHURANA: By when, it will be done? *(Interruptions)*

SHRI C. K. JAFFER SHARIEF:
Please listen to me. (*Interruptions*)

[*English*]

This is not the way. (*Interruptions*)

SHRI LOKANATH CHOUDHURY: Mr. Speaker, Sir, I want your ruling on this. (*Interruptions*)

MR. SPEAKER: Shri Choudhury, you should allow him to complete.

SHRI C. K. JAFFER SHARIEF: Sir, I need protection from you, now.

MR. SPEAKER: I am giving you the protection. Let him complete. Let him finish what he has to say.

SHRI LOKANATH CHOUDHURY: You should protect us.

MR. SPEAKER: Let him say what he wants to say.

SHRI C. K. JAFFER SHARIEF: My hon. friend Shri Somnath Chatterjee told me that it should be on the 1st of August.

But let me inform you, only on the 2nd of August Shri Basudeb Acharia, came along with the Loco Running Staff Association and gave me a Memorandum. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: What memorandum? Let the record be set right. I have been informed that he fixed the appointment the next day, on Saturday. When the Union representatives went there, they were told, "no appointment has been made. The Minister is busy; he cannot meet you today". I have been told this today by the Secretary of the Association. You fix up the time; then you do not record it; then your Office says, "No time has been fixed". This is the way how you are doing it. This memorandum has been given to you by way of a reminder.

SHRI C. K. JAFFER SHARIEF: I have met them. I have got their memorandum.

SHRI SOMNATH CHATTERJEE: We would like to know whether the statement made by the hon. Minister has any relevance so far as this House is concerned. What happened to the Speaker's intervention? It is being treated casually. He says, "It will go to the Cabinet. We are preparing a memorandum." Are you satisfied, Sir?

SHRI C. K. JAFFER SHARIEF: Am I here to be dictated by them? This is not the way the Government is being run.

SHRI NIRMAL KANTI CHATTERJEE: If the Minister thinks that he is above Parliament, he is not so.

SHRI ARJUN SINGH: I think a little unnecessary heat is being generated. I can understand the anxiety of the hon. Members on this issue because it concerns a very large number of people, who, unfortunately, are in a situation of great distress. As to why that situation arose is a different matter. But the fact is that they are in distress. What I understand from the hon. Minister's statement is this. His statement here is based on what was done the other day. I was not present then. But his case is that he has to take the matter to the Cabinet. Now taking the matter to the Cabinet may involve a few days' time. Now, no one can pin-point that this is the date on which this matter will go to the Cabinet because there are certain proprieties that get involved in that process. All I can say is that having made that assurance in this House we will try to see that this matter goes to the Cabinet as early as possible and a decision is taken.

SHRI NIRMAL KANTI CHATTERJEE: It has already taken ten days.

I put a question how long "early" can be?

SHRI ARJUN SINGH: Early is as early as can be.