

**Shri Sadhan Gupta:** May I know in what condition the building is and whether Government propose to expedite the decision on its purchase?

**Shri Humayun Kabir:** Very little of the original structure now remains and practically every bit of it is modern in material. In addition, it has got entangled with evacuee properties. Since part of it belongs to evacuees and part of it to non-evacuees, this has taken a longer time. I have just heard from the hon. Minister of Rehabilitation that the Assistant Custodian has completed his enquiry and has valued it at Rs. 33,000. After the final decision of the Deputy Custodian General, we will take action for getting possession.

**सेठ गोविन्द दास :** यह बड़ी सूसी की बात है कि इतने बड़े साहित्यकार की याद-गार बनाने का प्रयत्न चल रहा है। क्या इसी प्रकार और भी जो उर्दू, हिन्दी तथा हमारी दूसरी भाषाओं के साहित्यकार हैं उनके सम्बन्ध में भी विचार किया जा रहा है ?

**श्री हुमायून कबिर :** यह खयाल हमेशा हमारे सामने है, लेकिन जब कोई तजवीज सावने आयगी तो उसके ऊपर विचार किया जावेगा।

#### Jamshedpur Strike

- +  
\*509. { **Shri Tridib Kumar Chaudhuri**  
**Shri S. A. Dange:**  
**Shri S. M. Banerjee:**

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that military forces from the Eastern Command of the Army were ordered to stand by and to take up position in Jamshedpur in connection with the strike of the workers of the Tata Iron and Steel Company on the nights of the 19th and 20th May, 1958; and

(b) if so, the circumstances in which military forces were sent to Jamshedpur?

**The Deputy Minister of Defence (Sardar Majithia):** (a) and (b). In response to a request by the State Government and in accordance with the law and established procedure, the Army rendered assistance to authorities in Jamshedpur in the law and order situation during the time of the strike by the workers of Tata Iron & Steel Company. The troops reached Jamshedpur on morning of the 20th May, and were withdrawn on the 30th May, 1958.

**Shri Tridib Kumar Chaudhuri:** May I know if it was only for law and order purposes, to assist the State Government in upholding law and order, that the troops were sent there?

**Sardar Majithia:** As I said in the answer, it was at the request of the State Government and according to the law of land that these troops were sent there.

**Shri S. M. Banerjee:** The section of the Criminal Procedure Code under which the troops can be called in by the Magistrate is section 129. It says:.....

**Mr. Speaker:** Are we arguing it out here? What is the question?

**Shri S. M. Banerjee:** May I know whether the troops were required to disperse any assembly?

**Mr. Speaker:** Is it stated anywhere under the law that troops cannot be called in for purposes of protecting....

**Shri S. M. Banerjee:** Sir, section 129 was quoted. My submission is.....

**Mr. Speaker:** They have not quoted that.

**Shri S. M. Banerjee:** No.

**Mr. Speaker:** The hon. Member takes hold of a particular section and says, under this they are competent.....

**Shri S. M. Banerjee:** I want to know whether it was called in under section 129 of the Criminal Procedure Code.

**The Minister of Defence (Shri Krishna Menon):** This matter was fully explained by yourself in the

House the other day. The position was that a proclamation, or whatever it is, under section 144 had been made by the local authorities when this meeting or possibly unlawful assembly took place. But, in any case, the Defence authorities have a statutory obligation to come to the assistance of the civil authorities if so asked. It is not necessary even for the State Government to make the request. The magistrate makes a request and the Defence authorities go. But what degree of force they should use is a matter for the Defence authorities. And, in this case no force was used. There has been at no time any intervention by the Defence authorities or Defence Forces in industrial disputes. They will not be used to break strikes.

**Shri M. K. Ghosh:** May I know if there were cases of sabotage and assaults inside the works and outside on the 19th or between the 15th and 19th?

**Shri Krishna Menon:** What happened inside the works is not the concern of the Defence Ministry.

**Shri Sadhan Gupta:** It is said that the Defence authorities acted in accordance with statutory requirements. May I know under what statutory requirement the Defence authorities acted and whether the Defence authorities were called upon, in fact, to disperse any assembly?

**Shri Krishna Menon:** The magistrate makes a request under section 129 or 130 of the Criminal Procedure Code. Even apart from that there is the general commitment of the Defence people, if required, to come to protect the life of the community. In this case, the District Magistrate did make a request. He can make it direct to the local Commander and the Commander has an obligation to go there.

**Shri S. M. Banerjee:** My question has not been answered.

**Mr. Speaker:** The question has been answered.

This matter came up before the House by way of an adjournment motion. The Defence Minister has said today what he said the other day that it is open to the District Magistrate or the highest magistrate there on the spot to request the Armed Forces to assist in the dispersal of the assembly. But by the time they go there they do not find it necessary to shoot. Is it contended by the hon. Members here that unless they have to shoot they should not go there? By the time they went there might be no need for them to shoot. Do the hon. Members mean that having gone there they must shoot? (*Interruptions.*)

**Shri S. M. Banerjee:** I am not.....

**An Hon. Member:** Interested in the private sector (*Interruptions*).

**Mr. Speaker:** I am afraid hon. Members have got their own views as to what ought to have been done and what ought not to have been done.

**Shri Tangamani:** Sir, there is a contradiction in the reply originally given and the reply subsequently given. The original reply said that it was at the request of the State Government that the military went there. I would like to know whether the request came from the Chief Secretary or from the District Magistrate.

**Mr. Speaker:** The hon. Minister said, from the District Magistrate.

**Shri Tangamani:** The original reply was, at the request of the State Government I would like to know whether it was a request from the Chief Secretary for the supply of these troops.

**Shri Krishna Menon:** We have no desire to withhold any information from the House. A request from the Magistrate is adequate. Under the ordinary general law the Chief Secretary representing the State Government can make a general request at any time. The request of the District Magistrate is the request of the State Government.

Reference was also made to the private sector. I am not aware that law and order is in the private sector.

**Mr. Speaker:** I am here to guard against any encroachments upon the rights of any hon. Member. This is a private sector. The moment they go out and some persons assault them, can we say it is the private sector? No.

**Development Loan Fund of the U.S.A.**

+

\*514. { **Shri Panigrahi:**  
**Shri N. R. Munisamy:**  
**Shri D. C. Sharma:**  
**Dr. Ram Subhag Singh:**

Will the Minister of Finance be pleased to state:

(a) Whether any discussion between the representatives of the Government of India and Development Loan Fund of the United States have taken place;

(b) if so, whether any procedure for the utilisation of 75 million dollars loan has been formulated; and

(c) what are the programmes chalked out for the utilisation of this 75 million dollars loan?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) to (c). Copies of two Development Loan Fund agreements showing the projects and procedure for utilisation are placed on Table of Lok Sabha. [See Appendix III, annexure No. 2.]

**Shri Panigrahi:** May I know whether these specific projects for the development of road transport, cement and jute industries have been worked out?

**Shri B. R. Bhagat:** Yes; they have been worked out by the respective Ministries.

**Shri Panigrahi:** May I know the details of these specific projects in which this loan will be invested?

**Shri B. R. Bhagat:** I will require a special question to that effect.

**Shri D. C. Sharma:** What are the terms for the repayment of this loan, whether on deferred payment basis or on any other basis?

**Shri B. R. Bhagat:** The terms of the loan are that the repayment will start from 30th June 1959; and, in the case of the railway project loan, it will be paid in 40 equal semi-annual instalments; and respecting others, it will be 30 equal semi annual instalments.

**Shri Joachim Alva:** In the first agreement 25 million dollars are set apart for modernisation of transport and for buying component parts of vehicles. I want to know whether we are entitled to buy these parts in Germany or in England or we should buy them only in America?

**Shri B. R. Bhagat:** Does he want information as regards this agreement or with regard to some previous agreement?

**Shri Joachim Alva:** The first agreement.

**Shri B. R. Bhagat:** I will give the information. There is no specific provision in this Development Loan Fund agreement to the effect that we will have to purchase them from America alone. If the price and other factors are favourable, we may purchase them in America. For instance, so far as the railway parts are concerned, that is to say, steel and other things, we are purchasing from outside. Similarly, cement is not the line of purchase from America and we purchase cement from outside. So far as motor spare parts and others are concerned, a part of it will be purchased in America because it is better qualitatively and otherwise.

**Shri N. R. Munisamy:** May I know whether this loan can be utilised for financing the purchase of goods for which the contract was placed before March, 1958 and the goods are to be delivered before September 1961?

**Shri B. R. Bhagat:** It will be utilised to finance the future purchases; not the past commitments.