

12.04 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE****REPORTED DEATH OF FIVE LABOURERS DUE
TO POLICE FIRING AT SIJUA COAL MINE
NEAR DHANBAD**

श्री हुकम चन्द कठुवाल (दुरैना) :

प्रध्यक्ष महोदय, मंत्री जी का स्टेटमेंट हमारे पास प्राया ही नहीं है।

MR. SPEAKER: I have also not got it.

THE MINISTER OF HEAVY INDUSTRY AND STEEL AND MINES (SHRI T. A. PAI): May I seek your indulgence, Sir? I shall place it before you in a couple of minutes. My colleague, Mr. Hansda, who had been sent to the spot so that he could make an on-the-spot study returned late last night and I could meet him only this morning so that I could place before the House as many facts as possible.

MR. SPEAKER: You may read it.

श्री हुकम चन्द कठुवाल: प्रध्यक्ष महोदय मैं अविलम्बनीय लोक महत्त्व के निम्नलिखित विषय की ओर इम्प्याट और खान मंत्री का ध्यान दिलाना हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दे :

“धनबाद के निकट सिजुआ कोयला खान में पुलिस द्वारा गोली चलाये जाने के परिणामस्वरूप पांच मजदूरों की मृत्यु के समाचार”।

SHRI T. A. PAI: I deeply regret that on the 15th November 1973, C.I.S.F. personnel deployed to protect the office of the Area General Manager, Bharat Coking Coal Limited and adjoining B.C.C.L. properties in Sijua had to resort to firing to disperse a violent armed mob, resulting in the

death of six persons including a woman. All sections of the House will, I am sure, join me in expressing our profound sense of sorrow at this grave tragedy and in expressing our deepest sympathy to the members of the bereaved families.

12.04 hrs.

[SHRI SEZHIYAN in the Chair]

A section of workers in the area covering Sijua Angarpathra, Loyabad Mudidih, Ghaslitand and other collieries, under the leadership of Hind Mazdoor Sabha had been agitating for sometime on the question of absorption of casual labour engaged in wagon loading which is not a work of a continuous and uninterrupted nature into the permanent strength of Bharat Coking Coal Ltd. The jobs performed by these workers are of so occasional and casual a nature that absorption would unduly inflate the permanent strength of the wage-earning staff under B.C.C.L., which is already suffering heavily from the problem of redundant labour. Nevertheless, the management of B.C.C.L. was carrying on discussions on this and related matters with the leaders of the particular trade union which was leading the agitation. Even on the 9th November 1973 the Area General Manager had discussions with these union leaders and had expressed his willingness to continue the talks till a mutually satisfactory settlement was reached.

However, in the morning of the 14th November 1973 a large procession of more than 2,000 persons led by the local leaders of the Hind Mazdoor Sabha went to the office of the Area General Manager in Sijua, shouting inflammatory slogans and abuses. The Area General Manager had gone to the adjoining Loyabad colliery to settle a “stay-in” strike which had taken place there since the 9th November. Failing to find the Area General Manager in his office, the leaders led the mob to the bungalow of the Area General Manager, shouting abuses

[Shri T. A. Pail]

and threats. This went on till the late afternoon of the 14th November. The Union leaders thereafter advised the crowd to stop work in all B.C.C.L. mines and offices the next day and to assemble again at the Area General Manager's office on tomorrow.

12.06 hrs.

[MR. SPEAKER in the Chair]

On the 15th November morning large groups carrying lathis, spears, bows and arrows, from Muddidih, Ghaltand and Angarpathra converged on the Area General Manager's office from different directions. The Area General Manager had gone again to Loyabad colliery in the morning for discussions with the Union people there on outstanding matters. However the leaders of the processions that were converging on the Area General Manager's office at Sijua, instead of dispersing the crowds, started addressing them with inflammatory words. While the Magistrate on duty along with a detachment of police and the Station House Officer, Jogta were busy with one mob in front of the Area General Manager's office, another mob armed with lathis, spears, bows and arrows, tried to force their way in from another direction, by the side of the Director's Bungalow. Finding their way barred by a few men of the Central Industrial Security Force the mob turned violent and started throwing brickbats and using their lathis. Even bows and arrows were used. In a short time, the situation got out of control and the handful of C.I.S.F. men were almost overpowered. The C.I.S.F. men tried to disperse the mob with lathis but in spite of lathi charges the mob continued to be violent and to press forward. As the mob was on the point of breaking into the Director's Bungalow and the Area General Manager's office and the C.I.S.F. personnel fearing that their life was in danger, in spite of repeated warnings to disperse, the Assistant Commandant of the C.I.S.F. ordered the firing of a few rounds into the air. However, even this did not have the de-

sired effect and the mob continued to surge forward. Thereafter, the C.I.S.F. opened fire. As a result of the firing three persons died on the spot and three others died subsequently in the hospital. Fifteen injured persons consisting of 5 CISF personnel and 10 others were removed to hospital. Three of the injured persons from public died subsequently and two persons from the public were discharged. Five CISF personnel and five workers were still in hospital on Saturday night when my colleagues Shri Subodh Hansda visited Dhanbad.

As police investigations are still in progress it is not advisable to discuss at this stage the apportionment of blame for these very unfortunate deaths. The law will take its own course and all infringements of the law dealt with after due process. The only thing I can say at this stage is to regret that things should have been brought to such a pass that violence became inevitable and so many valuable lives lost. While it has been the policy of my Ministry as well as of BCCL to encourage healthy trade unionism, and the BCCL management at every level is always willing to sit round the table to discuss workers grievances with their leaders, rivalry for trade union leadership should not lead to the putting forward of unreasonable demands, and even to incitement to acts of violence. It needs to be said here that the general atmosphere of lawlessness had compelled the local authorities to promulgate and order under Section 144 of the Criminal Procedure Code on the 3rd November. Yet while the order was still in force, one particular set of labour leaders though fit to collect large crowds, and even armed crowds and to make violent speeches, not only on the 14th November but again the next day. This open defiance of law and a contemptuous disregard for the more constructive methods of negotiations round the table was bound to have its undesirable repercussions. As we have seen, while the leaders who had spoken so loudly only a short while before the final acts of violence took place, happen to

remain quite safe, six other persons have paid the price of their lives.

B.C.C.L. has been instructed, in keeping with past practice, to make an ex-gratia payment to the next-of-kin of those who lost their lives in this unhappy episode. I take this opportunity to offer once again my heartfelt sympathy to the bereaved families, and to wish speedy recovery to those of the injured who are still in hospital. As stated earlier, the matter is now in the hands of the authorities responsible for law and order, and investigations are under way. However, I cannot but make an appeal to all those who have the ears of the working people of the coal belt to realise the responsibility they carry and the imperative of ensuring for the nation industrial peace and social justice combined with increased production. Incitement to violence defeats the self-proclaimers purpose of such agitation, and the country continues to go short of a commodity which is the life-blood of the economy. Therefore maintenance of law and order in the coal belt should be the primary concern of every political party in the country and of every trade union leader.

श्री हुकम चन्द कछवाय : मंत्री महोदय ने काफी लम्बा भाषण दिया है और वही रिपोर्ट पढ़ दी है जो उन्हीं के मंत्रालय के एक मंत्री ने जा कर और जांच करके उनको दी है। उन्हींने जो कुछ देखा या उनको जो कुछ बताया गया वही आपने यहाँ आकर पढ़ दिया। मैं जानना चाहता हूँ कि क्या आप ऐसी कोई कमेटी बनाएंगे जिस में सभी विचारों के पालियामेंट के पंम्बर हों और जा कर देखें कि पड़ोस विधि क्या है और निबोड ला कर यहाँ रखें। ऐसा यदि आप नहीं कर सकते हैं तो क्या कोई सेवा पुका जत्र प्राप्त निरुद्ध करेगे जोकि घटनास्थल पर जा कर जांच करें और

क्या गोली चलाना आवश्यक हो गया था इसका पता लगाए ? औद्योगिक सुरक्षा पुलिस वाले जो वे उन्हींने गोली चलाई। पुलिस वाले उसकी जांच कर रहे हैं। वे दोनों भाई भाई हैं। इसलिए हम उन पर भरोसा नहीं कर सकते हैं कि वे ठीक प्रकार से जांच करेंगे।

स्वस्थ ट्रेड यूनियन मूवमेंट को बढ़ावा मिलना चाहिये। आप चाहते हैं कि वही यूनियन कार्य करे जो आपके विचारों से मेल खाती है और दूसरी यूनियन काम न करे। यह साफ है कि और भी बहुत सी यूनियन हैं देश में जिन के पीछे काफी बड़ी संख्या में मजदूर हैं और वे मजदूरों का हित भी चाहती हैं और कर भी रही हैं। आपकी यूनियन जब ऐसा नहीं कर पाती है तो मजदूर दूसरी यूनियनों के साथ हो जाते हैं। आपकी यूनियन मालिकों से मिली रहनी है, उनके हाथों बिकी रहती है, इस में कोई दो राये नहीं हैं। इस वास्ते क्या आप जब कभी बात करेंगे तो सभी प्रकार की यूनियनों से बातचीत करेंगे ? झगड़े का मूल कारण यह है कि आप एक ही यूनियन से बातें करते हैं बाकी यूनियन से बातें नहीं करते हैं।

क्या यह सही है कि बीस हजार के करीब काम करने वाले मजदूर वहाँ पिछले दस पन्द्रह या बीस साल से टैम्पोरेरी हैं और केज्यूकल वर्कर्स के तौर पर काम करते आ रहे हैं ? जब काम इकट्ठा हो जाता है तब उनको रख लेते हैं और बाद में भगा देते हैं ?

मैं जानना चाहता हूँ कि जो आन्दोलन हुआ उसका कारण क्या था, मजदूरों की मांगे क्या थीं प्रमुख प्रमुख ?

[श्री इकमचंद कछवाय]

आपने यह भी कहा है कि भीड़ ने उत्तेजनात्मक नारे लगाए। मैं जानना चाहता हूँ कि वे नारे क्या थे? क्या ये थे कि मार डालो, लूट लो? आपने यह भी कहा कि अपने भाषणों में नेताओं ने भीड़ को उत्तेजित किया। मैं जानना चाहता हूँ कि वह उत्तेजना उन्होंने किस तरह से फैलाई। आपने यह भी कहा है कि वहाँ लोग लाठियाँ और वरछे ले कर आए। मैं आपको बतलाना चाहता हूँ कि उस क्षेत्र का आम यह रिवाज है कि वे अपने साथ ये चीज हमेशा रखते हैं।

आपने कहा है कि उनको मुद्रावजा दिया है। मैं जानना चाहता हूँ कि कितने लोगों को दिया गया है और कितना दिया गया है और यह क्या उनको मिल गया है? केवल सहानुभूति दिखाने से काम नहीं चल सकता है। महिला ने क्या बिगाड़ा था? वह भी कोई लाठी ले कर आई थी। आपने कहा कि हवाई फायर किए गए। मैं जानना चाहता हूँ कि कितने किए गए। बाद में कितने राउंड गोली चलाई गई? मेरी जानकारी यह है कि दो सौ के करीब फायर किए गए। क्या फायरिंग के पहले कोई चेतावनी भी दी गई और अगर दी गई तो कितनी बार दी गई और किस प्रकार की दी गई।

आपने कहा है कि दूसरे रास्ते से डाक्टर के मकान के भन्दर बे घुस गए। यह बात ठीक नहीं है। यह तथ्य से परे है। मंत्री महोदय जो गए उन्होंने जो रिपोर्ट दी और उनको वहाँ सरकारी लोगों ने जो रिपोर्ट दी, सरकारी भ्रमसंघों ने जो रिपोर्ट दी वही आपने यहाँ

रख दी और हमने सुन ली। हमें आपके भाषण पर बिल्कुल भरोसा नहीं है। इस वास्ते क्या आप पार्लियामेंट के मੈम्बरों की कमेटी बनाने के लिए तैयार हैं जो वहाँ जा कर सारे तथ्य एकत्र करे और पता लगाए कि किस की गलती है? जो व्यक्ति दोषी है उन्हें हटाने की बात मैं नहीं कह रहा हूँ बल्कि उनके खिलाफ आप सब कार्रवाई करेंगे? मुद्रावजा क्या दिया गया? फायर कितने चलाए गए? कमेटी बनाने को आप तैयार हैं? इन सभी बातों पर आप रोशनी डालें।

SHRI T. A. PAI: Sir, the hon. Member said that we should not talk only to the Unions. We think alike along with the management. I wish that there were many unions who should think alike along with the management in this country so that there are no problems of industrial relations at all.

On the other hand, the joint negotiation Committee that we had appointed to deal with the wages of the coal workers—I had, in my speech, directed to them that all the problems were relating to the coal workers—should convert itself into a standing committee and it should guide me and advise me as to their problems—not on a year-to-year basis but on a permanent basis—so that their problems could be continuously looked into as all the important trade unions are represented there. The problems of casual labour also could have been looked into but, unfortunately, I had also to point out that the B.C.C.L. has about 30,000 workers who are on the rolls for whom we have not been able to provide adequate work for the type of work that we have. There were a large number of casual workers who are engaged in the loading of wagons. But that is not a continuous work. I am not in a position to say that everybody who does that work in

the colliery will find a place permanently into our service. But, nevertheless, the work is of a perennial nature where some of the workers could be continuously engaged for this purpose. We were prepared to look into it and see how many of them could be classified as such.

An hon. Member pointed out that this legitimate trade unionism is being dealt with in this manner. I would also like to ask him a question whether it is proper for the discussions to be supported by bows and arrows by the people in respect of whom, he says, it is legitimate for them to carry. But, on the 14th they did not carry them. On the 15th when they came back, they were fully armed. If the trade union movement believes in not sitting across the table but in the show of its strength, then it is bound to fail. Under compulsion no negotiations could be carried out. It is impossible to carry on the negotiations with the show of strength. Knowing full well that on the 3rd of November there was Section 144 enforced in that area which prohibited any unlawful assembly, they led the assembly. The trade union leaders themselves were responsible for getting these assemblies organised and that too with arms. I am sorry that this goes beyond the legitimate means of carrying on trade union activities. In any case, it is very difficult for me to say how many rounds were fired. The hon. Member speaks as if he has more information and correct information with him and the information which I have got from my source from the Bihar Government authorities is not correct. They are bound to look into this because this question relates to the law and order in that area and it will be dealt with by them to see what action is necessary in this connection. The information that I have is that forty-four rounds were fired, and even before firing of these rounds, repeated warnings were given for the crowd to disperse. I have found that even among the officers or personnel of the CSIF one of them has

been in a precarious condition in the hospital...

PROF. MADHU DANDAVATE (Rajapur): I think he is confusing between section 144 and the number of rounds.

SHRI T. A. PAI: I am only saying that section 144 was in force, and therefore, the people who had organised any unlawful assembly should have taken care. When the crowd came pressing forward the CSIF itself before firing rounds had given enough of warning asking them to disperse. But the fact that one of the CSIF personnel has been seriously injured and is in the hospital with his intestines having been pierced through an arrow shows clearly that the bows and arrows were not innocent. They were also used before any provocation for firing being resorted to.

In these circumstances, I do not want to sit in judgment on who has done the provocation and who has been responsible for it. It is too much for me in a case like this to prejudge the issue.

So far as the compensation is concerned, whether it has actually reached their hands or not, I am unable to say, but orders have been issued that this compensation be given and the *ex-gratia* payment comes to about Rs. 500. This has been ordered to every family.

The hon. Member had asked why women were hurt. I think the bullets could not perhaps distinguish between men and women. Whoever was in the crowd had been hurt by the bullets unfortunately, and I deeply regret over the whole incident. This is all that I can say at this moment.

श्री हुकम चन्द कछवाय : क्या मंत्री
महोदय इस की जांच करने के लिए कोई
कमेटी बनाना चाहते हैं ?

SHRI T. A. PAI: I would appeal to the House not to insist on a parliamentary committee after every incident. I do hope that the normal course of law would be permitted to run itself. If we are not satisfied with that authority enforcing or doing its job properly, perhaps that would be the time when we might take it up. But if we are to abrogate to ourselves every responsibility of the various authorities, it would be ridiculous for me to suggest it at this stage and say that we shall form a committee for this purpose.

श्री हुकम चन्द कछवाय : उन की मांग क्या है ?

SHRI T. A. PAI: The demand of the workers was that casual labour must be absorbed.

SHRI C. K. CHANDRAPPAN (Tellicherry): The hon. Minister had tried to give some information about the incidents which took place which he himself had described to be very unfortunate in Sijua. But it seems that he is only trying to treat the symptoms of the disease, but the disease itself lies quite deep, which has been conveniently forgotten.

I would request the hon. Minister to recollect that when Shri Mohan Kumaramangalam was the hon. Minister looking after this portfolio, he gave an assurance in this House that the decasualisation scheme would be implemented in this sector also, that is, in the collieries. It has already been implemented in the railways, in the P & T and in Defence. Today the question has come up because of the failure of the Government in implementing the decasualisation scheme.

As was reported in the press, and as was said before, the main demand that was put forward by the workers was the confirmation of the 20,000 casual workers. The hon. Minister

has pointed out that it may be difficult for them to absorb all the 20,000 workers. Nobody would be so unreasonable as to suggest that all the 20,000 workers without any exception should be absorbed in the collieries.

But the problem is that Government do not have a scheme to absorb even a single one of them, and that has created the condition which was quite inflammable. The hon. Minister was trying to hammer into our head that the speeches were inflammatory and they created conditions for violence. But I would like to point out that there was an inflammatory condition existing in the colliery areas due to the failure of the Government in implementing their own scheme of decasualisation.

I would, therefore, like to ask the Minister whether at this stage itself, even after the martyrdom of seven or eight workers, he is ready once more to assure this House, not for assurance's sake but for implementing it immediately, that the decasualisation scheme in the collieries would be implemented.

Secondly, I would say this. The Minister was speaking more or less like a Home Minister. He spoke about the might of the police and how they would fire and how they would bring about law and order and everything. It was very good for a Home Minister, but there should be a little more sense of democracy when we are tackling such an important issue.

MR. SPEAKER: Do not put these things into his mouth. His statement is there.

SHRI C. K. CHANDRAPPAN: I shall come to the point. I do not know why, even after repeated questions, he does not commit himself to a judicial inquiry. Was there something so rotten that he could not appoint a judicial inquiry to probe into it? Is it something we are asking as an undue favour?

Just a few days back there was a firing in Kanpur. The Chief Minister of the State, who was here sitting opposite in the last session, ordered an immediate judicial inquiry. Even when only one person was killed, the present Chief Minister ordered a judicial probe. It has happened in several cases, in Kerala, and in many other States. It is the practice now when in such questionable circumstances the police use excessive force and kill people, the sense of democracy has gone to this extent that Government climb down and order a judicial inquiry. The Minister here says that the police is making some inquiry or a Magistrate is making some inquiry. You cannot bluff this House or anybody in the country like that; none of us will be satisfied by an official inquiry in its routine bureaucratic manner conducted and thrust upon us. We will not be satisfied with that.

So my question is whether you are going to make a commitment here, whether you will at least say—of course, ultimately you will say it is with the State Government—that you are for a judicial probe into the whole happenings there.

There is going to be on the 21st—I do not know if they do not know it; if they do not know it, it is rather strange—a strike in the entire colliery areas which will be a united strike called by the AITUC, UTUC, HMS and CITU. When this strike takes place, if you go with this policeman's attitude to deal with it, I am very sure more unpleasant things will happen. Will the Minister try to call the representatives of the Unions here in Delhi and personally negotiate with them so that an early settlement can be arrived at and the strike averted and he can deal with the matter on a more sympathetic basis? The AITUC, which is one of the sponsors of the 21st strike, has wanted me to inform you it will use all its good offices to bring about an amicable settlement

and solve the problem. I would like the Minister to answer pointedly all these questions.

SHRI T. A. PAI: I thank the hon. member for the assurance that they are prepared to sort out the problems that the Unions are raising with regard to their threatened strike on the 21st. I am not aware on what issue they want to strike because the Wage Negotiations Committee which is engaged in discussions with these very Unions have put forward an interim payment of wages scheme in the coal industry to which we have agreed. If now they want to discuss something also which is beyond the Negotiations Committee, I shall certainly be willing to meet them.

SHRI S. M. BANERJEE (Kanpur): Their demand is only for a judicial inquiry because eight men have been killed.

MR. SPEAKER: Not without my permission; let him reply.

SHRI T. A. PAI: The hon. Member accused me by saying that I spoke like the Home Minister. I do not want to appropriate the powers of the Bihar Chief Minister and order a judicial enquiry, and it is appropriate for the Government to take whatever action they want to take. I did not say that I have ordered the police to make enquiries. Naturally, the State machinery is involved in looking into this matter, and I am sure the State Government will take appropriate action because five people have been killed, and it is not a question of my sitting in judgment as to whether they are rightly killed or not. When any citizen has been affected, it is bound to affect the entire community, and the entire community would be concerned with it. Even the sentiment expressed in this House would certainly be taken note of, but I am unable to say whether I am in a position to order the Bihar Government to have a judicial enquiry. I hope

[Shri T. A. Pai]

that they will take all these factors into consideration and take whatever action is necessary.

So far as the decasualisation of labour is concerned, the hon. Member knows that even in the steel industry, a series of discussions are being undertaken between the management and the union to categorise the various types of functions and to find out which of them are perennial and which of them are of a casual nature, so that an early decision might be arrived at on decasualising labour. I have told the same thing to the Wage Negotiating Committee and the Coal Ministry also, that they might continue these discussions to find out how many of this casual labour can be absorbed permanently. The hon. Member has already conceded that it may not be possible to take all the 20,000. So, certainly, even if a large number is left out, I hope that with the development of the coal industry we are now taking on hand, most of them would be able to find enough employment.

SHRI C. K. CHANDRAPPA: What about having discussions with the representatives of the trade union before the strike commences?

SHRI T. A. PAI: I shall certainly be happy to meet the trade unions and find out what exactly the strike is about, and try to see that an agreement is reached with them.

MR. SPEAKER: Shri B. N. Reddy—absent; Shri Nawal Kishore Sinha—absent; Shri Shrikishan Modi—absent. So, the Calling Attention is over.

12.33 hrs.

QUESTION OF PRIVILEGE

PRESS STATEMENT ISSUED BY SECRETARY,
J. K. ORGANISATION

MR. SPEAKER: Shri Madhu Limaye had sought to raise a question

of privilege on the 5th September, 1973, against the "J. K. Organisation" in respect of a Press statement issued by the Secretary, J. K. Organisation, Kanpur and published in the *Hindustan Times*, dated the 1st September, 1973.

Shri Madhu Limaye, while raising the matter in the House, stated *inter alia* that he had never mentioned the "J. K. Organisation" at all in Lok Sabha but only mentioned companies belonging to the "J. K. Group". Shri Limaye had alleged that by publishing that Press statement, the J. K. Organisation had not only made a misleading statement but also cast reflections on him.

I had then said that I would first get the comments of the J. K. Organisation.

The Secretary, J. K. Organisation, Kanpur, who was accordingly asked under my direction to state what he might have to say in the matter, in his reply dated the 17th October, 1973, stated *inter alia* that he had issued the impugned Press statement on the basis of a news item published in the *National Herald*, dated the 25th August, 1973. He also stated:—

"...It now appears that the Press Note published in the *National Herald* was incorrect and misleading... Like everyone else, I assumed the news item in the *National Herald* to be correct version of what Shri Limaye had said in the House and proceeded on that basis... The Press statement was issued by me in the honest and bonafide belief, that the news item published in the *National Herald* was correct."

"In the end I would, on behalf of the J. K. Organisation again like to express regret in case any inconvenience or misunderstanding has been caused to Shri Limaye as regards this matter. I would like to