

PROF. MADHU DANDAVATE:

The preliminary survey of this was taken up in 1974. There was some difficulty about the feasibility report and the return that would be available. After some time, one development took place. The Chamber of Commerce have assured the government that new industries will be coming up. After the report of likely industries coming up, it is very likely that the return will be 7.8 per cent. If that report is borne out by facts and is further confirmed by various persons who are likely to take up industrial development, we will consider it.

श्री मोतीभाई धार० चौधरी : मंत्री जी ने अपने भाषण में कहा है कि पिछड़े विस्तार में रेलवे लाइन डालेंगे, क्या वह यह बताने की कृपा करेंगे कि राधनपुर हारीज रेलवे लाइन का काम कब हाथ में लिया जाएगा ?

श्री मधुबंशुदत्ते : पिछले चन्द बरसों में इतने प्रदेश पिछड़े रहे हैं कि हमने इस बारे में प्रायटी नय कर दी है। माननीय सदस्य ने जिम लाइन का जिक्र किया है, उस की तरफ हम बाद में ध्यान दे सकते हैं। गुजरात में नागपुर एक बिकबड़ एरिया है, और वह आदिवासियों का क्षेत्र है। इसलिए हमने उस को प्रायटी दी है। बाद में हम दूसरे क्षेत्रों की तरफ भी ध्यान देंगे।

SHRI NARENDRA P. NATHWANI:
I come from Gujarat and Saurashtra.
May I ask one question?

MR. SPEAKER: That is why I am calling you now.

SHRI NARENDRA P. NATHWANI:
Was there any proposal in the past to extend the Bhavnagar-Tarapore railway line up to Limbidi and then divert it to Bhavnagar and also take it to Rajkot? Whether that proposal has been considered or is under consideration?

PROF. MADHU DANDAVATE:
That proposal was already there, but whether the Bhavnagar-Tarapore railway is able to take it or not is a questionable proposition and the question of diversion will follow after we take up the present route.

MR. SPEAKER: Now, question No. 24.

SHRI JYOTIRMOY BOSU: Sir, I will take only half a minute. The hon. Minister, it seems, I regret to say, has not gone through the contents of the report of the Public Accounts Committee.

MR. SPEAKER: It can be reserved for the discussion on railways. Now, question No. 24. Hon. Minister of railways may answer.

SHRI JYOTIRMOY BOSU: Let him go through the PAC Report.

Re-instatement of Employees who participated in 1974 Railway Strike

*24. **PROF. P. G. MAVALANKAR:**

SHRI M. KALYANA SUNDARAM:

Will the Minister of RAILWAYS be pleased to state:

(a) Whether the employees who had participated in the 1974 Railway strike have all been reinstated in their jobs, as per the Government's policy announcement in March—end this year; and

(b) if so, details thereof?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE):
(a) and (b). A statement is laid on the Table of the Sabha.

Statement

(a) and (b). 1. **PERMANENT AND TEMPORARY EMPLOYEES:** Out of 627 who were out of service on 28th

February 1977, 611 have already joined duty. Out of remaining 16:—

(i) 1 has since expired;

(ii) 3 are undergoing life imprisonment;

(iii) 4 are undergoing trial on charges of murder and have since been placed under suspension after reinstatement. Their cases can be finalised only after the judgement is delivered;

(iv) Whereabouts of 2 persons are not known; and

(v) 6 have not yet reported for duty although the orders of reinstatement have been issued and intimated to them.

2. CASUAL LABOUR SUBSTITUTES: Out of 5,161, who were out of service on 28th February 1977, 4,609 have already joined duty. Out of remaining 552:—

(i) 1 has since expired.

(ii) whereabouts of 110 are not known, and

(iii) 441 have not yet reported for duty although the orders of reinstatement have been issued and intimated to them.

3. In regard to those whose whereabouts are not known, the co-operation of the Railway employees' unions has also been elicited in tracing them.

4. SUSPENSIONS: As against 53 who were under suspension on 28th February, 1977, the number under suspension has come down to 15 including 4 under: (a) 1 (iii) above. These 15 persons are undergoing trial on a charge of murder and the question of their reinstatement can be considered only after the court cases against them are finalised.

The victimisation during May, 1974 strike also consisted of break in service and transfers. In this context, the position is as follows:—

1. CONDONATION OF BREAK IN SERVICE: Total number involved initially—5.91 lakhs. Condonation orders issued to all.

2. CANCELLATION OF TRANSFERS: Total number of transfers as on 28th February, 1977.—1,678. All transfers cancelled.

PROF. P. G. MAVALANKAR: Sir while congratulating the Railway Minister my esteemed friend Shri Dandavate, for having fulfilled the time-bound assurances about the reinstatement of all the employees, may I in pointed terms ask him about two things which are unfortunately not available in the Statement? It is quite lengthy but missing in this regard. Firstly what about the question of restoring the disturbed seniorities which he mentioned in his Budget speech on Saturday? I do not find any mention in the statement about the solution of this problem of restoring the disturbed seniorities. The other point is this: it seems there are only two unfortunate deaths of the railway employees before their reinstatement. I want to know whether any benefits will be given to the member of the families of the deceased.

PROF. MADHU DANDAVATE: Sir, as far as the disturbed seniority is concerned, those who are against in this House will know that whenever we condone the break in service in that case the seniority is restored and therefore, I am very happy to announce that all the 746 cases in the case of which seniority was disturbed. All the seniorities have been restored.

As far as those persons who died, those cases do not directly fall under the order that was issued. We will take into account the suggestion that is made. It is a suggestion for action.

PROF. P. G. MAVALANKAR: I find from the Statement that some railway employees at the time of May 1974 strike were either dismissed or got out of service on the charges of violence and sabotage. I am surprised that the number of people directly involved was so low as this. I am able to surmise from this that the information given to this hon. House in the previous Parliament by the then Government was not in tune with facts and if so, can we not take action against those members for having committed a breach of privilege of the House by having misled the House by saying that the employees were indulging in violence?

PROF. MADHU DANDAVATE: Sir, in the statement that has been made on the floor of this House, I have made that point clear and that exposes the myth that lot of people were guilty of violence. Even the court has set them free.

As far as action against those who carried on malicious propaganda is concerned, I think the general electorate have already taken action. The Railway Ministry need not do anything.

SHRIMATI PARVATHI KRISHNAN: The Minister has given us a statement about the people who have been reinstated; and in it, he has stated that some employees died in the meantime. Why should the families be penalized? In the case of those who have died, will the Minister consider the payment of those amounts which would have become due to them?

PROF. MADHU DANDAVATE: This issue has been raised; and fortunately in our rules, there is a provision that if any employee dies, on humanitarian grounds some benefits can be given; and I assure the hon. Member that all those provisions will be fully explored and the necessary steps taken.

SHRI M. SATYANARAYAN RAO: Out of the employees who have been reinstated, how many are involved in criminal cases like murder, destruction of property etc.? Are there any cases?

PROF. MADHU DANDAVATE: The hon. Member has probably not gone through the statement. All those references are already there. Therefore, I do not wish to repeat what has been stated already.

SHRI PRADYUMNA BAL: I am happy that the Railway Minister has given a new direction and is trying to give a new look to the Railways. In the budget speech, he has mentioned that besides those who were involved in the 1974 strike, there were also those who were victimized during the Emergency; and that they will also receive reprieve. And remedial measures will be taken to reinstate them and do justice to them. I would like to know specially about one case. There were a lot of people victimized in the Bandamunda (near Rourkela) marshalling yard. When the Emergency was declared, there was a big strike called in that marshalling yard; and several hundreds were victimized.

MR. SPEAKER: Come to the question please.

SHRI PRADYUMNA BAL: Would such people be reinstated and justice done to them? Will the Minister give an assurance to them?

PROF. MADHU DANDAVATE: In the budget speech, I have made it explicitly clear that those who were victimized during the Emergency with political motivations those who were kept under MISA and DIR and those who were victimized and penalized because of their political orientation—all of them will be taken back. As far as the question of strike is concerned, it will have to be dealt with separately.

श्री भानु कुमार शास्त्री : अध्यक्ष महोदय, मंत्री महोदय ने अपने बजट भाषण में आपातकाल की स्थिति के अन्दर जो लोग गिरफ्तार हुए हैं या जो पीड़ित हुए हैं उनको सर्विस पर वापस लेने के लिये कहा है लेकिन क्या इसके लिये वे कोई अवधि निर्धारित करेंगे ? मैं यह जानना हूँ कि राजस्थान के अन्दर भी ऐसे पीड़ित लोग हैं जिनको आज तक सर्विस पर नहीं लिया गया है। तो क्या उनके लिए कोई अवधि निर्धारित करेंगे ? उनके बजट भाषण में इसके संबंध में कोई बात नहीं कही गई है।

श्री० मधु दण्डवते : मैं सदन को यकीन दिलाना चाहता हूँ कि मारे केमेज देखने के बाद जब बजट की डिबेट का मेरा जवाब आएगा उस समय उसकी निश्चिन्ता सूचना मैं दूंगा।

SHRI K. MALLANNA: By the reinstatement of these dismissed workers, were the workers who were employed in their places retrenched? If so, how many; and what are the financial implications and what is the financial expenditure incurred in the process of reinstatement of these workers—like back wages and other benefits?

PROF. MADHU DANDAVATE: As a consequence of the reinstatement of all the workers who were victimized in the May, 1974 strike, the total burden of expenditure is Rs. 1.32 crores. Without disturbing the budgetary provisions, we have been able to do that. Secondly, in reinstating these workers, we have not displaced any workers who were in their jobs, because it is an expending department where new jobs are created. We have accommodated the old persons who were victimized; and wherever new seasonal jobs are created, we have taken all those casual workers who were already working. Without creating disturbance, we have settled the issue.

श्री श्रीम प्रकाश त्यागी : मंत्री महोदय ने इसका जवाब तो दिया है कि जिन लोगों को स्ट्राइक के समय हटा दिया गया था उनको फिर ले लिया गया है लेकिन मैं उनसे स्पष्ट जानना चाहूँगा कि क्या उनके वेतन आदि का पेमेंट कर दिया है या करने का आश्वासन दिया है ?

दूसरे, जिन को बायनेस के लिए निकाला गया, आम तौर पर सरकार की नीति यह रही है कि जिन कार्यकर्ताओं को अधिक प्रभावशाली जाना उनके विरुद्ध गनन चार्जज लगा कर बायनेस में इन्वाल्स करके इस प्रकार के फायम केमेज बनाए गए, तो क्या सरकार ने कोई इस प्रकार की मशीनरी बनाई है जिसमें उन केमेज पर पुनर्विचार किया जा सके कि वास्तव में उन्होंने हिमाम्भक कार्यवाही में भाग लिया या ऐंम ही फाउ चार्जज उनके खिलाफ लगा दिए गए थे ?

श्री० मधु दण्डवते : जिनके खिलाफ त्रिमा के इलजाम लगाए गए थे लेकिन कोई सबूत नहीं मिले उनके बारे में कोई ऐंम नहीं लिया गया। परन्तु कोर्ट ने जिनको कानून के मुनाबिक सजा दी है उनको काम पर वापिस लेने का सबान नहीं है।

जो आपका पहला सवाल था कि जिन लोगों को सरकार की ओर से काम पर वापस लिया गया उनकी तनख्वाह के बारे में क्या किया गया तो हमने जो आर्डर इश्यु किया उसमें माफ था कि बजेटरी प्राविजन डिस्ट्रें न हो जाए, इसलिए जिन लोगों को री इस्टेट किया गया है उनको हाफ सैलरी प्लस उनके एमाउंसेज दिये जायें। Every one of them will be drawing more than half the salary and the wages.

SHRI K. VIJAYA BHASKARA REDDY: The hon. Minister has assur-

ed that this is the policy that was followed and similarly in future also this will be the policy of the Government.

PROF. MADHU DANDAVATE: Naturally, they will have to follow it.

SHRI K. VIJAYA BHASKARA REDDY: Will the Minister give the assurance that this policy will be adopted in future also when strikes and other things happen?

PROF. MADHU DANDAVATE: We will have to judge every issue on merits. The Prime Minister himself has stated that this was a strike for which legal notice was given. The strike was forced on the workers by the Government. They were saying that the charter of demands was negotiable. Therefore, this was a strange behaviour of the Government with the workers. So, we have given them an altogether different treatment, as compared to the past.

SHRI K. VIJAYA BHASKARA REDDY: Will government adopt this policy in future?

PROF. MADHU DANDAVATE: We will judge every issue on merits.

Illegal appointments made in Railways

*26. **SHRI BASHIR AHMAD:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that a number of illegal appointments have been made by the former Railway Minister without reference to the Railway Service Commission; and

(b) what steps Government propose to take to annul such illegal appointments and to fill in the vacancies?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) Some *ad hoc* appointments were made on the instructions of the former Rail-

way Ministers without reference to Railway Service Commission.

(b) It has now been decided that such *ad hoc* appointees in Class III should be referred to the Railway Service Commission to be considered along with other applicants.

SHRI BASHIR AHMAD: Is the hon. Minister aware of the fact that a junior officer of the Allahabad Division was promoted as temporary Chairman of the Railway Service Commission and such appointments were sought to be regularised? What will happen to those appointments which have been sought to be regularised by interviews? That particular officer was the junior-most in the Allahabad Division. Still, he was appointed as the Chairman of the Railway Service Commission by the former Railway Minister, and the Private Secretary to the former Railway Minister was responsible for issuing the orders with the endorsement "H. M. R. desires.....".

PROF. MADHU DANDAVATE: I do not want to go into individual cases here. It is not good to refer to names in this House.

SHRI D. K. BOROOAH: You need not give the names, but you can give the number.

PROF. MADHU DANDAVATE: I wish to make it very clear that every case of *ad hoc* appointment in Class III will not be regularised by mere interview by some officer. That case will be sent to the Railway Service Commission and on the basis of the advice of the Commission it will be dealt with. An unofficial question was asked as to what exactly is the number of such cases. If we do not take cognizance of those who were taken up as loyal workers those who were taken on the sports quota and the quota admissible in other cases, the list for Class III is more than 300. We will have to go into that.