

LOK SABHA DEBATE

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LOK SABHA

Wednesday, April 4, 1979/Chaitra
14, 1901 (Saka).

The Lok Sabha met at Eleven of the
Clock.

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MR. SPEAKER: Q. No. 616.

SHRI SAUGATA ROY: Sir, before we take up the questions, I would like to submit that Mr. Bhutto has died due to hanging....

(Interruptions)

SHRI C. M. STEPHEN: Sir, may I make a submission? We have received information to the effect that Mr. Bhutto has died this morning

(Interruptions)

SHRI SAUGATA ROY: At least on human grounds, we should make an obituary reference.... (Interruptions)

SHRI C. K. CHANDRAPPAN: When democracy is being butchered like this, we cannot be silent spectators putting supplementaries.

SHRI C. M. STEPHEN: I have received information to the effect that Mr. Bhutto has died this morning through suffocation owing to hanging. I wrote to you in this regard because it has been a practice in this House when some important persons who have got some place in this sub-continent pass away, references are made. There is a widespread feeling of sorrow throughout this

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country over this event. Therefore, I suggested to you as in other cases, you must arrange for an obituary reference in this House and an opportunity must be given to the Members of this House to express their feelings on this.

MR. SPEAKER: I have received your letter but there is not yet any official confirmation. We will consider it afterwards.

SHRI SAUGATA ROY: All India Radio has announced quoting PTI teleprinter message that Mr. Bhutto has died due to suffocation. You can at least make an obituary reference. At least on human grounds, you can make an obituary reference to this effect. (Interruptions)

MR. SPEAKER: This requires a very serious consideration. He has been executed in pursuance of judgement,

(Interruptions)

SHRI K. GOPAL: If there is no official confirmation, how has the All India Radio announcing it?

MR. SPEAKER: Q. No. 616, He is not here Q. No. 617.

Tribal People Losing Lands

*617. SHRI CHITTA BASU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the fact that the tribal people being economically weaker and backward in all respects are fast losing their better lands in different parts of the tribal areas of almost all the

States, particularly Tripura, Bihar, Assam and Madhya Pradesh;

(b) whether Government have since made any indepth Study into the various aspects of the land alienation of the tribals;

(c) if so, the results thereof; and

(d) the specific measures taken or proposed to be taken to arrest such growing land alienations in tribal areas?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (d). A statement is laid on the Table of the House.

Statement

Government is aware that due to their economically weaker position and their backwardness, the tribal people are often deprived of their lands in some cases. To prevent this various State Governments in the country and more particularly the States of Tripura, Bihar, Assam and Madhya Pradesh have enacted legislations as follows against alienation of tribal lands:

- (1) The Tripura Land Revenue and Land Reforms Act, 1974;
- (2) The Chhotanagpur Tenancy Act; the Santhalparganas Tenancy (Supplementary Provisions) Act 1949; and
the Scheduled Area Regulations 1969.
- (3) Regulations under the Assam Land Revenue Regulations, 1886, as amended in 1947 and 1964.
- (4) Provisions under the Madhya Pradesh Land and Revenue Code, 1959.

Under these enactments, prohibition has been placed on land transfer from the tribals to the non-tribals

except with the permission of the competent authorities. As a result of these measures, alienation of such lands has been checked to a large extent.

Even then, some illegal transfers are reported to be taking place. Studies to assess this problem have been made from time to time, for example, the Dhebar Commission, the Shilu Ao Committee; and the Annual Reports of the Commissioner for Scheduled Castes and Scheduled Tribes. The findings of these bodies confirm the occurrence of illegal transfers of tribal lands, particularly in areas around industrial and mining complexes growing urban centres and areas of intensive economic activity.

To avoid such illegal transfers, instructions have been issued to make legislative enactments more effective. State Governments have also taken steps to create special administrative machinery for detection of such irregular transfers; and their quick rectification.

SHRI CHITTA BASU: The statement is quite long. May I know from the hon. Minister whether he is aware of the fact that the problem has got two basic aspects? The first one is whether the land has been taken by the Government or purchased by the private party from industrial units in adivasi area. According to my information, about 6 lakh adivasi families have been evicted from their land in Chhota Nagpur area. There is another aspect of the problem, that is, illegal transfer of adivasi land. My question is what particular steps the Government has taken or proposes to take to make an alternative suitable arrangement for rehabilitation programme for them, particularly because of the fact that the statement states that Bokaro Complex today employes about 1.58 lakh employees and out of them, only 5000 employees are of adivasi origin. Of course, the land has been taken

from the adivasis: My question is whether Government has got any proposal to complete the rehabilitation programme when any lands of the adivasi area are to be taken for public undertakings, etc. The second aspect is this. What particular steps have been taken by the Government for restoring the land which has been illegally taken away from them in violation of the existing law? So far as my information goes, the mechanism which has been created and the laws which have been framed contain a lot of loopholes. What particular steps the Government proposes to plug those loopholes, etc.?

SHRI DHANIK LAL MANDAL: Regarding the first question, wherever industrial complexes have come up in the adivasi belt and adivasis have been uprooted from their land, because their lands were acquired by the Government, what has been done for them. It is true that not all adivasis who have been uprooted, who have been rendered as displaced persons, have been taken into that industry. That is true. But, for their development, recently, we have drawn up a special area scheme and we have also provided money for that special area scheme; and we want to cover 10 km. of the area, wherever that industry or complex is situated; within 10 km. of the area, that belt should be developed and all the adivasis displaced by that industry or complex should be rehabilitated. We are doing that. Regarding the second question about the illegal transfer of their lands,—their lands have been transferred and transferred illegally—according to the law, the land cannot be transferred to nonadivasis. Then what has been done? We have reviewed the case recently with all the State Governments and we have emphasised that time bound programme should be implemented in this regard and land should be restored to the adivasis.

SHRI CHITTA BASU: Is Government aware of the fact that there

has been large scale discontentment among the adivasis in Chhotanagapur area and Santhalparganas? There has been jathi charge, and firing at several places in Sahapur in some areas of Bihar and certain areas of Santhalparganas. May I know whether in this growing discontentment among the adivasis, does the Government propose to form an all party Parliamentary Committee to go into the problem in depth and to suggest remedial measures in that respect?

SHRI DHANIK LAL MANDAL: Recently, in reply to a Calling Attention Motion, the hon. Minister for Home Affairs assured that he will look into these matters.

DR. SUBRAMANIAM SWAMY: The question is generally worded. But the question has been dealt with only in respect of a few States in view of the fact that the question is generally worded....

SHRI SAUGATA ROY: He has mentioned specific States.

DR. SUBRAMANIAM SWAMY: 'Particularly' it says. Leave it for the Speaker to decide.

It says, "Under these enactments, prohibition has been placed on land transfer from the tribals to the non-tribals except with the permission of the competent authorities". I would like to ask the Minister whether he is aware that in a place where the Central Government has direct responsibility i.e. with regard to the tribals of Sikkim, this enactment has not been done. Is the Government aware of that? Will Government take steps to see that Bhutias and Lepchas who have been declared tribals in Sikkim will also be given benefit of this enactment so that their land is not taken away and bought by the people.

SHRI DHANIK LAL MANDAL: We will consider.

MR. SPEAKER Shri A. K. Roy

DR. SUBRAMANIAM SWAMY: Is he aware that there is no such enactment?

MR. SPEAKER: It does not directly arise from it. Therefore, he says he will look into the matter.

DR. SUBRAMANIAM SWAMY: No, he did not say. He says, he will consider.

MR. SPEAKER: This does not directly arise. The question is specifically about

DR. SUBRAMANIAM SWAMY: The question is generally worded.

MR. SPEAKER: It is true. That is why I allowed it. He is also right in saying....

(Interruptions)

Dr. Swamy, you are right in raising the question. He is equally right in saying that it does not specifically refer to that and he will look into the matter.

SHRI A. K. ROY: Chotanagpur and Santhalparganas came into existence not now but in the British period. After that a large amount of land was taken away from the tribals. To-day they are taken away not only by the village land-lords but also by the industrialists there and by the Government. I will also try to bring to your notice that in 1969 in Bihar Assembly when this issue was raised, it was decided that for the last thirty years the total land which was taken away from the tribals would be restored in some districts like Hazaribagh, Singhbhum, Ranchi and Palamour. But for Dhanbad, Giridih and some other places it was made 12 years. I would like to know what is the logic in having this difference? The transfer of land from tribals to non-tribals is illegal. This Act came in the British period. How all this took place, that must be looked into. It was not done and it was left to the Central Government.

You would be surprised to know, not only for making the industrial complex the land was taken, but also for making a mini bazar or mini market the land near Dhanbad was taken. With the help of World Bank for the Head Office of ECCL land was taken. In view of that, I would like to ask the hon. Minister. Will the Government make some rule that before taking any land from the Adivasis, State Governments have to take concurrence of the Central Government? Will the Government make such rules so that it becomes aware that land was being taken and is being taken and for what cause, it is being taken?

MR. SPEAKER: They cannot do it under the Constitution.

SHRI DHANIK LAL MANDAL: We have insisted that whenever land is taken from the Adivasis for some project, they should be provided land or some rehabilitation on the pattern of Maharashtra Government Land Development Act.

(Interruptions)

श्री राम देवी राम : अध्यक्ष महोदय, धनी मंत्री महोदय ने कहा है कि आदिवासियों के जो डिस्प्लेसमेंट परसेन्स हैं उनके लिए उन्होंने राज्य सरकारों को लिखा है तो ये तो तीस बर्षों से लिखते चले आ रहे हैं लेकिन परिणाम कुछ भी नहीं मिल सकता है। अभी 27 मार्च को बीकारों में डिस्प्लेसमेंट परसेन्स के लड़के जो शिक्षित बेरोजगार थे उन्हें नौकरी देने के लिए बुलाया गया परन्तु, इन्स्टीट्यूट एम्प्लॉयमेंट एक्सचेंज से लेकिन उनके जो नाम लेने गए वे वहाँ पर जाँट दिए गए। वे गरीब उम्मीदवार वहाँ जाकर वापिस हो गए। उनकी नौकरी के लिए सरकार के पास कोई व्यवस्था है? मैं जानना चाहता हूँ कि ऐसे कितने डिस्प्लेसमेंट परसेन्स हैं जिनकी बीकारों में नौकरी दी गई है?

श्री बिरन साहू सचिव : माननीय सदस्य पट्टकुलसँ देवे तो मैं जरूर इसकी जांच करवाऊंगा।

SHRI BIREN ENGTI: In the State of Assam, specially in the two autonomous districts of Assam and tribal belts in the plain district of Assam,

land transfer is taking place. Though there is a law which prohibits transfer of tribal lands to non-tribals, this law is observed only on paper and illegal transfer of tribal land is taking place daily. I want to know from the hon. Minister, in order to restore that land to the original tribal owners, will Government make a suggestion to the State Government to make special legislation to make the law more effective so that the tribal's land can be restored back to the original owners? Will the Government create a special machinery in each district of Assam in order to investigate and study this problem?

SHRI DHANIK LAL MANDAL: We have taken up this matter with the State Government. I have myself reviewed the matter with officials and also Ministers in order to see that if there is any loophole, that should be plugged, if there is no machinery, that should be created and a time-bound programme should be evolved.

Decline in Production in Big Industries due to Strikes/Lock-Outs

*618. **SHRI ANANT RAM JAISWAL:**

SHRI DURGA CHAND:

Will the Minister of INDUSTRY be pleased to lay a statement showing:

(a) whether there has been a steep decline in the production in the big industrial establishments due to large number of strikes and lock-outs in the public and private sector industries during the period from 1st April, 1978 to 28th February, 1979; and

(b) the estimated value of production which declined during the said period as compared to that of 1977-78?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). According to the available provisional information 21.51 million mandays were lost due to strikes and lock-outs in 1978 as against 25.32 mil-

lion mandays in 1977. Statistics on value of production loss for January and February 1979 are not as yet available. The estimated value of loss of production in 2227 cases in 1977 was about Rs. 284.48 crores whereas it was approximately Rs. 291.56 crores in 1621 cases in 1978. The overall rate of growth of industrial production during the period April-December 1978 is estimated as about 8 per cent in real terms as compared with 4.1 per cent in the corresponding period of 1977.

श्री अनन्तराम जायसवाल : माननीय मंत्री जी के उत्तर मुताबिक 1978 में 215 लाख जो 1977 में 253 लाख मकान-रोज का नुकसान हुआ। इसी तरह से 1977 में 284 करोड़ रुपये तथा 1978 में 291 करोड़ रुपये की उत्पादन में हानि हुई है। आज जब हिन्दुस्तान में ज्यादा पैसावार की जरूरत है, क्या आप ने इस बात को दृष्टि में रख कर हड़तालों तथा तालाबन्दी के कारणों की कोई जांच कराई है कि इन के क्या कारण हैं?

दूसरे—सरकारी कारखाने चलने के बावजूद इन कारखानों के प्रबन्ध अधिकारियों तथा लेबर के इमान्दारी का प्राईर वही है जो निजी कारखानों का रहा है, उन में कोई परिवर्तन नहीं हुआ है। सरकारी प्रतिष्ठानों के जो प्रबन्ध-प्रयोग कारखाने हैं उन में भी बेज-स्ट्रेक प्रयोग-प्रयोग हैं। क्या आप इस व्यवस्था को बदलने की कोई कार्यवाही करेंगे जिस से उन के प्रबन्ध व्याप्त हार्ट-ब्रेकिंग समाप्त हो जाय?

श्री जाब कर्नाडिस : अध्यक्ष महोदय, हड़ताल और तालाबन्दी से सम्बन्धित मामलों की देख-रेख हम मंत्रालय करता है और मुझे उम्मीद है कि इस दिशा में वे प्रयत्न कर रहे हैं ताकि इन की संख्या कम हो जाय और ऐसी स्थिति का निर्माण हो जाय जिस से ये न हों।

जहां तक सरकारी क्षेत्र में चलने वाले कारखानों की समस्याएँ हैं, हम ने उद्योग मंत्रालय की ओर से एक कमेटी नियुक्त की थी और उस के सामने यह सवाल रखा था कि सरकारी कारखानों में अधिक और मैनेजमेंट के बीच में सम्बन्धों को किस तरह से रखा जाय। यह कमेटी सिर्फ बजटरी के प्रतिनिधियों की कमेटी थी। हम ने इस कमेटी से यह भी पूछा था कि उत्पादन में वृद्धि करने के लिये कौन से रास्ते अपनाये जायं तथा किसी भी प्रकार का अस्तित्व हड़तालों तक न पहुँचे—इसके लिये क्या कदम उठाये जा सकते हैं? उस कमेटी ने अपनी रिपोर्ट दे दी है और उस पर ध्यान करने के काम में हम लगे हुए हैं।