

[श्री राम सेवक यादव]

आवश्यक और समुचित ढांचा तैयार करती है, तो वह सही माना में मूल्यों को स्टैबिलाइज करने में सफल होगी।

श्री नन्दा : माननीय सदस्य, श्री यादव, ने जो मुझाव दिया है, उस के बारे में मैं कहना चाहता हूँ कि . . . . .

अध्यक्ष महोदय : मिनिस्टर साहब अब अपनी स्पीच शुरू कर दें और एक मिनट तक बोल लें।

Shri Nanda: Mr. Speaker, Sir, I am very much obliged to the Mover of the Motion for taking up this subject for discussion in this House. With many of his observations I find myself in agreement, and I am prepared to endorse a number of the suggestions made by him and by some of the other Members, though I also find that there are certain misconceptions which lead to wrong conclusions.

Mr. Speaker: What did he want to say about Shri Yadav?

Shri Nanda: His last suggestion may run counter to the first. If I wish to do the best for the agriculturists and have the price based on the cost of production, it may lead to a higher price for the consumer, which he also wants to prevent. He should not have then any very serious objection to that.

Mr. Speaker: The rest he can continue next time.

Half an hour discussion.

16.33 hrs.

#### ENQUIRY INTO RAILWAY ACCIDENT\*

Shri D. N. Tiwary (Gopalganj): We are discussing a very unfortunate accident which occurred on the 11th

November, 1962. Twentyeight persons have died, out of which two were taken from the river bed. We do not know how any of them went down the current in the stream. The newspaper report is that about 100 persons died in that accident, but the official report is that 28 persons died.

When this matter came up on the 22nd January in the shape of interpellations, the Minister promised to lay on the Table the enquiry report, but unfortunately that has not been placed as yet. Otherwise, we would have got more facts. However, we are thankful for the information that we have got.

Two or three things have happened. One handicap is that neither the Minister nor the Deputy Minister knows the position of the place where that accident occurred.

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan): I went there.

Shri D. N. Tiwary: That accident occurred in my district, 40 or 50 miles from my house.

Mr. Speaker: The Deputy Minister says he was there, he went there.

Shri D. N. Tiwary: But he did not care to know the place and whereabouts and how it could have been prevented.

Mr. Speaker: Does he mean to say that he should have gone down the stream where the accident took place?

Shri D. N. Tiwary: He should have done at least this. From Chapra to Bakulah he should have marked all the stations and should have known which is the nearest station from that bridge. About a furlong or two from Manjhi, is the bridge if the train had been stopped at that place, the rail-

way officials could have persuaded the persons to get down from the train. The passengers would have acceded to that request because there was a danger of their lives being lost. This fact was not explained to them before the train entered the bridge.

The railway employees knew full well that there were hundreds of passengers on the roof. The Deputy Minister wanted us to believe that all the passengers got down from the roof at Revetganj station. But in the original calling attention reply the hon. Minister said that some passengers might have been left on the roof. Then it was said that all the passengers got down. There are contradictions in the two statements. He said, that some persons might have got on the roof after the police or the railway officials asked them to get down. It is true that at Revetganj there was an attempt to get down the passengers. But this matter could have been handled at Manjhi, which is a few yards from the bridge. This train was a run through. It stopped at Revetganj. The railway officials could have stopped the train at Manjhi also and the passengers persuaded to get down. Nothing of the sort was done. Perhaps the railway officials were in a mood to teach a good lesson to the passengers for not readily hearing to their advice.

This is not the first instance of this kind. Last year or the year before last a similar accident occurred at Agra when several passengers lost their lives while the train was going through the Agra bridge. Still, the railway authorities did not take any lesson from this. What was the harm in stopping the train at Manjhi bridge and asking the passengers to get down and saying to them that the train would not go unless they got down from the train. Nothing would have been lost.

In 1947-48, the rush in the trains was more than what it is today. At the time of partition and Hindu Muslim riots there were three layers

of passengers: one on the footboard, second in the train and the third on the roof. Still no such accidents occurred. The reason was that at that time the railway officials persuaded the people to get down from the roof at danger places; they were keen to see that none lost their lives. Now, due to the policy of Government to defend the officials in all circumstances, even when there are faults on their part, such things happen. If the railway officials had defended at the proper places, nobody would have any grouse. But they are defended even in the wrong places. To say that every step was taken to prevent these accidents is not correct. The reply given by the Deputy Minister is also in a bureaucratic manner. You will know it, if I read out to you some passages. He says that the passengers were warned not once but three times: the earliest time at Chapra itself where the train was delayed for thirty minutes: most of them got down. But remember, not all. Chapra station is a junction and is also a district headquarter. There, we have got a full force of the police. A contingent of the police could be brought through a phone call to the District Magistrate, and every passenger could have been got down there. This step was not taken. The officials knew that when the train crossed the bridge the passengers were likely to lose their lives. This step was not taken although they knew that all the passengers had not got down.

Secondly, what was there to prevent them from asking the people, near the bridge—a few yards before the train went through the bridge—to get down? So, in this way, we see that the railway officials did not do their duty nor did they take precautions to see that the passengers got down, or to stop the train going through the bridge, at that time. The going of the train was not so important as the lives of hundreds of persons. The official report mentions 20. Nobody knows how many went

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down the current or the stream there. It might have been 20 to 30 per sons, because a search was made in the river after the lapse of several hours. Through the lapse of time, many persons might have gone down the current. So, I say that proper precautions were not taken and even after the accident, proper steps were not taken to see how many were dead. There were newspaper reports that hundreds of persons died, because the people said that hundreds of persons were on the roof and that all of them were thrown out. There was not a single person alive on the roof. When the train reached Suraimanpur. On the roof some persons were found dead and perhaps seriously wounded. I therefore request the Railway Minister to see that such accidents do not occur in the future and that the trains are stopped when entering a bridge, if persons are on the roof.

**Shri Bade (Khargone):** It appears that the railway officials wanted to take a revenge on those people for not obeying the orders of the railway officials. That appears from the report.

**Shri Hari Vishnu Kamath (Hoshangabad):** Mr. Speaker, Sir, at the outset, I would submit to you, with all respect to the Minister, that his failure in placing a copy of the report promised solemnly when you put the question to him, is almost tantamount to a breach of privilege of the House. This was the question you put to him:

"Is it proposed to place this report on the Table of the house, or have Government any objection if I ask them to place it on the Table of the House".

The senior Minister—Cabinet Minister—said:

"We have no objection whatsoever. We will place a copy on the Table of the House."

This was on Tuesday. Today is Friday. Three days have elapsed. I went to the Library at 4 O'clock no report has arrived there. There is no report either on the Table or in the Library. I submit that you should take action against the Government for his breach of privilege of the House. That is the first submission I want to make

Secondly, the answer to the main question tabled by me was very tragically cryptic. I use the word "tragically" advisedly. The accident, looking at the callous manner in which

**Mr. Speaker:** I never suppose he uses any word without intention.

**Shri Hari Vishnu Kamath:** I am grateful to you that you think so well of my use of words and I will continue that tradition.

**Mr. Speaker:** My difficulty is there cannot be two speeches in a half-an-hour discussion. He may put a question.

**Shri Hari Vishnu Kamath:** I will not repeat the points that the hon. Member has made. My name has been clubbed with his name.

**Mr. Speaker:** His was the first name, and so he had the opportunity to speak

**Shri Hari Vishnu Kamath:** Since my name has been clubbed with his name, I hope you will give me a little more latitude. The main answer condemned the rash and heedless behaviour of the passengers, I only wish to say this: the rash and heedless behaviour of the passengers may be condemned and perhaps it should be criticised by the Government, but I submit, after reading the entire proceedings of that day—I am constrained to say—that the railway authorities were remiss and negligent in this

matter. You put the question to the Minister succinctly. I will put the same question, as you wanted me to put only a question. I would put it in the manner you put it to the Minister. I cannot do it better than you did on that day. You said, Sir:

"Hon. Members are excited because they feel that so long as there were people travelling on the roof of the train, the train should have been detained irrespective of whether the duration was 30 minutes or 45 minutes or more. What are the rules or directives to the staff"

That is the crux of the matter. You asked.

"What are the rules or directives to the staff? Would they stop the train or would they proceed if the passengers do not come down?"

I had suggested that force ought to have been used. In many cases wherever there are riots and trouble of that kind the Government does not think twice before they resort to firing and using force. I do not mean to say that firing should have been resorted to here. But the staff could have climbed to the roof and bodily brought the passengers down. Detaining the train too long, perhaps, is also not feasible.

**Shri Bade:** They wanted to punish the passengers.

**Shri Hari Vishnu Kamath:** My friend, Shri Bade may be right. I want to know why force was not used in this particular case, when force was resorted to on certain occasions that I mentioned by the Government in various other fields. Why did they not in this particular case resort to force in the interest of the life and safety of the passengers themselves. They have adequate staff for this purpose, but they remiss and negligent in this matter.

I would, therefore, ask the Minister to state what the directives are, whether the directives are in force, and if the directives are not there whether fresh directives would be issued in such matters. I would also like to know whether force would be used in such cases in future. You may also ask the Minister to give an explanation, if he can with regard to the issue of privilege that I have raised.

**Mr. Speaker:** No promise was made that it would be laid on the Table of the House within the next three days. That is the difficulty.

**Shri Hari Vishnu Kamath:** That is only evasion, taking cover behind something.

**The Minister of Railways (Sardar Swaran Singh):** Because the hon. Members has specially referred to me, Sir, I would like to submit that no final report as such has yet been received. These were only his preliminary findings. Unfortunately, in between the officer also has expired and another officer is now conducting the enquiry. As soon as the report is received I will place it on the Table of the House.

**Shri Hari Vishnu Kamath:** Why can't the provisional findings be placed on the Table?

**Mr. Speaker:** Now, the hon. Minister.

**Shri Hari Vishnu Kamath:** Let the provisional findings be placed on the Table.

**Sardar Swaran Singh:** If that is your directive, Sir, we will place that also on the Table.

**Shri Hari Vishnu Kamath:** He says he has no objection.

**Mr. Speaker:** But there is no breach of privilege.

**Shri Hari Vishnu Kamath:** How can I say: Why did he say that there was a report? He could have denied that there was a report. He said that there was a report.

**Mr. Speaker:** The hon. Minister.

**Shri U. M. Trivedi** (Mandsaur): Sir, I want your permission to make some observations on this for two minutes.

**Mr. Speaker:** No. The rules do not permit unless the hon. Member has given advance intimation.

**Shri U. M. Trivedi:** I had taken part in this debate.

**Mr. Speaker:** But rules do not permit his taking part now.

**The Deputy Minister in the Ministry of Railways** (Shri S. V. Ramaswamy): Sir, the hon. the Railway Minister has replied to the first part of the question raised by my esteemed friend, Shri Kamath, with regard to the placing of the report on the Table of the House. With regard to the second part...

**Shri Hari Vishnu Kamath:** Sir, you have not given your ruling on this matter. I rise on a point of order again.

**Mr. Speaker:** Point of order that the Speaker has not given a decision?

**Shri Hari Vishnu Kamath:** The Minister said that day that there was a report. Today he says that there is no report. What is the position?

**Shri D. N. Tiwary:** Let us hear the reply.

**Mr. Speaker:** The findings can be placed on the Table.

**Shri S. V. Ramaswamy:** I submit, Sir, that the findings have already been mentioned by me yesterday.

**Mr. Speaker:** They may be placed on the Table of the House.

**Shri S. V. Ramaswamy.** If you will permit me, Sir, I shall read out the findings.

**Mr. Speaker:** They may be placed on the Table of the House.

**Shri Hari Vishnu Kamath:** Sir, senior is willing to place it on the Table.

**Shri S. V. Ramaswamy:** The provisional findings?

**Mr. Speaker:** Yes.

**Shri S. V. Ramaswamy:** The provisional finding is this:

"Having considered the facts and the relevant evidence it is assessed that the grave loss of lives and the grievous injuries sustained by persons travelling on the roofs of coaches of No. 67 Up Fast Passenger train, while the train was travelling over the Gogra Bridge between Manjhi and Bakulha, was the result of their own rash and heedless behaviour in violation of the provisions of section 117(2) of the Indian Railways Act, 1890."

This is the finding, which I have already mentioned.

On the second point as to whether there are rules on this matter, after the accident over the Jumna Bridge near Mathura in 1960, we have addressed a letter to all the General Managers of Railways and also the States Governments. In that letter we have stated:

"A statutory enquiry was held by the Govt. Inspector into the accident and according to his provisional findings, the mishap was the result of the rash and heedless behaviour of the passengers concerned. The G.I.R. has, in his report, *inter alia* stated that though the Railway staff at Hathras station did their best to detain the passengers, some of them did manage to climb against under the cover of darkness."

This is from our letter to the General Managers of all Indian Government Railways dated 9th September, 1960:

"In the past also, the Members of the Parliament have expressed concern over the number of casualties occurring on account of passengers travelling in an unauthorised manner, viz., on the foot-boards, on the roofs of the carriages and on the buffers etc. Since the number of such cases is quite significant on the Indian Railways, the Board have viewed this accident with concern. In this connection, attention is invited to the provisions contained in Section 118 of the Indian Railways Act and Rule No. 16 of General Rules, Part II, reproduced in the enclosure, which clearly state that this type of unauthorised travel is an offence, punishable by a Court of Law.

The Board, therefore, desire that the Railway Administrations should take effective steps in co-ordination with the Railway Police to prevent the passengers from travelling in an unauthorised and dangerous manner.....".

**Shri Hari Vishnu Kamath:** Were these steps taken? Not effectively, at any rate.

**Shri S. V. Ramaswamy:** Please let me have my say.

**Shri D. N. Tiwary:** How many persons were prosecuted for this offence?

**Shri S. V. Ramaswamy:** The circular further says:

"Special watch on this aspect should be kept whenever there is a rush of passengers during melas etc. Suitable action should also be taken against the passengers who despite warnings attempt to travel in this manner."

A similar letter was addressed to the Chief Secretaries of all State Governments, where we have said:

"...In the past also, the Members of Parliament have expres-

sed concern over the casualties occurring on account of passengers travelling in an unauthorised manner viz. on the footboard, on the roofs of carriages and on the buffers etc. Since the total number of such cases is quite significant on the Indian Railways, the Govt. have viewed this accident with great concern.

In this connection, I am directed to invite your attention to the provisions contained in Section 118 of the Indian Railways Act and Rule No. 16 of General Rules, Part II, reproduced in the enclosure, which clearly state that this type of unauthorised travel is an offence punishable by a Court of Law. The Govt., therefore, desire that the State Governments may kindly issue necessary instructions on the subject to police officials to take effective action in co-ordination with the local railway officials to prevent the passengers from travelling in an unauthorised manner and to initiate suitable action as provided for in the Indian Railways Act, against the offenders who despite repeated warnings do not desist from indulging in such acts. It may also be pressed upon the police officials that a special watch on this aspect may be kept whenever there is rush of passengers during melas etc."

This is dated 26th September, 1960. In pursuance of this, the North Eastern Railway also issued instructions to the Divisional Officers to the effect that special care should be taken at the time of melas etc. As a matter of fact, the DTS, Banars, under whose jurisdiction it comes, has repeated these instructions at the time of the mela.

It may be pointed out that this happened in November, last when the emergency was on. So, we had told the Bihar Government that owing to the emergency and priority of movement of other goods more essential, we

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could not provide any extra train for the mela traffic. We also reminded them of the rules in the matters. In spite of all that, the passengers climbed over the roof.

Now, it may also be noticed that the train left Chupra at 23.30 hours. There are three stations between Revelganj and Suraimanpur. The train is scheduled to run non-stop between Revelganj and Suraimanpur. At Chupra it was noticed that a large number of passengers were travelling on the roof top. It took thirty minutes for the railway officials GRP and RPF and others to request the passengers to get down from the roofs. Then the train went to Revelganj. It reached there at 00.05 hours, dead of night. There again it was noticed that some people had climbed over to officials, GRP and RPF against appealed to the passengers to come down and the train was stopped there for fifteen minutes. Then it moved on to Manjhi. At Manjhi—I do not know by whom and for what purpose—somebody pulled the chain and the train stopped.

**Shri D. N. Tiwary:** Not at Manjhi.

**Shri S. V. Ramaswamy:** At Revelganj. It just passed the home signal that it was stopped. Again, the Guard and the other officials appealed to them to come down.

My hon. friend pointedly asked whether they were told about the bridge. They are local people and they know that there is a bridge. It is within their knowledge.

My hon. friend, Shri D. N. Tiwary, also raised the issue, namely, why not stop the train at the bridge. There are technical difficulties of operation. This point was raised by the Government Inspector of Railways on the Mathura incident. He suggested then that the train should be stopped at the bridge. The operational difficulty is that there is always a gradient on the approach to

the bridge and if you stop the train, you may not be able to pull it again; you will have to back up or the train may stop dead in which case it will block the entire traffic. So, it should not be stopped. That is our view and therefore we did not accept the recommendation. It should not be stopped near the bridge.

Besides, while the train was stopped for 30 minutes at Chupra, for another 15 minutes at Revelganj and again at another place, what benefit would have been derived if it had been stopped a fourth time and the officials had asked them to get down? According to the schedule, it was not to stop at three stations at all. But, as a matter of fact, it was stopped in between when there was not to be any stop even though an appeal had been made by the railway, GRP and RPF officials at Revelganj. In accordance with the instructions which had been issued by the Board to the railway authorities and to the State Governments they had done all these things. Now, it is apparent that the people must have clambered up in the darkness of the night. As you will be pleased to see from the report of the Inspector of Railways in the Hathras case, they had clambered up during the darkness of the night. Perhaps the same thing happened here also. We do not know that.

The other point that was raised was whether the people could not have been told not to climb up and at that place itself they could have been asked to get down. As I submitted, it is difficult to stop the train near the bridge.

Then, my hon. friend said, "Why did you not use violence?" I presume, my hon. friend would be the first person to say, "Why did you use force"? If we had used force.

**Shri Hari Vishnu Kamath:** I would not say that. You should not misrepresent. They should use force, if necessary. Do not use it unnecessarily.

**Mr. Speaker:** When the Government uses force, a complaint is made.

**Shri Hari Vishnu Kamath:** There need not be any firing. Here you can use ordinary force.

**Shri S. V. Ramaswamy:** It has been suggested that the railway officials wanted to teach the passengers a lesson. It is far from the truth. Who would be so callous as to see that people are killed even if they disobey the orders? The officials also have got human instincts. It is their human brethren who travel. Would they run the train knowing that people are there on the roof and they would be killed? We cannot expect the railway officials to be callous. It was said that we are defending the railway officials in season and out of season. Well, the facts are there.

My hon. friend, Shri Tiwary, chose to say that the answer was bureaucratic. It is not bureaucratic. It is a statement of fact. It is a statement of the truth. I submit that the railway officials in co-operation with the GRP and the RPF personnel did all they could as per the instructions issued by the Board. As per the requirements of the case they did their duty. Without their knowledge some people seem to have clambered up. After all, it is a metre

gauge line. When it was picking up speed after the stoppage near the home signal people appear to have climbed up again. That is possible. It is not broad gauge where climbing up becomes difficult.

17 hrs.

So, it is possible that without the knowledge of these officials, as the train was moving, they might have climbed up. Under those circumstances, I submit, there is no lapse on the part of the Railways.

**Shri D. N. Tiwary:** One question.

**Mr. Speaker:** That is all now. No questions. But I would only request this. That is only my suggestion. I have no justification or occasion to make any suggestion, but I would say that that recommendation of the Inspector of Railways who said that the train should be stopped may kindly be examined again if it is possible.

**Shri Hari Vishnu Kamath:** rose—

**Mr. Speaker:** The House stands adjourned *sine die*.

17-01 hrs.

*The Lok Sabha then adjourned sine die.*