

रेल बंसाध्य में उपकीर्णी (श्री सुकुमार शर्मा कुपेसी) : (क) जी हाँ, भारतीय रेलो ने 1988-89 तक की अवधि लिये एक समष्टि योजना बनानी शुरू कर दी है ।

(ख) समष्टि योजना तैयार करने के काम में सम्बन्धित अवधि के लिये यातायात की सम्भावनाओं के आकलन और यातायात की मांगों को कुशलतापूर्वक पूरा करने के लिये यथा सम्भव सर्वोत्तम उपाय खोजने का काम शामिल है ।

(ग) इस वर्ष के अन्त तक समष्टि योजना पर कितनी हद तक अन्तिम निर्णय हो जाने की सम्भावना है । फिर भी, रेलो का हमेशा यह लक्ष्य रहा है कि यात्रियों की कठिनाइयों आदि को शीघ्रातिशीघ्र दूर किया जाये ।

Taking Over of D.E.S.U.

3189 SHRI BANAMALI PATNAIK: Will the Minister of IRRIGATION AND POWER be pleased to state.

(a) whether it is proposed to take over the Delhi Electricity Supply Undertaking;

(b) if so, the steps taken in this direction; and

(c) the stage at which the matter stands at present and how far it is going to solve the problem?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI BALGOVIND VERMA): (a) to (c). In order to have a unified organisation for electricity supply in Delhi in line with that in other States, it is proposed to constitute a State Electricity Board to take over the generation, transmission and distribution of power in the Union Territory. Action is in hand to bring forward the necessary legislation.

12 hrs:

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED EXPLOSION IN THE INDIAN EXPLOSIVES FACTORY AT GOMIA

DR. H. P. SHARMA (Alwar): Sir, I call the attention of the Minister of Industrial Development and Science and Technology to the following matter of urgent public importance and I request that he may make a statement thereon:—

The reported explosion in the Indian Explosives Factory at Gomia resulting in the death of 25 workers there.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM): An explosion occurred at 06 40 hours on the 3rd March, 1973, in the Talley Mixing Shed ZI at the Indian Explosives Factory in Gomia, Bihar. Seven employees including the foreman were killed on the spot and two were seriously injured. The injured were removed to Calcutta by plane on the same day and admitted in the Nursing Home for special treatment but unfortunately it is reported that they also subsequently died.

The Deputy Controller of Explosives, Gomia started investigations immediately after the explosion. The Deputy Chief Controller of Explosives (Eastern Circle) arrived at Gomia on the afternoon of the 3rd March, and the Chief Controller of Explosives reached there on the 4th and jointly inspected the scene. The Talley Mixing Shed and all the machinery and equipment installed there were completely destroyed. Minor damages were noticed in the fragile north lights and asbestos cement sheets in several sheds in the direction of the blast. Fortunately, sympathetic explosion did not occur in any other shed.

The inspection by the officers of the Department of Explosives had not indicated any evidence of violation of

negligence. The Deputy Commissioner, Giridih will be holding the magisterial enquiry under Section 9 of the Indian Explosives Act and the Deputy Chief Controller of Explosives East Circle, Calcutta, would be associated with this enquiry.

The immediate needs of the families of the deceased persons are being looked after by the Company. In addition to the gratuity and compensation payable under the Workmen's Compensation Act, the Company has also announced ex-gratia, payments to the families of the deceased persons.

The damage to the property and equipment has been estimated at Rs. 20 lakhs.

This was the first fatal accident in the Gomia factory after 15 years of operation.

DR. H. P. SHARMA: The explosive that occurred in the Indian Explosives Factory at Gomia obviously was of a very major nature. In the initial report, it was said that only 7 people died. Subsequently another 18...

SHRI C. SUBRAMANIAM: Another 2.

DR. H. P. SHARMA: The initial reports mentioned only 7. After that newspapers said that the total was 25....

SHRI C. SUBRAMANIAM: The number of deaths is only 9.

DR. H. P. SHARMA: Still the fact remains that the explosion must have been of a major nature. We know very little about the causes that led to it. Apart from the extent of damages that he has put before the House, what is the total damage? Has the factory been incapacitated or how long would the repairs take?

It has always become a sort of practice that the initial reports minimise the losses. We know about the caving in of the roof at Rourkela. Initial

reports said that the damage was very little. But we know to our cost what was the extent of the damage.

In view of these facts, I would ask the following questions. The initial reports said that 3 workers died and 4 passers-by also died. Were the latter employees of the factory or did they belong to the public? If they were members of the public, what is Government's policy regarding payment of compensation to such people who did not belong to the workers?

Then when the Government pay compensation, do they make any differentiation between temporary workers and permanent workers? Then are there any special risk emoluments given to the workers in the Explosives Factory?

The IEL in a notification issued has said that the 'management does not expect any serious shortage in the supply of commercial explosives as a result of today's mishap'. I think it is up to the Government to inform the House whether the Factory was also making explosives for our defence requirements. If it was, what is the position? I ask this because the notification only says that there will be no shortage in the supply of 'commercial' explosives. What is the position about our defence requirements? Will it be seriously affected? Whatever information the Minister can give to the House in this connection should be given.

Last but not the least important is the question of violation of security and the element of sabotage. It is a matter of common knowledge that there have been threats from the Black December group. I do not want to inject an element of sensationalism but it may not be a matter of only coincidence that the same newspaper that carried this news of the explosion also carried the news in banner headlines about the Black December's threats to diplomats at Khartoum, the threat to the MCC team in Pakistan and also threats to national leaders and vital

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installations by the Black December. These are the headlines from the news paper of the same day.

I do not wish that Government over-react to news or threats like this. But I would still think that the Government would be guilty of dereliction of its duties if it does not make proper investigation and does not take steps to thwart any attempts along those lines.

Then there is the question as to what steps are the Government going to take regarding the recurrence of such accidents, because, any worker who goes to work in any one of these explosive factories really knows that there is a certain element of risk involved in it, but it is the Government's duty to reduce the amount of risk and assure the workers that there was no lack of any safety regulations or any other regulations that could have avoided and saved the precious lives of the workers.

SHRI C. SUBRAMANIAM: From the trend of the questions, I do not know whether the hon. Member is under the impression that this is a Government-owned company. It is not. It is not a public undertaking either. It is a foreign majority company, as a matter of fact.

As far as the extent of the damage is concerned, it is estimated by the company, as I have already said, that it is Rs 20 lakhs. I do not think there is likely to be an under-estimate with regard to this damage.

DR. KAILAS (Bombay-South): They must have overestimated the loss to get more money from the insurance.

SHRI C. SUBRAMANIAM: I do not know. Then, no outsiders were injured. Only nine persons who were working in the shed were involved in it. Seven of them died instantaneously there. Two were flown to Calcutta for treatment and they died there, which I mentioned already.

As far as compensation is concerned, apart from what they are entitled to get under the Workmen's Compensation Act, they will also get gratuity and provident funds depending upon their service. I am informed that along with the ex-gratia compensation the company would be paying roughly about four years' salary as compensation to the dependants of each of these families—

SHRI PILOO MODY (Godhra): How much ex-gratia?

SHRI C. SUBRAMANIAM: Four years' salary is to be paid in addition to ex-gratia which will have to be worked out under the Workmen's Compensation Act.

Then, immediate relief also had been given to the family Rs. 500 in cash has been paid to each family. Then, for the funeral expenses and other things, they have also been met by the company. That is as far as compensation is concerned.

Naturally, there are special risks involved in working in an explosive factory, and there are very stringent regulations with regard to the safety measures to be taken. In this factory, as I have already said, there was no major accident during the last 15 years. That shows that they have observed these safety measures to a large extent. I do not think there is any ground to suspect sabotage in this. It looks as if it is an accident, but what is the actual cause for the accident will have to be investigated, and perhaps the District Magistrate's enquiry will throw more light with regard to the cause.

With regard to the steps taken to avoid a recurrence, there are various stringent regulations with regard to that, as I have already said, and we try to see that these regulations are strictly adhered to by the company.

With regard to shortage, the company has already put the factory in order, and it has started working in a

normal manner, because they had spare parts readily available with them and they have started working, and there is not likely to be any shortage.

DR H P SHARMA: What about the question of threat? Is the Minister, pending the completion of the enquiry, in a position to say categorically that no element of threat whatsoever was involved?

SHRI C SUBRAMANIAM As it is, there is no evidence. The enquiry may bring out any other thing, I do not know.

SHRI S. M. BANERJEE (Kanpur): The hon. Minister must be aware that this was one of the factories which were inaugurated by the late lamented Dr Rajendra Prasad when he was our President. We have our trade union there, Gomia Mad'oor Union and the facts brought out by them did not find a place in the statement of the hon. Minister. I do not know whether that had been supplied by the State Government or by the management of the Indian Explosives which is managed by the ICI. It is stated in that letter that the explosion in Gomia factory on 3-3-1973 took place at 6.40 A.M. According to the hon. Minister seven dead bodies were found. On the information given to us, I speak subject to correction, more workers had died and some of the dead bodies were removed; it is nothing novel as it had been done in the mines, in many private undertakings. Here also, according to the muster roll, attendance register, some people who came to work never returned home and the suspicion is that three or four more persons had died; according to the newspapers, the total number of deaths is 25. Is it a fact that on 2-3-1973 one of the employees who was working in that particular plant, Dhaneswar Kandu, an employee of the blasting department informed the shop supervisor Mr. B. N. Prasad and shift superintendent Mr. Sethi that some disturbing sound was heard, due to which it has become dangerous to work there. The management did not take any

care inspite of this warning by this particular worker who knew his job. This was also against the standing order. When Mr. Kandu warned of the disaster on 2nd March, he was not heeded, instead he was asked to go there and work but he refused as he knew the clear signal; he was a technician. Then he was told, if you do not go and work there, go to the hospital and get yourself admitted. He was admitted; he was saved thus. I want to know whether all these facts will be brought to the notice of the Bihar Government. He has written a letter to our Union President, Chaturanan who is an M.L.A. I am told that the District Magistrate will conduct the enquiry; I doubt very much whether anything will come out of it. We want some sort of a judicial or quasi-judicial enquiry because this is a serious affair. I think the hon. Minister knows that when an explosion took place in the High Explosives Factory at Kirkee, a high power commission was appointed to enquire into the causes, it is not a question of nine or ten lives; many more lives will be lost unless proper precautions are taken. Would the enquiry be entrusted to a higher body? The District Magistrate will not be able to do anything because the officers working in the ICI get ten times the salary of the District Magistrate. So, will it be entrusted to a serving or retired High Court Judge and will some technical experts be associated with the enquiry? Will Shri Kandu's statement be taken into account in this connection?

Thirdly, it is mentioned that 15 or 20 days before this there was a sort of alarm in the same unit. According to the technical advice given by the higher authorities in the management this was enough indication and they could have rectified the serious lapse on their part which resulted in so much loss of life. Will these points be referred to the high-powered commission?

SHRI C. SUBRAMANIAM: I am really glad that the hon. Member has given very useful information with

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regard to the incident. I shall certainly see that this information is made available to the inquiring authorities and a very searching inquiry is made so that the actual facts would come out.

As far as the actual number of people working is concerned, the hon. Member suggested that the attendance register could be verified to see whether only nine lives are lost. I think it could very easily be done, if the hon. Member could pass on the information.

The information given by one of the workers with regard to some disturbing sound requires detailed enquiry. I would request the hon. Member to give me a small note containing all the facts and allegations. I shall pass it on to the enquiring authorities.

He wanted to know whether an inquiry by a District Magistrate would be adequate. That is what is provided in the Act. If it is not satisfactory, it is always open to the government to order a special enquiry. Let us see the preliminary report. After that, if there is any lacuna, we shall not hesitate to order a special inquiry.

He said that even 20 days earlier there was some sort of alarm in this very shed. This is a very crucial point. I would see that this is taken into account at the inquiry. Let us wait for the report of the inquiry. Then we shall take further steps.

श्री मूल चन्ध बाघा (पाली) : अध्यक्ष महोदय, इस प्रकार की दुर्घटना होने पर क्या माननीय मंत्री जी का यह कर्तव्य नहीं था कि वह स्पॉट पर जाते ? कम से कम दो या तीन दिन बाद जाते मौके पर । जब इस प्रकार की घटना हो गई, उसके बाद भी आप अपने स्टेटमेंट में यह जवाब दे रहे हैं कि :

"Inspection by the officers of the Department of Explosives has not indicated any evidence of violation or negligence."

वह आप किस आधार पर लिख रहे हैं ? एक तरफ तो आप कहते हैं कि रिपोर्ट मवाई है, दूसरी तरफ आप कहते हैं कि नेग्लिजेंस नहीं है । दूसरी बात आपने डिप्टी कमिश्नर के बारे में कही है, तो क्या वह टेक्निकल आदमी है ? क्या वह एक्सप्लोसिव्स को समझता है जो इन्कवायरी कर पाये ? आपने एक ऐसे आदमी को डिप्यूट किया है जो हम बात को समझता नहीं है । एक नान-टेक्निकल आदमी इस बात की जांच कैसे कर सकेगा ?

"The Deputy Commissioner, Giridih, will be holding a Magisterial inquiry under Section 9 of the Indian Explosives Act."

इंफिडियन एक्सप्लोसिव्स एक्ट के अन्तर्गत जब इस प्रकार की दुर्घटना हो जाती है तो आपका एक्सप्लोसिव्स आफिसर मौके पर जाकर इन्कवायरी करता है । मैं जानना चाहता हूँ कि आपके एक्सप्लोसिव्स आफिसर ने मौके पर जाकर क्या रिपोर्ट दी ? उस रिपोर्ट से क्या बात साबित होती है ?

That is the most material document.

वह कितने घंटे में भ्रान दि म्याट पहुंच गया था और पहुंचने के बाद जो मास्ट एन्स्पेक्शन नोट बनाया वह क्या था ? उस इन्स्पेक्टर ने किन्-किन आदमियों के बयान लिये ?

Whether he has recorded the statement on the spot on not.

जब आपने जवाब दिया तो आपको यह बात नहीं कहनी थी कि :

"The inspection by the officers of the Department of Explosives had not indicated any evidence of violation or negligence."

आपने पहले ही अपना फैसला दे दिया । शायद यह भगवान का प्रकोप हो गया होगा । आप कहते हैं कि एक्वायरी होगी ।

श्री लखन मिश्रा (गवासियर) : जांच क्या होगी ?

श्री मूल सभ्य जना : प्रब निम्न बात की एक्सप्लोरी होगी ? मैं तो कहता हूँ कि अब तो मिनिस्ट्रों की संख्या बढ गयी है । उनमे से कोई ही मौके पर चला जाता । जब इस प्रकार की दुर्घटनाएँ हो जाये तो मौके पर जा कर इन्स्पेक्शन रिपोर्ट देनी चाहिये । मुझे बतलावा जाय कि एक्सप्लोसिबल आफिसर ने क्या रिपोर्ट दी जो लार्ज थी वह उसके घाने के पहले हटाई गई ? या बाद मे हटाई गई ? उनको किन कंडिशनस में हटाया गया घान बि स्पार्ट किस के घ्यान लिये गये ?

Who were the labourers examined on the spot? There is nothing mentioned here.

मैं कहता हूँ कि एक्सप्लोसिबल के अन्दर जो खबर लगाई जाय उनका लाइफ इन्श्योरेंस होना चाहिये और उसके लिये कानून बनना चाहिये । वहा पर सात आदमी मर गये घाफने बडी कृपा कर के मिम्पैटिक स्टेटमेंट दे दिया और सात की जगह नौ कर दिया ।

आप उन लोगों को मुआवजा क्या दे रहे हैं ? 1,000 रुपये । बहुत बडी रकम आपने दे दी । एक आदमी की जिन्दगी की घाफने इतनी कीमत आकी है अपने समाजवादी समाज में । जहाँ तक वर्कमैन्स कम्पेन्सेशन एक्ट का सवाल है, आपका स्टेटमेंट कहता है

that because there is no negligence on the part of them, how can he get it? He cannot get anything because here was no negligence on the part of the owner.

एक आदमी की जान गई और उसने 500 या 1,000 रुपया पा कर मुक्ति पा ली । यह चीज हमको सन्तोष नहीं देनी । आपको कुछ मौके पर जाना चाहिये और जांच करानी चाहिये ।

SHRI C. SUBRAMANIAM: As regards the point made by the hon. Member that the Minister should have

visited the place, I wish I had visited it but I got the information very late. I thought no purpose would be served by my visiting the place except for publicity that I visited the place. It should serve some purpose.

As far as the inspection is concerned, the local officer, that is, the Deputy Controller of Explosives arrived on the spot within 15 minutes of the explosion. The Deputy Chief Controller of Explosives, Eastern Circle, Calcutta, arrived at the place in the afternoon of 3rd March and the Chief Controller of Explosives reached there on the 4th. All these officers jointly inspected the site and examined every possible evidence there, and on that basis, provisionally, as far as they could see, they could not see any evidence of negligence or violation. But that is only what they were able to see. That is why, a more detailed inquiry, particularly with reference to some of the points which were given by the hon. Member, Shri S. M. Banerjee, is necessary. When all these are gone into in a proper manner, in a quasi-judicial inquiry, then, perhaps, much more would come out of it. That is why, in addition to the inspection by the officials, a magisterial inquiry is contemplated in the Explosives Act itself. That is why, that inquiry will be held, and if more facts come out of it, with reference to that, we should make our judgment. But, I suppose, we should not pre-judge even now whether there has been any negligence or no negligence. I do agree we should have an open mind in this thing.

With regard to the inspection, I am sure that these officers, under the rules, should have made proper record of their inspection, and that record also should be made available to the inquiring officer.

A point was made whether the Deputy Commissioner, being an administrative officer, will have the competence to make an inquiry into a technical matter like this. As a matter of fact, one of the technical officers will be associated with this enquiry, along with the Deputy Commissioner.

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and he will be helped by this technical officer.

Various other suggestions were made with regard to the insurance of persons working in these things. I wish that not only for those who are working in the explosive and other risky jobs but, on the whole, there is some sort of a general insurance for all the workers concerned. But that is a different matter altogether. As far as the Workmen's Compensation Act is concerned, that takes into account the risks involved in these jobs and it is on that basis the compensation is also laid down. In addition to the compensation to which the workers' families are legally entitled I am sure the company is taking a more generous attitude and they are already paying something more than what they are entitled to. So, that will be taken care of.

I do agree that this is a very tragic occurrence and nine lives have been lost. This should only put us to see that safety measures are taken in a proper manner, to see that there is better control on these explosives. But this is a very reputed firm and they are also not interested in having these accidents and then getting into difficulties. Taking into account their long record, I am sure, the company itself should be anxious to see that there are no undue risks involved in operating this.

12 33 hrs.

RE. ALLEGED WRONG STATEMENT
BY MINISTER

SHRI JYOTIRMOY BOSU (Diamond Harbour): I want to make a submission. I do not want to force anything on you. I just want to make a mention. On the 7th of this month when this question was being replied to.....

MR. SPEAKER: Under direction 115....

SHRI JYOTIRMOY BOSU: Let him make a submission. This is a very serious matter.

श्री अटल बिहारी वाजपेयी (ग्वालियर): कोई भी मिनिस्टर जान बूझ कर सदन को गुमराह करे तो वह प्रिविलेज है या नहीं, इसका एक बार निपटारा हो जाना चाहिए। वह गलती करे और आप उसको गलती ठीक करने का मौका दे तो मैं समझ सकता हूँ और यह आपकी डायरेक्शन के अन्तर्गत मामला आ जाता है। उस दिन मिश्र जी ने मामला उठाया था और आज यह मामला है। अगर जानबूझ कर सदन को गुमराह किया जाये और मंत्री महोदय अपनी गलती ठीक न करे तो वह प्रिविलेज में आयेंगा या नहीं इसका एक बार आप निर्णय कर लें।

SHRI JYOTIRMOY BOSU: May I humbly point this out? Is it not a fact that they are misleading the House ...

MR. SPEAKER: Let the reply come. Then you can have a chance to speak, but not now.

SHRI JYOTIRMOY BOSU: May I make a submission? Please do not take it otherwise. When a Minister deliberately misleads the House, in spite of the fact that what he was saying is no right ...

MR. SPEAKER: No, please. (Interruptions)

SHRI SHYAMNANDAN MISHRA (Begusarai): May I rise on a point of order Sir?

When such questions are raised in this House, the Chair is pleased to say that they can be raised only under Direction 115. My submission is that the question of Privilege is of such a great importance to the House and is of such a universal concern that there could not be a blanket ruling that such misleading statements could not be covered by the question of privilege. That is my humble submission. So, unless the House clinches the issue and the Chair also comes forward with a ruling which can satis-