

12.16 hrs.

REINSTATEMENT OF DISMISSED
RAILWAYS EMPLOYEES

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, I am happy that the Railway Minister is here. He has earned the dubious distinction of not keeping to his word. You are also aware because you had also intervened. Two previous Governments had not only made commitments, but they had given effect to the order for reinstatement of the displaced workmen who were summarily dismissed without any enquiry, or without any chargesheet or trial under that infamous and draconian rule 14(2) of the Railway (Disciplinary and Appeal) Rules.

Now, this matter was raised in the House earlier. You had made certain observations. The hon. Minister assured us that the matter is being considered, and it will be sympathetically considered. In the last session, he said that it has been sent to the Cabinet. More than two-and-a-half months had lapsed. We are not told as to what decision has been taken. I am sure the Cabinet must be meeting, if not more often, at least once a week. This is not such a matter that you cannot take a decision. You are changing so many things in this country. The entire industrial policy has been changed, without taking Parliament into confidence and without even summoning Parliament. You have devalued the currency. The country is on bended knees before the I.M.F. and the multi-nationals. Can you not take a decision to reinstate a few workers who were arbitrarily dismissed from railway service for which your predecessor Government had taken a solemn decision? Is this the way you react to your previous Government's decision? Those were Cabinet decisions. I can understand what happened. The President said that because Shri V.P. Singh's Government was

going out, therefore, it should not have taken the decision, and it should be reviewed. There was no other contrary decision.

We, therefore, request Shri Jaffer Sharief to announce today, here and now, that the order for reinstatement has been issued or will be issued today itself. I am requesting you to kindly intervene. I am sure the hon. Minister will recall that every section of the House had supported that demand. In the last House even some of the hon. and esteemed colleagues, who were not in the Government then, set in the well demanding this. Because they are now in the Government, I find that whenever these questions are raised, they make themselves scarce. Shri Kumaramangalam cannot face it. I do not know why they are keeping quiet. I demand that immediate announcement should be made. The railway men are also holding their convention and this is an opportune moment to make the announcement.
(Interruptions)

SHRI CHITTA BASU (Barasat): This is the demand of all.

[Translation]

SHRI RAM VILAS PASWAN (Roser) : Mr. Speaker, Sir, I have given notices of an Adjournment Motion and a Calling Attention today. More than 50,000 employees of All India Railwaymen Federation holding a demonstration today in support of their demands for equal pay and for abolishing casual labour and contract system. Shri Somnath has raised the issue just now. It is a very serious matter. Railway, a Public Undertaking, is one of the biggest industries of the country. Shri Jaffer Sharief has been a Minister earlier also and is at present also the Minister of Railways, he must not do any such thing which gives an impression that he is against the welfare of the workers. Therefore, since he is present in the House

at the moment, I would like that he being the Minister of Railways, should give a categorical assurance on behalf of the Government regarding the question of reinstatement of dismissed employees. I would like to know the action proposed to be taken by the Government in this regard? Secondly, the Railwaymen Federation.. (*Interruptions*).. Yes, he is still present. In the second place Mr. Speaker, Sir, memoranda have been submitted to you in regard to the demonstrations and several programmes being launched by the workers of All India Railwaymen Federation; the representatives will rather meet you. I would like the Government to adopt a positive attitude to solve this problem; the Government should make an announcement in this regard today. This is my demand.

[*English*]

SHRI MANORANJAN BHAKTA (Andaman-Nicobar Islands) :Mr. Speaker, Sir, this is a very important issue. Even in the past we have supported this cause, and if you remember, Sir, our former colleague, Shri Harish Rawat, and our senior colleague, Shri Jaswant Singh, were in the Tughlak Road Police Station. So, Sir, the hon. Railway Minister is present here and a number of times we got assurance from him, and I request him to kindly consider this issue because the entire House is together in this matter.

SHRI CHITTA BASU (Barasat) : Sir, as a matter of fact, I feel the hon. Railway Minister should accept the demand of all sections of the House including his party. Sir, I do not want to remind him of his responsibility as the Railway Minister, His predecessor has decided something. It could not be implemented because of certain circumstances. That does not mean that the decision taken by the earlier Minister, the predecessor Minister has not got the sanctity of its own. Therefore, Sir, from all considerations,

the Government, i.e., the Railway Minister should not abandon the responsibility of reinstatement these retrenched workers. I hope he will consider our demand.

[*Translation*]

SHRI BHAGWAN SHANKAR RAWAT (Agra) : Sir, my submission is that since the decision has already been taken the process of the victimisation of employees should be stopped; it would restore cordial atmosphere. The workers are being victimised for a long time this should be stopped immediately. The decision should be implemented immediately. Moreover, I would like to submit that all the announcements made by the last Government in regard to the Railway matters should be followed by the present Government with full sincerity. Shri Janeshwar Mishra, the then Minister in the Government had made an announcement to construct a railway line from Agra to Allahabad; this project has also not been implemented. The decisions taken by the previous Government should be rejected on political grounds. In the same context, I would like to suggest to the Government to reinstate the employees without any further delay. The announcements already made should also be fulfilled.

[*English*]

SHRI BASU DEB ACHARIA: Sir, this issue was raised a number of times by all sections of this House, and this is the feeling of the entire House. These railway employees were dismissed in the year 1981, in the month of January, and since then they were out of employment. There are about 700 railway employees who are out of job. Sir, an assurance was given by his predecessor, Shri Janeshwar Mishra, on the floor of this House that the decision taken by the previous Government, the National Front Government, would be implemented and then again not once, but twice, the present Minister, Shri C.K. Jaffer Sharief, gave a categori-

cal assurance on the floor of this House that the reinstatement of these dismissed employees would be considered sympathetically. Then I was told by the Minister in a Consultative Committee Meeting that this was cleared by the Ministry of Personnel and the Ministry of Law. Then the matter is pending in the Cabinet.

Sir, two months have elapsed since the matter has been referred to the Cabinet. we want to know that decision has been taken by the Cabinet. There are a number of cases pending in the Supreme Court.

MR. SPEAKER: Mr. Acharia, you do not have to make a long speech to make your point.

SHRI BADU DEV ACHARIA: Today, thousands of railway employees are demonstrating in the Boat Club and they are demanding that these dismissed railway employees should be reinstated. We want that today the Railway Minister must announce that these dismissed railway employees would be reinstated.

SHRI CHANDRA SHEKHAR (Ballia) : Mr. Speaker, Sir, I support the plea made by Shri Somnath Chatterjee and I hope the Railway Minister will have no difficulty in making the announcement, because all aspects of this matter have been gone into and the Government had taken into consideration various problems that the Railway Minister would be facing. But in spite of that it will be just and proper to announce the reinstatement of the railway employees.

[*Translation*]

SHRI DATTA MEGHE (Nagpur) : Mr. Speaker, Sir, the same question was raised in the last session also. It relates to the welfare of the Railway employees and the Congress party has always adopted a policy which is in favour of these employees. The

cases of all the employees who were dismissed should be considered sympathetically and they should be reinstated in their jobs. I hope that the Congress Government would not adopt a policy which is against their interests. Hard and sincere work done by the Railway employees should be kept in view to reinstate them in their jobs.

[*English*]

SHRI CHANDRA JEET YADAV (Azamgarh) : Sir, I think you will also remember that this is the third time this issue is being raised in this House and always all sides of the House have supported this issue. I would like to remind the hon. Minister that he made a categorical statement that he was going to the Cabinet with a sympathetic approach. I think there are about 700 cases. Two previous Ministers had agreed to that and the present Minister also agreed that he was going to the Cabinet and gave a clearcut impression that this is going to be done. So, I would like the Minister to tell us the decision now. This is what we want.

SHRI LOKNATH CHOUDHURY (Jagatsinghpur) : Mr. Speaker, Sir, this matter has been raised several times in this House and all sections of the House support this and have the sympathy for the reinstatement of the dismissed railway employees. I remember even at one stage the hon. Minister said that the decision was no taken by the previous Government. Shri George Fernandes who was the Railway Minister in the National Front Government made a categorical statement here that he had issued orders for reinstatement and he also said that even the relatives or sons of those who have already died also will be employed. On that occasion, the hon. Minister said that he was not aware of that decision.

Sir, there are certain agencies in the Railways which do not want the reinstatement of the workers. The hon. Minister gave

a categorical assurance that he would sympathetically consider this matter. So, without any hesitation, I think, the Minister should assure in the House that they would be reinstated.

SHRI P.G. NARAYANAN (Gobichettipalayam) : Mr. Speaker, Sir, I share the concern of the other Members on this matter. The matter has to be viewed very seriously. I hope the Railway Minister will consider this issue sympathetically and come out with necessary orders.

SHRI LAL. K. ADVANI (Gandhi Nagar) : Mr. Speaker, Sir, I do not want to repeat anything but I would like to emphasise that failure to take action in this respect would mean a collapse of faith because three successive Lok Sabhas 8th Lok Sabha, 9th Lok Sabha and the 10th Lok Sabha have expressed a near unanimous view and two successive Governments, first the Government in which Shri George Fernandes was the Railway Minister and next the Government in which Shir Janeshwar Mishra was the Railway Minister have given the commitment. After this kind of unanimous expression of parliamentary opinion and two successive governments and their Railway Ministers asserting that they are committed to reinstate these employees, failure to reinstate these employees would undermine the faith and efficacy of Parliament to bring about redressal of grievances.

I would, therefore, request the Railway Minister to make an announcement here and now that this promise given by the earlier governments would be fulfilled.

[*Translation*]

SHRI RABI RAY (Kendrapada) : Mr. Speaker, Sir, Shri Jaffer Sharief is laughing at it. I would like to submit that as an act of collective wisdom of the Parliament members of all sections favour acceptance on

demands of the workers. Through you, I would like to submit to the hon. Minister that as Shri Advani has already pointed out that the Members have been urging the Government to accept these demands for the last three sessions and the hon. Minister enjoys the support of his party and hopefully the support of the Cabinet also in this respect then why an announcement to this effect is not being made. In view of the unanimous support of the House I would like the hon. Minister to make an announcement to reinstate the dismissed employees.

[*English*]

SHRI A. CHARLES (Trivendrum) : I feel, there is unanimity in this House regarding reinstatement of the dismissed employees. There is no second opinion on that. So, I also share the opinion. But the problem is, to say that the Minister should make a statement here and now will be a problem. I would appeal to the Minister (*Interruptions*)

We are all for reinstatement of the dismissed employees. I would request the Minister to make an announcement and take action at the appropriate time. An impression has been created by the Opposition that we are not interested. We are for the reinstatement. The Minister can make a statement for the reinstatement of the employees at the appropriate time.

SHRI P.M. SAYEED (Lakshadweep) : As has been mentioned by Shri Somnath Chatterjee, this matter has been mentioned here time and again. Also some of us even sat in the Well of the House. He has accused that I am keeping quiet. I am also for it. It is a humanitarian cause. We are not opposed to it.

The hon. Railway Minister in his Railway budget speech said, he would bring it before Cabinet and he will try to see that it gets through. If it is through, I do not think

there is any hitch for him to announce.

MR. SPEAKER: Are you interested in responding in any way?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF) : I never expected that suddenly this would come up. Any way with due respect to all the Members, particularly the Leader of the Opposition, the former Prime Minister and all other senior Members of the House who have expressed concern, I hope the Members of the House will appreciate what I said earlier. I stand committed to what I said before.

In fact, whatever decision was taken by the earlier Governments, it was taken by a Cabinet. So, I committed to them in the last session. (*Interruptions*) Please bear with me. I committed in this House in the last session that "It will go to the Cabinet. I will take it to the Cabinet." I also said that my sympathies will be with the workers.

[*Translation*]

SHRI RAJENDRA AGNIHOTRI (Jhansi): Mr. Speaker, Sir, when the Government will fulfil their promise? The House wants the Government to make this announcement. This has been asserted many times in the House. (*Interruptions*)

MR. SPEAKER: Let the hon. Minister conclude.

(*Interruptions*)

[*English*]

SHRI C.K. JAFFER SHARIEF: Sir, the matter is now seized by the Cabinet. In fact, the Cabinet could have taken it up by this time. Unfortunately because of lot of other business and priorities, it could not be done. Let me tell you that even recently there was a query from the Law Ministry and I an-

swered that it is with the Cabinet. In the course of this Parliament Session itself, in one of the Cabinet meetings, I will pursue it. The Cabinet is not subject. I only represent the railways now. I will ask the Cabinet Secretariat to see that this subject comes up before the Cabinet and some decision is taken.

SHRI SOMNATH CHATTERJEE: This is not proper. The Leader of the House should come and clarify. (*Interruptions*)

SHRI CHANDRA JEET YADAV (Azamgarh) : We appreciate his helplessness.!

SHRI SOMNATH CHATTERJEE: It is a deliberate insult to the House. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: We are thoroughly dissatisfied. If this is the attitude, we will walk out in protest. (*Interruptions*)

SHRI BASU DEB ACHARIA (Bankura) : It is too much. You did not take any action. (*Interruptions*)

SHRI BASU DEB ACHARIA: It is an insult to the House. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: You had also expressed your view. We have been patiently waiting for two months. Is this the way of functioning of the Cabinet in the country that you cannot take a decision in the matter for two and a half months?

SHRI C.K. JAFFER SHARIEF: You cannot dictate to the Cabinet. (*Interruptions*)

[*Translation*]

MR. SPEAKER: Kindly listen, you must realise that we all are trying to solve this matter. Please listen, then you may do what you want.

(Interruptions)

[*English*]

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): I must place on record the fact that in the last Session of Parliament, this matter was raised and the opinions expressed on that occasion were as unanimous as they are today. On this there should be no doubt. The hon. Minister had then stated that he will take the matter to the Cabinet with his recommendation which he has done. Now it is a fact that the Cabinet has not been able to decide on the matter.

SEVERAL HON. MEMBERS: Why ?
(Interruptions)

SHRI ARJUN SINGH: I would like to say something, Mr. Madan Lai Khurana, if you would like to hear me.*(Interruptions)*

[*Translation*]

MR. SPEAKER : Let me conclude first.

(Interruptions)

[*English*]

SHRI RAM VILAS PASWAN(Rosera): As Leader of the House, will you announce it today?

SHRI ARJUN SINGH: I know what I have to say.

MR. SPEAKER: Let him complete.

SHRI ARJUN SINGH: I think many Members who have expressed their opinion will also understand what are the parameters of the Cabinet functioning.

I am not saying for a minute that his issue is not such that it should not have been decided. The fact of the matter today is that

a decision is yet to be taken. All I can say is that as soon as the hon. Prime Minister returns, I will personally place this matter before him as the unanimous view of this House and I am confident that he will not allow the confidence of this House to collapse.*(Interruptions)*

SHRI SOMNATH CHATTERJEE: Sir, I am thankful to the Leader of the House. I can understand that in view of the pressing issues, the Cabinet has not been able to technically pass it. But we proposed on this basis that it will be done in this House and it will be announced in this session. On that basis, we are participating in the proceedings.*(Interruptions)*

[*Translation*]

SHRI DILEEP SINGH BHURIA (Jhabua): Mr. Speaker, Sir, my submission was that there are a large number of leprosy patients in our country. An institute is indulging in evil practice of taking out eyes and removing kidneys to sell them at large scale. There is an institute by the name of "Jalma Research Institute of Leprosy" in Agra. I received complaints from a number of people leprosy patients are being cured for treatment and their eyes and kidneys are being taken out and sold. The patients are assured of their ailment within 10-15 days and that the whole expenditure on their treatment would be borne by the Government. Shri Arjun Singh is present in the House. I would like to submit to the House the stringent action should be taken against those who are indulging in such malpractices. CBI should be entrusted the work of investigation in to the matter and the people, who are doing injustice and committing atrocities on weaker sections, minorities on leprosy patients by taking out their eyes and kidneys and selling them, should be awarded different punishment. I would like the Government to conduct an enquiry into the matter.