

### Untouchability

887. **Shri B. S. Murthy:** Will the Minister of Home Affairs be pleased to state:

(a) whether reports regarding the working of the Untouchability (Offences) Act, 1955, are received from the State Governments; and

(b) if so, whether a copy each of the reports received during the past two years will be laid on the Table?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) The State Governments are responsible for enforcing the provisions of the Untouchability (Offences) Act, 1955. They have, however, been requested to furnish periodic returns on the working of the Act.

(b) Consolidated statements in respect of years 1956 and 1957 are laid on the Table of the House [See Appendix-III, annexure No. 53.]

### MOTION FOR ADJOURNMENT

#### POLICE FIRING ON EMPLOYEES OF H.A.L.

**Mr. Speaker:** I have received notice of an adjournment motion from Shri S. M. Banerjee, Shri Prabhat Kar, Shri V. P. Nayar and Shri Mohamed Elias, regarding:

"Police firing on the workers of Hindustan Aircraft Ltd., on 25th February, 1958, resulting in death of a worker. Total lockout in the factory rendering nearly 4,000 workers as idle."

What are the facts about this matter?

**Shri S. M. Banerjee (Kanpur):** I have received a telegram yesterday from the same Union. It reads

"Situation arising out of lockout in Hindustan Aircraft Factory tense and serious. Settlement of outstanding disputes and provocative actions responsible. Representatives of employees not allowed personally to contact workers.

Terrific harassment and use of force including lathi charge against workmen. Pray immediate intervention to save the situation in vital industry. Co-operation of employees' association assured for a just and amicable settlement of all disputes."

May I submit further that this dispute, which is an industrial dispute, is going on since September 1957 and nothing has been done? Now it has resulted in firing and loss of lives. I would request the hon. Minister to make a statement, giving us some idea.

**The Minister of Home Affairs (Pandit G. B. Pant):** The Hindustan Aircraft Limited is a company registered under the Indian Companies Act. The shares are mostly held by the Government of India and the Government of Mysore. But the management vests in a Board of Directors. The Government is not directly in charge of the management. But, the present trouble is not directly connected with any issue affecting workmen or labourers as such. There is no labour dispute over which this trouble has arisen.

Some days ago—I think, about a week ago—one of the workers in the Rail Coach Department of the Factory gave evidence in a departmental proceeding. He was assaulted by some of the workmen, and thereafter the police, either directly or under the orders of a magistrate, on a complaint being filed by the workers who had been assaulted, arrested five of them. The whole trouble has arisen because of the arrest of those five men, and when they were arrested, the workers in the Rail Coach Department suspended work for that shift and they stayed where they were. When the second shift people came, they did like-wise. They did no work, but would not leave the place. So, the Manager had no option but to stop work. Really speaking he did not stop the work it was stopped by others.

Thereafter, other departments were affected, with the result that there was outbreak of violence and men were attacked. Then orders under section 144, I understand, were issued. But a rally of about a big crowd, 4,000 persons, in defiance of those orders, was taken out. The police had to take such steps as they considered necessary to maintain order.

I regret that injuries have been caused and casualties have occurred. But the prevailing conditions had to be taken into account by the local administration. It was a purely law and order problem. The Mysore Government was concerned with it, and they considered it essential to take such steps as appeared to them to be necessary for the maintenance of law and order.

The factory had to be closed in a way, not because of any labour trouble, but because there were valuable plants, there were equipments of a very delicate character and when there was such a chaotic condition prevailing, there was obviously no atmosphere in which work could be carried out. There has been no lock-out in the sense in which the word is used in labour matters. But work had to be stopped and the factory had to be protected against violence, and the security of persons as well as of property that was threatened had to be ensured by the State Government. They have taken such action as they considered necessary.

In the circumstances, I do not see how any occasion for an adjournment motion can arise.

**Shri Braj Raj Singh (Firozabad):** The life of one person was lost because of this.

**Shri S. M. Banerjee:** It is something more. I am surprised to hear the statement of the hon. Minister. Because, this dispute was going on for some time. If you remember, last time also a Calling Attention notice was given about the hunger strike when two persons were arrested. This

dispute is going on. How can the Minister deny the fact that there is an industrial dispute?

**Mr. Speaker:** What has the hon. Minister said?

**Shri S. M. Banerjee:** He has stated that the management has mentioned there is no industrial dispute.

**Mr. Speaker:** The hon. Minister has stated categorically that one of those persons gave evidence in a particular matter and so he was beaten up, as a result of which police have arrested five persons. After that, out of 2,000 to 4,000 workers some of them of one shift refused to do work; people of another shift also refused to do work. Thereafter, section 144 was promulgated, as a result of which there was some trouble. Then there was firing and so on. Cogently he has given us whatever information he has got. That is his information.

Now, what is the cause of this provocation? The strike, according to the hon. Member, is going on for several months, since September. So, that cannot be the cause of the provocation. One witness gave evidence in a proceeding and as a protest some other persons manhandled him and so on. If that is not so, what is the other cause for the trouble?

I have told the hon. Members many times not to get up simultaneously. They have to get up one after the other, and that also not until I call them. What is this hurry and impatience about?

**Shri S. M. Banerjee:** My submission is that an enquiry is absolutely essential in this matter.

**Mr. Speaker:** What is the immediate cause or the provocation for this firing?

**Shri S. M. Banerjee:** The immediate cause is that they were taking out a procession. That is what came out in the press. I have got the report.

[Shri S. M. Banerjee]

They were taking out a procession to the Bangalore City just to focus public attention.

Mr. Speaker: Was there not an order under section 144?

Shri S. M. Banerjee: May be.

Mr. Speaker: May be or may not be. If the hon. Member who has tabled this adjournment motion has any particular information in his possession, he may kindly tell me, leaving the inference or the decision to me.

Shri Prabhat Kar (Hooghly): The hon. Minister, while making his statement, said that there was sit-down strike.

Pandit G. B. Pant: I did not use the term "sit-down strike".

Shri Prabhat Kar: He said that people in the first shift did not work and workers in the second shift came in and they also did not work. Now, according to the Minister, somebody gave evidence and because of that some of the co-workers had beaten him up; so that was an individual matter and that has nothing to do with the strike. Now, why did the Government allow firing on the workers? The strike denotes that there was a labour dispute.

Mr. Speaker: Where did the firing take place?

Shri Prabhat Kar: After the strike?

Mr. Speaker: Where?

Shri Prabhat Kar: Outside the factory.

Mr. Speaker: Not in the premises of the factory?

Shri Prabhat Kar: No.

Shri Jaipal Singh (Ranchi West-Reserved-Sch. Tribes): May I say. . .

Mr. Speaker: Order, order. Even Mr. Jaipal Singh is not to have preference over others.

Shri Prabhat Kar: The Government's point of view is that it was not as a result of the labour dispute this firing took place. But, as I said, it is an undertaking where the Central Government holds majority of the shares; the Government of Mysore also holds shares in it. So, it is the responsibility of the Central Government to settle this dispute, before allowing the police to open fire, as a result of which workers have been caused injuries and death.

Shri Jaipal Singh: The issue is not only whether any firing has taken place. I think what we have to bear in mind is whether we have to accept the perspective of the hon. Minister in regard to H.A.L., as if it were merely a question of law and order of the Mysore Government. I do not think that is a fact. It was once upon a time under the Ministry of Communications. Now it is under the Ministry of Defence. Government have a direct responsibility for the appointment of the Board. They cannot divorce themselves from their responsibility as if they have nothing whatever to do with it. He mentioned security. For reasons of security there, it had to be a lock-out, because valuable property so essential for the defence of the country would have been destroyed if the strike continued. The defence of the realm is affected.

Mr. Speaker: We are not discussing the matter now. I have not given my consent. Without going into the details, I only wanted to know what the immediate cause of the firing was. It may be necessary, may not be necessary, to settle this matter. I am not going into all these matters.

Shri Jaipal Singh: I was not permitted to finish my statement. My point is, the question of the adjournment motion was not merely confined to the incident of firing. Other things are involved. The security of the country is involved. If the factory does not work for a longer period, our defence forces are affected.

**Shri Muhammad Elias (Howrah):** I want to submit that the Union has stated that they are always ready to tender their co-operation in order to ease the situation, but their attempts have failed and the authorities have not taken their co-operation. Therefore, my suggestion is that the Government should be ready to accept their co-operation, in order to ease the situation. Because, we do not want to stop such a vital industry. We want the industry to run smoothly. My submission is that the Government should take the co-operation of the Union to ease the situation.

**Shri Braj Raj Singh:** On a point of clarification, Sir....

**Mr. Speaker:** No, no. Order, order. I have heard all those hon. Members who are parties to this and who have tabled this motion. I have heard one other hon. Member also. There is no end to these submissions. I have heard both sides.

The hon. Minister has said that this arose out of one of the workmen having given evidence. That evidence not being palatable, other persons beat him and five persons were arrested. I have asked one after another the hon. Members on the other side who have tabled this motion and others also. They are not in a position to deny this. It might have happened. Evidently, it must have happened. It is said that they took out a procession. The hon. Minister said that section 144 had been promulgated. That is not denied. It is also said that this firing took place not within the premises of the Hindustan Aircraft Factory, but outside. Certainly, it is a matter of law and order. Evidently, the hon. Members of this House who have tabled the motion seem to be anxious that this matter should be settled. I am sure the workmen are not their workmen. They are equally the workmen of the Government and the Hindustan Aircraft factory. I am sure, if this matter has been pending for a long

time, since September, as early as possible this matter should be settled as is convenient to both sides. With these observations, I would not give my consent to this adjournment motion. It will provoke rather than bring about an amicable settlement. I hope the hon. Home Minister will use his good offices to get this matter settled as early as possible.

**Pandit G. B. Pant:** You might be remembering, Sir, that a detailed statement was made by the Prime Minister himself stating the various steps that had been taken by the Government with a view to meet the wishes of the workmen on the 26th of November, last. The Government has been and is anxious that the workmen should have no legitimate grievance and that so far as is possible, their wishes should be met. But the workmen should regard this factory as a national institution which deserves the support of every one. It belongs to the Defence Department. One should understand its importance and the grave consequences that would follow if such institutions are put in jeopardy.

#### PAPERS LAID ON THE TABLE

##### DELHI MUNICIPAL CORPORATION (ELECTION OF COUNCILLORS) RULES

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, I beg to lay on the Table, under subsection (2) of section 479 of the Delhi Municipal Corporation Act, 1957, a copy of each of the following Notifications:—

- (1) Notification No. F. 1/58-Elec.D.M. Cor., dated the 1st February, 1958, containing the Delhi Municipal Corporation (Election of Councillors) Rules, 1958.
- (2) Notification No. F. 1/58-Elec.D.M. Cor., dated the 8th February, 1958, making certain