

tain opinion which has been supported by some people. We have already made our position quite clear and we continue to hold the same.

श्री किशन पटनायक : जैसा कि मैंने आप से कहा सरकार ने यह सदन में माना है कि बिद्रोही नागाओं के उत्पात के पीछे ब्रिटिश कूटनीतिक हाथ भी है ता मैं जानना चाहता हूँ कि क्या सरकार ने इसका पता लगाया है कि माइकेल स्काट ब्रिटिश कूटनीति के एक गैर-सरकारी कार्यकर्ता हैं ?

श्री विनेश सिंह : मैं इसके बारे में कुछ नहीं कह सकता . . . (व्यवधान)

एक माननीय सदस्य : क्यों नहीं कह सकते ?

श्री बागड़ी : पता लगाया है या नहीं सवाल यह पूछा गया है ?

श्री मधु लिमये : मेरा व्यवस्था का प्रश्न है ।

प्रध्यक्ष महोदय : व्यवस्था इसमें कहां उठती है ?

श्री मधु लिमये : मैं बतलाता हूँ कि वह क्या व्यवस्था है एक सैकंड में मैं बतलाता हूँ ।

श्री विनेश सिंह : प्रध्यक्ष महोदय, इसके बारे में मैंने प्रश्न किया कि वह ब्रिटिश सरकार के किसी कूटनीतिक के यहां पर नुमायन्दे हैं या नहीं है यह कहना बड़ा मुश्किल है इस के बारे में पता लगाना कि दूसरी सरकार का कोई जामूस है या नहीं है लेकिन हम उनके काम को यहां पर देखें तो उससे मालूम होता है कि उनका काम कोई मुनासिब नहीं रहा है और उसको देखते हुए हम ने उनको यहां से वापिस भेज दिया ।

Shri Nath Pal : Has the Government's attention been drawn to a report that Rev. Machael Scott has had a special interview with the British Minister of Foreign Affairs, Mr. Arthur Bottomley and, if the

Government knows it, may we know whether Mr. Bottomley was being prevailed upon by Mr. Scott to take interest in this matter and whether the Government has taken up this matter and made a representation to the British Government that this is purely an internal affair and that the British Government is not called upon to interfere in this way ?

Shri Dinesh Singh : I entirely agree with the hon. Member that this is an internal matter in which the British Government has nothing to do at all. We have also seen the reports of Rev. Machael Scott meeting the Commonwealth Secretary. But he is a British national and, as such, he meets his Ministers.

12.00 hrs.

Paradip Port

*S.N.Q. 35. **Shri Surendranath Dwivedy :** Will the Minister of Transport, Aviation, Shipping and Tourism be pleased to state:

(a) whether any charter of demands has been received from the Paradip Port Workers' Union;

(b) whether it is a fact that the President of the Union met personally the Minister concerned and top officials of the Ministry in January, 1966 and urged for urgent intervention to check illegal activities of the Chief Engineer of Paradip Port;

(c) whether even the conciliation proceedings have failed on account of the uncooperative attitude of the Chief Engineer; and

(d) if so, the action taken to avert the strike?

The Minister of State in the Ministry of Transport and Aviation (Shri C. M. Poonacha) : (a) Yes Sir. A list of demands was received from the Union on 30-4-1966.

(b) The President of the Union had discussions with senior officers of the Ministry regarding port labour problems in Paradip last January. He explained the Union's point of view and he was informed that action would be taken strictly

in accordance with the labour laws. Government do not agree that the Chief Engineer and Administrator of the Port of Paradip had been engaging in illegal activities.

(c) Government do not agree that the conciliation proceedings have failed because of the attitude of the Chief Engineer and Administrator.

(d) Further necessary action has been initiated by the Labour Relations machinery with regard to the points of difference between the Project authorities and the Union. Government see no justification for the Union launching a strike from the 23rd instant.

Shri Surendranath Dwivedy: What is the answer to parts (c) and (d) of the question?

Shri C. M. Poonacha: The notice of strike is there, but the authorities concerned at Paradip port have been given instructions to deal with the situation in respect of the various demands, strictly in accordance with the labour laws, and the matter is dealt with accordingly.

Shri Surendranath Dwivedy: The hon. Minister has said that the Chief Engineer had not violated any labour laws. May I draw his attention to the fact that on 19th October, 1965, the Chief Engineer himself had committed in writing that he had retrenched about 300 workers and that had been done illegally, and he had agreed with the Assistant Labour Commissioner at Jharsaguda that those workers would be taken back and they would be considered as if they had been there on the rolls, and back wages would be paid to them. But he has not done that for the last six months. May I know what action has been taken against the Chief Engineer?

Shri C. M. Poonacha: Some of the workmen belonging to some of the coastal vessels working at Paradip port were retrenched. I want to know whether the hon. Member is referring to those cases of retrenchment.

Shri Surendranath Dwivedy: Those are different. These cases refer to 300

workers who had been illegally retrenched, and the Chief Engineer himself had admitted ultimately that he had done that illegally, and he promised that he would take them back. As regards the workers belonging to the coastal vessels, I shall come to that question presently.

Shri C. M. Poonacha: If the question is with regard to the other shore-labour, instructions have already been issued to the port authorities to pay compensation where retrenchment is inevitable, because after the completion of the project, a large number of labourers working in the port area are found surplus to our requirements. Therefore, they have got to be retrenched, and such retrenchment would be on the basis of 'last-come-first-go', and whatever is permissible under the labour laws by way of compensation and such other things would be paid to them. Those instructions have been issued, and the port authorities are taking action accordingly.

Shri Surendranath Dwivedy: It seems that he has not read the charter of demands at all. I have put a specific question about 300 workers who had been retrenched, and in regard to whom the Chief Engineer had admitted in writing before the conciliation officer that it had been done wrongly and he would take them back....

Mr. Speaker: That information is probably not with the hon. Minister.....

Shri Surendranath Dwivedy: And he goes on saying that the authorities have been instructed to proceed according to the labour laws. What purpose does this answer serve?

Mr. Speaker: He says that these 300 construction workers.....

Shri Surendranath Dwivedy: This has nothing to do with them. These 300 workers had been retrenched, illegally....

Mr. Speaker: The hon. Member is referring to some 300 labourers belonging to a different category. He says that these workers had been retrenched, and the Chief Engineer himself had said that they

had been retrenched illegally. That is the allegation.

Shri C. M. Poonacha: That matter is under conciliation proceedings with the local labour officer. That officer is seized of the question. He is taking necessary action to see that nothing illegal is done so far as the labour employed there are concerned.

Shri Surendranath Dwivedy: Let him straightway say 'I do not have the facts; I will find out and tell the House tomorrow'. This conciliation has failed. It has been reported to the Ministry. There are three other matters, victimisation of trade union officials, and vessel workers, about which he mentioned. All these conciliation proceedings have failed and the matter has been referred to here. They are not referring it to the tribunal.

Mr. Speaker: He might put his second question. I will ask him to get the information on this question and lay it on the Table.

Shri Surendranath Dwivedy: Tomorrow he can give it. These are all with them.

Mr. Speaker: If he can, he might give it tomorrow; if he cannot, later.

Shri Surendranath Dwivedy: Not only about this. Is it not a fact that conciliation has failed regarding the victimisation of officials for trade union activities and also victimisation of the water works staff numbering 35, illegal retrenchment of vessel staff, about which he was mentioning, numbering 40 or so? All these reports of failure of conciliation have been referred to the Ministry. Why have these cases not been referred to the tribunal?

One of the demands of the Union was for recognition, that being the only Union functioning there since 1964. Why this delay in according recognition to this trade Union?

Shri C. M. Poonacha: There are different batches of labour employed in various categories of work. As for labour who are working in the water works, the new water works installations have been completed. Earlier 250 tube-wells were being operated

employing a large number of labour. Consequently on the new water supply scheme having been finalised, those labourers who have been found surplus are being retrenched.... (Interruptions). Why don't you listen to me? If you do not want to listen, what can I do? I am giving information.

Shri Surendranath Dwivedy: The question is specific. You are not giving the answer to that.

Shri C. M. Poonacha: I am giving a clear answer.

Mr. Speaker: Order order. The Minister might go on.

Shri C. M. Poonacha: As for the crew that were employed in the vessels working there the vessels were taken on hire from the Government of Orissa and they were being used by the port authorities on the basis of payment of special hire charges. After the work was finished, the vessels have gone back to the Orissa Government. The part of the crew is not the concern of the port authorities.

As regards recognition of the Union, there are three Unions registered. The matter is under consideration as to how recognition should be accorded and necessary verifications are going on.

Shri Surendranath Dwivedy: He should give specific replies to my specific questions. I referred to the vessels workers, then recognition of the particular union which should have been given. As regards conciliation proceedings regarding victimisation, retrenchment etc. the failure report was submitted to the Ministry.

Mr. Speaker: That he has not got. He will find out.

Shri Surendranath Dwivedy: Let him say so. It was sent in December. I have written letters to them. They are not doing anything in the matter.

Shri C. M. Poonacha: The matter was discussed here in January. The President of the particular Union was here and the whole matter has been gone into in detail and very many of the demands have not been pressed since. Only one of the demands, about recognition of the Union, is

now being pressed. The matter is now being examined, because there are three Unions. It has to be verified and decided as to which of these Unions should be given recognition. This particular Union's headquarters are in Cuttack. As to what amount of representation it enjoys with regard to Port labour has to be verified. It cannot be done straightway.

Shri Surendranath Dwivedy: Again, recognition apart, he has not replied to the question whether report of failure of conciliation has been received or not.

Mr. Speaker: Whether conciliation report has been received by the Government.

Shri Surendranath Dwivedy: He is evading the question altogether.

Mr. Speaker: Whether conciliation has failed, and the report has reached the Government about that.

Shri Surendranath Dwivedy: That should be referred to the tribunal. That is the next course.

Shri C. M. Poonacha: On that point, this is not a recognised union, and the matter is being discussed, and we are trying to do our best so far as retrenchment of labour is concerned.

Shri Surendranath Dwivedy: We should get some reply. It may not be a recognised union, but if conciliation proceedings were held by the Labour Ministry, the next course, according to law is to refer it to the Employment Ministry, to refer it to the tribunal. He does not reply to that. It is not a recognised union, that is only one part.

Mr. Speaker: Twice I have repeated. What can I do?

Shrimati Renu Chakravarty: Mr. Poonacha always does this. He has not replied. He must answer the question.

Shri Bade: Why should he avoid the question?

Mr. Speaker: The Member is insisting that if conciliation has failed, the matter ought to have been referred to the

tribunal. According to the Minister, from what I could follow, his plea was that the union was not a recognised one. Probably he means to say that in that case, because the union is not a recognised one, therefore, even if conciliation.....

Shri S. M. Banerjee: That is wrong.

Shrimati Renu Chakravarty: That would be going against the law.

Mr. Speaker: I may be mistaken. I do not know the labour laws.

Am I correct in inferring or concluding from what the Minister has said that his stand is that because the union was not a recognised one, therefore when the conciliation failed with that union, it was not necessary to go to the tribunal? Am I right?

Shri C. M. Poonacha: The position is that the union is not a recognised one.

Shri Surendranath Dwivedy: That is a different matter altogether.

Shri C. M. Poonacha: It is merely a registered union, and the headquarters of this union is in Cuttack, it is not in Paradip. The Labour, Employment and Rehabilitation Ministry is now verifying the fact as to what extent the members of this union represent dock labour. This is the most crucial point which is being now verified by the Labour Ministry.

Mr. Speaker: Whether the reference to the tribunal would depend upon the decision of this issue?

Shri C. M. Poonacha: Yes, Sir.

Shri Surendranath Dwivedy: The headquarters is not at Cuttack, you are wrong.

Shri A. P. Sharma: Strike is the last resort for settling the disputes of workers when there is no alternative left. The Minister has said it is not a recognised union. May I know from him whether the union has taken a strike ballot to obtain the views of the workers before giving strike notice, or a few handful of people having registered a union have given this strike notice?

Shri C. M. Poonacha: I do not have any information.

Shri A. P. Sharma: This is a very important point that I have raised.

Mr. Speaker: I am not disputing its importance.

Shri A. P. Sharma: Will this information be made available?

Mr. Speaker: If the Minister says that he has not got the information at this moment, what should I do?

Shri A. P. Sharma: Will it be made available later on? Let the Minister say. He wants to say something.

Mr. Speaker: I have asked the question. He has answered it.

Shri A. P. Sharma: I wanted to say that the strike is not legal.

Mr. Speaker: This insistence of Members I cannot understand. The Minister says he has not got the information.

Shri M. L. Dwivedi: He can lay it on the Table of the House.

Mr. Speaker: I cannot compel him to come out with that information. What should I do?

Shri A. P. Sharma: I have raised a legal point. No strike can be valid unless and until the view of at least 75 per cent of the workers are in favour of the strike. Therefore, I have made this point. I wanted to know whether this union has obtained the views of the workers before giving the strike notice. That is a very important point. If the information is not available with the Minister, let the information be made available later.

Mr. Speaker: Order, order.

Shri Ranga: In view of the fact that the Minister has said that this question has been pending for the past five months, may be more, because in December they had their talks with the conciliation officer, may I know if when the conciliation officer was carrying on his proceedings or his talks there was only one union which he had to deal with so far as labour was concerned and thereafter two more have

come into existence and Government is waiting to see which one of this new unions which had been helped by somebody or the other to come into existence should be recognised apart from the original one?

Shri C. M. Poonacha: As far as the information that I have, we have three registered unions. As to which came into existence first, and which next, I do not have any information. I will try to collect this information and place it before the House.

Some Hon. Members rose—

Mr. Speaker: There are three short notice questions which I had admitted. That was a mistake. Fifteen minutes have been taken by this one.

Shri Surendranath Dwivedy: There are several others who want to put supplementary questions.

Explosion of Mines in Border Areas of Punjab

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S.N.Q. 36. **Shri R. Barua:**

Shri Gulshan:

Shri Onkar Lal Berwa:

Shri Kishen Pattanayak:

Shrimati Basant Kunwari:

Shri Madhu Limaye:

Shri Hukam Chand Kachhavalaya:

Dr. Ram Manohar Lohia:

Shri Maurya:

Shri Bagri:

Shri Hem Barua:

Shri Surendranath Dwivedy:

Shri D. C. Sharma:

Will the Minister of Defence be pleased to state:

(a) whether a number of civilians have been killed as a result of explosion of mines laid by Pakistanis in the border areas of Punjab since the withdrawal of Pakistani troops from those areas;

(b) if so, the total number of civilians as well as military personnel thus killed;

(c) whether all the mines laid by the Pakistani forces in those areas have since been cleared; and